

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

160th Legislative Day

June 24, 1992

Speaker McPike: "The House will come to order. The House will come to order. The Chaplain for today is Reverend Willis Simpson, of the First Congressional Church in Marshall, Illinois. Reverend Simpson is the guest of Representative Weaver. Guests in the balcony may wish to rise and join us for the invocation."

Reverend Simpson: "Let us pray. Our Father, help us to be more appreciative of the fact that You have been our help in ages past, our hope for years to come. We are grateful to You then for America, this sweet land of liberty, this land of the noble free, and this home of the brave. Help us also to be thankful, Father, that' From the wilderness of prairies, Illinois, Illinois. Straight thy way and never varies, Illinois, Illinois. On the record of our years, Abraham Lincoln's name appears, Grant and Logan, and our tears, Illinois, Illinois'. Furthermore, real appreciation might be expressed unto You for the Members of this House of Representatives, who have unselfishly answered the call of their constituents to become their elected Representatives. May each and every Representative present, then, understand if any of you lack wisdom he should ask God, who gives generously to all without finding fault, and it will be given to him. Also, in the discharging of their daily duties, enable these Representatives to pray this ancient prayer: 'From the cowardice that shrinks from new truth, from the laziness that is content with half-truths, from the arrogance that thinks it knows all truths, Oh, God of Truth, deliver us'. Finally, our Father, at the close of each Session of this House of Representative, encourage many to have the desire to offer that prayer of serenity: 'God, grant me serenity to accept the things I cannot change, courage to change the

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

160th Legislative Day

June 24, 1992

things I can, and wisdom to know the difference'. Living one day at a time, enjoying one moment at a time, accepting hardship as a pathway to peace, taking, as Jesus did, this sinful world as it is, not as I would have it, trusting that You will make all things right. All this, our Father, we have asked, and do now specifically offer up unto You in the name of Your Son, who loved us and gave Himself for us because it's in His name and for His sake we pray. Amen.

Speaker McPike: "Turn on Mr. Hensel, please. Representative Hensel will lead us in the Pledge of Allegiance."

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

Speaker McPike: "Roll call for attendance. Representative Matijevich."

Matijevich: "I think we're all here, Mr. Speaker."

Speaker McPike: "Thank you. Mr. Kubik."

Kubik: "Thank you, Mr. Speaker, the Republicans are all here."

Speaker McPike: "Mr. Clerk, take the roll. One hundred-eighteen Members answering roll call, a quorum is present. The Chair intends to adjourn tonight at 6:00 p.m. The Chair intends to adjourn tomorrow night at 6:00 p.m. Tomorrow, we will call the airport bill. Which will take a considerable amount of time. We still intend to adjourn at 6:00 p.m. If you don't wish to call your Bills before 6:00 p.m. today, or 6:00 p.m. tomorrow, they will be dead."

Speaker McPike: "Representative Churchill."

Churchill: "Yeah, Mr. Speaker, I just wondered, is that the same thing as going into Session at 9:30 in the morning? Is that the same time..."

Speaker McPike: "No, that is not. No."

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

160th Legislative Day

June 24, 1992

Churchill: "Okay, so there won't be an hour and a half delay then?"

Speaker McPike: "There will not be an hour and a half delay."

Churchill: "Oh, Okay."

Speaker McPike: "There was not an hour and a half delay this morning either. No, Representative Churchill, we will adjourn tonight at 6:00 and tomorrow at 6:00. Mr. Lang."

Lang: "Thank you, Mr. Speaker. I'd like to announce that the House Democratic Task Force on Health Care Reform is going to have a brief meeting immediately in the Speaker's Conference Room."

Speaker McPike: "Government Administration, Third Reading. Senate Bill 1650. Representative Wolf. Mr. Wolf. Mr. Parke. Representative Parke here? Mr. LeFlore, Robert LeFlore. Representative Wolf, 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. Third Reading of the Bill."

Speaker McPike: "Representative Wolf."

Wolf: "Thank you, Mr. Speaker. Senate Bill 1650 is a Bill that's intended to go into conference and to carry future pension legislation under the Agreed Bill process, and I would move for passage of Senate Bill 1650."

Speaker McPike: "The question is, 'Shall Senate Bill 1650 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 110 'ayes' and 0 'nays'. Senate Bill 1650, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1717, Mr. LeFlore. Mr. Lang. Representative Bugielski, Senate Bill 1823. We might never get back to this Bill. Wanna to call it? Representative McDonough. Read the Bill, Mr. Clerk."

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

160th Legislative Day

June 24, 1992

Senate Bill 2091."

Clerk O'Brien: "Senate Bill 2091, a Bill for an Act to amend the Revised Cities and Villages Act of 1941. Third Reading of the Bill."

Speaker McPike: "Representative McDonough."

McDonough: "Senate Bill 2091 provides a grant or a loan for a library."

Speaker McPike: "Representative Black, on the Bill."

Black: "Yeah. Thank you very much, Mr. Speaker. The Bill, as amended, simply asks the Department of Commerce and Community Affairs to loan or grant \$4 million to build a library within the 34th Ward of the City of Chicago. In an era when you're gonna go home and cut literally every aspect of the budget, if you wanna explain a 'yes' vote on a \$4 million grant to build a library in somebody's ward, that's okay with me. But I'm not gonna go home and explain why I can't bring home any libraries, any bridges, any 'Build Illinois', or anything else, and, in fact, cut everybody's budget, but it's okay for somebody else to get \$4 million to build a library. Now building a library is a noble purpose and under normal circumstances, I sure as heck wouldn't stand in opposition to it, but this is not a normal year. I urge a 'no' vote on this \$4 million Member add-on to build a library in the 34th Ward of the City of Chicago."

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I rise to join with the previous speaker. I know the Sponsor of this Bill has every good and noble intention, and he's a very good and noble individual, but in my community we've been trying to get a larger branch library for many years. We've gone to meetings with the

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

160th Legislative Day

June 24, 1992

Chicago Library Board. We've had them come out and see what the problem is, and year after year after year, we have one of the highest used, most greatly used facilities, and most over-crowded facilities in the city of Chicago. We in the 49th Ward need a larger branch library. So, I can't support an individual appropriation to build a library somewhere else, when the Chicago Public Library System has not yet found it possible to enlarge the branch library in my district."

Speaker McPike: "Representative Rice."

Rice: "We certainly appreciate the comments of the previous speakers, but in this particular community, we have no library. We do not have access to a library, and during a time of illiteracy and trying to develop certain kinds of skills for our youngsters and our adults, I think this is the minimum amount of attention that we can give to this particular area. It sounds as though you're a little jealous, because we...some of us have libraries in our particular area, and we have access to other libraries, and I don't think the south end of Chicago should go without a decent respectable library. I certainly hope you'd vote 'aye' on this important piece of legislation."

Speaker McPike: "The question is, 'Shall Senate Bill 2091 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Representative McDonough."

McDonough: "Mr. Speaker, I think this is a very important Bill. This is not a...an appropriation. It is merely a...a grant or a loan, and I emphasize the fact 'a loan'. I would appreciate a lot of green votes up there."

Speaker McPike: "Representative Keane."

Keane: "Thank you, Mr. Speaker. I'd like to stand up and give a

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

160th Legislative Day

June 24, 1992

little bit of an explanation as to why you should vote 'aye' on this. The specter of talk against state government has arisen. If you look at the statute that governs the construction of libraries, it deals either with grants or loans. It is not... We are not giving money through this directly to... We're not taking state money out of General Revenue and putting this into this library. If you are not going to vote for loans, then let me remind my Republican friends that the Governor's proposal is looking to float a lot of bonds. The Governor's proposal, which has made the headlines today, as to how we're going to continue and balance this budget, is very, very dependent on bond sales. If you vote 'no' on this Bill, be ready to vote 'no' on the Governor's proposal. Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish. The Clerk will take the record. On this Bill, there are 35 'ayes' and 78 'noes'. Senate Bill 2091, having failed to receive a Constitutional Majority, is hereby declared lost. Representative Cronin, Senate Bill 2170. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2170, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Representative Cronin."

Cronin: "Yeah, Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2170 seeks to amend the Illinois Vehicle Code. It requires that persons convicted of driving under the influence of alcohol while transporting a person age 16 or under to pay a minimum \$500 fine and serve five days of community service. It also requires that second DUI offenders pay a minimum \$500 fine and serve ten days of community service, if the second offense was committed while a child of 16 years of age or younger was

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

160th Legislative Day

June 24, 1992

in the vehicle at the time. This has commonly been referred to as the Child Endangerment Law. It's a matter of public policy. I would urge the Members of the Body to consider the fact that when the offense of driving under the influence of alcohol is committed with a minor in the car, it's more serious than someone who is taking it upon themselves. I urge an 'aye' vote."

Speaker McPike: "Representative Deering, on the Motion 'do pass'."

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

Speaker McPike: "Yes."

Deering: "Representative, the way the language in the Bill is, if I, as a parent, am transporting my children and I may have have stopped and had two or three drinks not enough to be inebriated, but enough to fail the breath test will I be charged \$500 for transporting a minor while being legally intoxicated?"

Cronin: "You would have to be 'convicted' for the offense of driving under the influence of alcohol."

Deering: "To the Bill, Mr. Speaker. I think this is a very loose piece of legislation, very dangerous. Once we start a precedent, it'll never end. I think parents have to be concerned about the safety of their children. I think we all have to be concerned about the safety of all of our children, but, I think we're really puttin the cart before the horse, before we start strengthening these laws especially if you get convicted a second time, it's gonna cost you another \$500, and in today's day and age with the economy the way it is, many families can't afford this. We agree, everyone agrees, we wanna get the problem drinker off the road but we're not gettin the job done the way that we're doing it. Too many people have trouble now getting

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

160th Legislative Day

June 24, 1992

to and from work, supporting their families because of a mistake, and I think that we should defeat this Bill. I ask for a 'no' vote."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you. A question of the Chair. Can the Chair tell us which Amendments were adopted?"

Speaker McPike: "Mr. Clerk."

Clerk O'Brien: "Amendment 4 is adopted to the Bill."

Wennlund: "That's the only Amendment?"

Speaker McPike: "Yes, Amendment #4."

Wennlund: "Thank you."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, on Amendment #4, the one that says there's an additional \$100 fee on anyone who violates a DUI provision on a second or subsequent offense, all my notes indicate is that that fee goes to the county I suppose the county of origin general fund, supposedly to be used for education programs. That's...Is that tight enough, or is the county just gonna be able to put it in the general revenue fund and you know pressure's on the county and they wanna spend that money?"

Cronin: "Representative, if you're looking for a statement of legislative intent, the purpose of that \$100 additional fee, it is permissive for the counties to levy, or to charge, is for specifically for purposes of education and treatment of the DUI offenders. A lot of these counties have started a protocol where they treat the...the offenders, and it's costly, and they're looking for additional revenues."



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

160th Legislative Day

June 24, 1992

Black: "So, if...if the county did not want to I think now we've hit the key, if the county did not want to institute this fee and set up the subsequent accounting standards, they wouldn't have to do this at all. It would be up to the county board to enact that permissive legislation. Is that...is that the intent?"

Cronin: "That's correct."

Black: "All right. Thank you."

Speaker McPike: "Representative Harris."

Harris: "Thank you, Mr. Speaker. A question of the Sponsor."

Speaker McPike: "Yes."

Harris: "Representative, your objective here is to obviously cut down on...on DUIs, correct."

Cronin: "That's correct."

Harris: "And you are saying that it is more offensive, a DUI is more offensive because there is a minor in the car, correct?"

Cronin: "That's correct."

Harris: "Isn't it just as offensive, especially to the parent perhaps of a child, if there is a minor in the car of a...of...of an accident victim? In other words, if that DUI driver strikes another vehicle and there is a minor in that car, would that not perhaps justify increased penalties?"

Cronin: "Well, I...I don't know that the language of this Bill contemplates that. Maybe we can talk about that next year."

Harris: "Well, it doesn't. You're right. It doesn't contemplate that, but maybe it's worthy of...of further legislation if we're keying just on minors. Thank you."

Cronin: "Thanks for the point."

Speaker McPike: "Representative Parke."

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

160th Legislative Day

June 24, 1992

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I...I guess I'm kinda confused. I don't understand why when someone has a second DUI with a child in the car, why they would even be drinking when they're so drunk they shouldn't be behind the wheel in the first place. I think it's time that we start taking these people who are irresponsible, and now jeopardize the life of a child or children, off the roads. I think society is saying, by virtue of this Bill, that's it time for this Legislature to take action to protect the children and to make sure that those people who drive while they're drunk do not have any kind of sympathy from our society and that we oughta do everything we can to discourage people from being drunk and behind the wheel. I would ask for this Body to pass this legislation to make sure that we continue to protect the children of this state."

Speaker McPike: "Representative Matijeich."

Matijeich: "Mr. Speaker, I wanna to make a point similar to what I think Dave Harris was getting at. I think we're gonna start doing with the DUI laws much like we're doing with the criminal laws, in other words, the matter of categorization. To me, DUI is serious enough. What you do, is you put in people's minds the fact that DUI is less serious if you've got somebody who isn't a minor in the car. In other words, you may have six passengers in the car, all adults, and evidently are saying it is more dangerous to have a DUI drive under the influence with possibly one minor in the car. I think we oughta avoid that. We...You know, what we're really doing, Ladies and Gentlemen of the House, too often, is trying to pass laws to get votes. That's really what we're trying to do. Even the woman who started MADD said and we all received her

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

160th Legislative Day

June 24, 1992

letter and a...copy of a article that she wrote that we're going overboard with regards to lowering limits, that we oughta do something about those who are repeat offenders. If we're going to do that, that's fine, and this Bill is very difficult to vote against, much like other Bills that we vote against categorizing crime. But I really think we are not doing any good with regards to the matter of DUI and those people who ought to, in their own mind, understand that driving under the influence is serious no matter who's in the car. Driving under the influence is serious if you are the only person in the car because you endanger yourself. It's serious because you endanger the lives of everybody on that highway, and this is what we're going to be leading to. I guess I'll vote 'aye', but I think I may vote 'present' I haven't made up my mind yet but the fact of the matter is and I really respect the Legislator who's presenting this but I really think we're heading in the wrong direction with regards to this type of legislation."

Speaker McPike: "Representative Homer."

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

Speaker McPike: "Yes."

Homer: "I think there's some confusion, Representative Cronin, I'm confused at least, about what this Bill does. You've got another Bill, Senate Bill 2169. This Bill, as I understand it, has one Amendment on it; that's Amendment 4?"

Cronin: "Yes, that's correct."

Homer: "So Amendment 4 has to do with county boards' imposing a \$100 fee on a second conviction for DUI, correct?"

Cronin: "That's correct."

Homer: "By the way, does that apply where the second...where the

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

160th Legislative Day

June 24, 1992

first was a court supervision, or does this require a second conviction, do you know?"

Cronin: "I believe it's a conviction."

Homer: "So, court supervision would not be a first offense within the meaning of your Amendment?"

Cronin: "If Court supervision is granted, I don't think that the court would be allowed to impose the additional \$100 fine."

Homer: "So we're talking about a second conviction, where a county board has approved an ordinance authorizing this \$100 fee?"

Cronin: "That's correct, because, as you know, Representative, the expensive, or costly, treatment for counties is for those repeat offenders who are enrolled in programs supervised and approved by DASA, and anyway that we can encourage those who demand the services of these programs to pay more, I think is good public policy."

Homer: "Okay. But...but for legislative...for purpose of legislative intent, if nothing else, your Amendment talks about a, or it's actually a Terry Parke Amendment, but it talks about a second and subsequent violation, the word 'violation', you would construe to mean 'conviction'."

Cronin: "For purposes of legislative intent, that would be my interpretation, yes."

Homer: "And a court supervision disposition would not constitute a prior violation, is that correct?"

Cronin: "For purposes of this particular language in this particular Bill."

Homer: "So, other than that Amendment, the Bill itself is still intact, correct?"

Cronin: "That's correct."

Homer: "And the Bill, itself, would you just explain very briefly what the Bill itself does?"

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

160th Legislative Day

June 24, 1992

Cronin: "The Bill itself seeks to create an aggravating circumstance, or to...to identify a particular set of facts that is more of an egregious violation of the DUI laws than the ordinary circumstances, in that an individual who drinks and drives is irresponsible and is in violation of the law, but an individual who drinks and drives with a minor, who could be 16 years old, or who could be a 3-year-old child, is...is even more irresponsible and is even a greater wrong, and so, therefore, this legislation seeks to recognize that, and it seeks to redress those types of violations."

Homer: "So, your...your Bill applies to first convictions, first convictions for DUI, correct?"

Cronin: "That's correct."

Homer: "And it sets up a minimum? If you get a conviction for DUI, then you would have a minimum fine of \$500 and a mandatory five days community service? Is that correct?"

Cronin: "That's correct, and as you know, Representative, violation of this Act to begin with is a Class A misdemeanor and the punishable fine is up to \$1,000. So, we're just establishing a minimum requirement in the case of one arrested for drunk driving with a minor, 16 years or younger, in the vehicle."

Homer: "All right, and if the person was convicted a second time for DUI, and at the time was transporting children under the age of 16, then you would have a minimum \$500 fine and ten days of mandatory community service?"

Cronin: "That's correct. The community service, I should have pointed out earlier, is an integral part of it. The five days community service, for the second person convicted of the second DUI, for the person convicted of the first DUI is to serve five day of community service, in addition to

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

160th Legislative Day

June 24, 1992

the minimum \$500 fine."

Homer: "So, in both these case, you're talking about where the convicted person was transporting someone under the age of 16?"

Cronin: "That's correct."

Homer: "All right. So, first time, first conviction, would be a minimum five days and \$500, second conviction, ten days community service and \$500?"

Cronin: "That's correct."

Homer: "All right. Mr. Speaker, to the Bill. I...I think some of the Members are voicing concern about the other Bill, 2169, and I don't think this provision, Senate Bill 2170, is too onerous or too unreasonable. I would urge support for this Bill."

Speaker McPike: "The question is, 'Shall Senate Bill 2170 pass?' All 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 is 101 'ayes' and 6 'noes'. Senate Bill 2170, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1965, Representative Currie. Ms. Currie. Representative Hartke, 1828. Read the Bill, Mr. Clerk. All right, this is the last time we're calling this Bill. Representative Brunsvold. Representative Brunsvold. Representative Stepan, Senate Bill 2101. Out of the record, or in the record? Out of the record. This is the last time we'll be calling that Bill. Representative Capparelli, are you prepared to call your Bill? (Senate Bill) 1519. Mr. Regan, Senate Bill 1638. Read the Bill Mr. Clerk."

Clerk O'Brien: "Senate Bill 1638, a Bill for an Act to amend the Comprehensive Health Insurance Plan Act. Third Reading of

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

160th Legislative Day

June 24, 1992

the Bill."

Speaker McPike: "Representative Regan."

Regan: "Yes, thank you, Mr. Chairman. I'd like leave of the House to move it back to Second for the purpose of an Amendment, please."

Speaker McPike: "No, we are not on that Order. So you do not have leave of the Body."

Regan: "It's been on the list for a couple of days and just wondering if there's a problem."

Speaker McPike: "Well, Mr. Regan, you'll have to put this Bill on the list up here."

Regan: "Again? All right."

Speaker McPike: "Mr. Homer. Representative Homer. Mr. Brunsvold, do you wanna call your Bill? Brunsvold, 1862. Do you wanna call it? Do you want to call it tomorrow? We'll just take it off the list then. Representative Giglio, in the Chair. Mr. Homer's Bill, 1803. Read the Bill, Mr. Clerk. Representative Giglio, in the Chair."

Clerk O'Brien: "Senate Bill 1803, a Bill for an Act in relation to criminal law and procedure. Third Reading of the Bill."

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

Homer: "Thank you, Speaker. This is a shell Bill, and its purpose is to implement any agreement that might be reached with Judge Comerford and those in the insurance industry that are negotiating to implement a Pilot Bail Agent Licensing Act. I understand the parties are continuing to discuss the issue, and may, in fact, be close to an agreement. I would ask that we send the Bill over to the Senate in order to put the Bill in a Conference Committee to implement any agreement that is reached prior to the adjournment. So I would move adoption of the Bill."

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

160th Legislative Day

June 24, 1992

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

Black: "Thank you very much, Mr. Speaker. I think somebody on your side of the aisle said yesterday that confusion in this chamber, particularly on Third Reading, is just too great. The noise level is too great. We've got people running all over the place. I couldn't hear a word Representative Homer said. I'm sure this is a...a vehicle I heard him say that but we couldn't hear one word he said about what it might be used for or anything else. We wanna support the Gentleman's Motion, I'm sure of that, but in all honesty, we cannot hear in this chamber."

Speaker Giglio: "Your point's well taken, Representative Black. Let the Chair remind those people on the House floor that are not entitled to the House floor, please remove yourself from the chamber. Those personnel that are not allowed on the House floor, please remove yourself from the chamber. Would you kindly give the Gentleman your attention, and we'll reduce the noise level."

Homer: "Thank you. Mr. Speaker, the purpose of this Bill is to put into a Conference Committee report, so as to implement any agreement that may be reached by the insurance industry and the judiciary. Judge Comerford, the chief judge of the Cook County Circuit Court, is presently engaged in discussions with the parties interested in this Bill to implement a pilot program to institute a Bail Agent Licensing Act, where individuals who are incarcerated would be able to purchase a bail bond and be released from custody. We used to have this system in Illinois several years ago. It was repealed about 20 years ago, and there's now an interest in reimplementing it, and there are ongoing negotiations and discussions, and unless there's an



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

160th Legislative Day

June 24, 1992

agreement reached with Judge Comerford and the judiciary, this Bill will go nowhere. But, in the event that an agreement is reached, we want this Bill to be in a position to implement that agreement. So, at this time, we don't know what it will contain, but we're hoping that by keeping it alive that we have an opportunity to implement a pilot bail bond licensing program, if an agreement is reached."

Speaker Giglio: "The Lady from Sangamon, Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I rise in opposition to this Bill. Most of us have not been involved in conversations to reinstitute the bail bondsman, but we have had a good system in Illinois. The previous bail bondsman system was not good, and that's why it was repealed, and so I stand in opposition and hope we would not pass the vehicle. We do have time to bring this up again next year if there are points that the people who are pushing the Bill feel are valid, but I would hope we would kill this now."

Speaker Giglio: "Further discussion? Representative Homer, to close."

Homer: "Thank you, Mr. Speaker. This, again, is simply a vehicle to implement an agreement if one is forthcoming. Now let me say this, that the previous speaker spoke to the current system, and while it is true in some counties that the current system seems to be working okay, there have been some recent news stories in Chicago indicating that the system there is not working well at all, and that, in fact, a number of inmates who have been released on their own recognizance because of the overcrowding of the Cook County jail, do not show up at all for their court appearance, and for that reason, Judge Comerford and others who are concerned about the current program are looking into this as a method of insuring better percentage of those who are

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

160th Legislative Day

June 24, 1992

released on bail appearing in court. This concept has some real advantages. Instead of having the local sheriff's office have to go out and arrest these people who don't show up, you have a bail bondsman who is responsible for procuring their attendance in court, and we ought not to close the book or close our mind on this idea, because it has some potential to help the administration of justice and insure that those who are charged with crimes appear as they're required to do so. So, at this point, I would ask that you move the Bill along. If you decide later you're opposed to it, you can vote against it, but let's not close our mind to the opportunity to create better efficiency in our court system."

Speaker Giglio: "The question is, 'Shall Senate Bill 1803 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? Kubik, 'aye', Mr. Clerk. Have all voted who wish? Take the record. On this question, there are 114 voting 'aye', 4 voting 'no'. Senate Bill 1803, having received the required Constitutional Majority, is hereby declared passed. On the Order of Civil Law, Third Reading, appears House Bill...Senate Bill 2076, Representative Lang. Out of the record. House (sic - Senate) Bill 2134, Representative McCracken. Representative McCracken in the chamber? Out of the record. Under Criminal Law, Third Reading, Senate Bill 744. Representative Lang, 744. Out of the record. Representative Rotello. Is Representative Rotello in the chamber? Out of the record. Representative Steczo, 1763. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1763, a Bill for an Act in relation to sexual assault. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Cook, Representative Steczo."

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

160th Legislative Day

June 24, 1992

Steczo: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1763, as it came over from the Senate, created the Sexual Assault Services Fund in the State Treasurer's office. This is a Bill that parallels the Domestic Violence Funds that we created in this General Assembly and in the State of Illinois last year. What this Bill does, provides for that...that surcharges, that additional fine...to be imposed on sexual assault fines, and has one distribution for fines collected from family members and another distribution scheme for fines collected from non-family members. This Bill passed the Senate and the House Committee by unanimous votes. Mr. Speaker, additionally, yesterday we adopted Amendment #1, I believe, by Representative Levin that addresses the question of abandonment of elderly or disabled persons that was adopted on a voice vote and also incorporated into that an Amendment by Representative Hoffman which deals with the Prisoner Review Board being consolidated into the Department of Corrections, which I also too believe was noncontroversial. I would answer any questions that the Members might have; if not, would ask for a 'yes' vote."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall Senate Bill 1763 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? Take the record, Mr. Clerk. On this question, there are 116 voting 'yes', none voting 'no'. Senate Bill 1763, having received the required Constitutional Majority, is hereby declared passed. Representative Cronin, on 2169. Representative Cronin in the chamber? Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 2169, a Bill for an Act in relation

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

160th Legislative Day

June 24, 1992

to sentencing driving under the influence offenders. Third Reading of the Bill."

Speaker Giglio: "Mr. Clerk, let the record reflect that Representative Ropp wanted to be voted...recorded as voting 'aye' on the last Bill, on Senate Bill 1763. Representative Cronin."

Cronin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill that responds to Representative Matijevich's and others' concerns about the root of the problem regarding the crime of drunk driving, namely the root of the crime...the root of the problem being the multiple offenders. This Bill seeks to amend the Criminal Code of 1961 to provide that a DUI offender is eligible for court supervision once every ten years, as opposed to once every five years. In addition, the legislation would mandate DUI offenders to complete community service under certain circumstances. This is a piece that I would urge the Members to look at carefully and consider positively in terms of its effect on multiple offenders. Currently, if someone is arrested for drunk driving in, say, the year of 1991, they are not eligible to...for court supervision until the year 1995. Under this piece of legislation, they won't be eligible for court supervision until the year of 2000. As a practical matter, when one is arrested for drunk driving the first time around, courts typically give the offender court supervision. Second time around, is a conviction. One could conceivably get three DUI offenses in a five-year period of time under the current scheme of the law. This seeks to redress those multiple offenders, and I ask for your 'aye' vote."

Speaker Giglio: "The Gentleman... Further discussion? Hearing none, the question is 'Shall Senate Bill 2169 pass?' All

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

160th Legislative Day

June 24, 1992

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? Take the record, Mr. Clerk. On this question there are 90 voting 'yes', 14 voting 'no', and Senate Bill 2169, having receiving the required Constitutional Majority, is hereby declared passed. Under the Order of Labor, Special Order, Third Reading, appears Senate Bill 1657, Representative McAfee. Take it out of the record. Representative John Dunn, 1773. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1773, a Bill for an Act to amend the Voluntary Payroll Deductions Act. Third Reading of this Bill."

Speaker Giglio: "The Gentleman from Decatur, Representative John Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I ask for a favorable vote on Senate Bill 1773. I know of no opponents. This is clean-up Bill with regard to those who make charitable contributions from their payroll contributions, state employees, and I ask for your favorable vote, and I would be happy to answer any questions."

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

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

Speaker Giglio: "Indicates he will."

Wennlund: "Representative Dunn, can you tell us what this Bill does?"

Dunn: "Yes, what the Bill...what the Bill does, is say that any organization which gets the threshold number of signatures to be a participant in payroll deductions among state

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

160th Legislative Day

June 24, 1992

employees, for charitable purposes, any organization which does that, must pay its own pro-rata share of the cost of conducting that campaign, and then they must agree to abide by the Code of Campaign Conduct, which is not in the statute books but which is...is something that all the organizations that participate in payroll deductions have agreed to. That's what this Bill does, and, again, I know of no opposition."

Wennlund: "Was the...was there a reason that the...the Amendment which provided for an immediate effective date?"

Dunn: "The Amendment changes the effective date from 'immediately' to 'January 1, 1993'. And I think as with anything, there of course is...is need to...for start-up time, and I think the people who're going to implement this just want some time to make sure they have everything in order before they proceed with this legislation."

Wennlund: "And there are no other intentions regarding this Bill, to do other than what it does?"

Dunn: "No, no, this is not...this is not an Amendment put on this Bill to take it to Conference Committee. We're gonna go back and ask the Senate to concur on this Amendment and send it to the Governor, and I'm willing to state for the record that this is not to be a Conference Committee vehicle Bill."

Wennlund: "Thank you very much."

Speaker Giglio: "The question is, 'Shall Senate Bill 1773 pass?' All 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, there are 115 voting 'yes', 1 voting 'no', and Senate Bill 1773, having received the required Constitutional Majority, is

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

160th Legislative Day

June 24, 1992

hereby declared passed. On the Order of Professional Regulations, Third Reading, appears Senate Bill 626, Representative Mautino. Is Representative Mautino in the chamber? Representative Steczo. Is Representative Steczo in the chamber? Representative Phelps. Representative Phelps in the chamber? Representative Steczo, we have Senate Bill 963 and 1662. Want to hear these Bills? Mr. Clerk, read Senate Bill 1662."

Clerk McLennand: "Senate Bill 1662, a Bill for an Act to amend the Barber, Cosmetology, Esthetics and Nail Technology Act of 1985. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Cook, Representative Steczo."

Steczko: "Mr. Speaker, I would yield to Representative Obrzut to present Senate Bill 1662."

Speaker Giglio: "Representative Obrzut."

Obrzut: "Thank you, Mr. Speaker, Representative Steczo and Members of the House. What Senate Bill 1660...1662 does, is license industrial hygienist. The only provisions now in this bipartisan-sponsored Bill are those which give protection to industrial hygienist. It's very similar to the Bill we passed last year, which was vetoed. However, Senate Bill 1662, corrects all of the flaws mentioned in the veto message, and it allows the start-up costs to be borrowed from the Asbestos Abatement Fund. No GRF would be used now or in the future to administer the Act, due to the fact that the entire cost would be paid from the fees charged. The Department of Labor would administer the Act, and they feel they can do...do so with existing personnel. Industrial hygienists are highly trained and educated individuals, who deal with Radon, hazardous wastes, asbestos, chemical emissions, lead poisoning, air quality and workplace safety. This is a good environmental

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

160th Legislative Day

June 24, 1992

consumer protection Bill and deserves support."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this Bill. The objections of the Governor have not been satisfied. The Department of Labor is opposed to this Bill. The Department of Public Health is opposed to this Bill. This Bill pre-empts home rule. Let me tell ya what else it does. The fund...the funding for the start-up of this cost will be funded from the Department of Public Health's Asbestos Abatement Fund. Now the period of financing is limited in the Bill to 120 days. However, there is no cap on the amount of money that the Department of Labor may spend to start up this program. Additionally, the Department of Labor is mandated to repay these expenditures, but there is no time frame in which the repayment is to be completed. This legislation is unique in that it allows one state agency to borrow money from another. I submit to you that passage of Senate Bill 1662 could set a very dangerous precedent, whereby priority programs can be put in jeopardy if you allow one state agency to divert funds to another state agency for an unrelated program. This is not a very good idea. The objections have not been compromised nor agreed too in any way shape, or form by the Department of Labor, the Department of Public Health, the Office of the Governor, and even though it does have bipartisan sponsorship, I must rise and urge a 'no' vote on this Bill that could, indeed, set a very dangerous interdepartmental agency borrowing program, that I don't think we want to get started. I urge a 'no' vote."



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

160th Legislative Day

June 24, 1992

Speaker Giglio: "The Gentleman from Washington, Representative Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, also, rise in opposition of this Amendment. Further echoing the comments of the previous speaker, I, like many of you in your districts, have many schools, many public facilities that have asbestos problems, and they already have problems getting funding. That's what this fund was set up for. I think we should keep the Asbestos Abatement Fund to do the job that it was done. I recommend a 'no' vote."

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

Regan: "Thank you, Mr. Speaker and Members of the House. Will the Sponsor yield for a question, please?"

Speaker Giglio: "Indicates he will."

Regan: "Representative, is the Department of Public Health opposed to this Bill?"

Obrzut: "Representative Regan, I was under the impression they sup...they were either neutral or in support of the Bill. This is the first I heard that they were opposed."

Regan: "That's...that's my understanding as well, is that...that the asbestos monies that was funded there for an important Bill such as this, they were willing to do along without any objection."

Obrzut: "That's what I thought. I thought the reason that we went through the Department of Labor was because they had two industrial hygienists on their staff that could work with us to help defray costs of hiring additional personnel."

Regan: "Well, we just see the information here that Public Health is now opposed to the Bill. However, to the Bill, as spokesperson for the Department of Regulation, I have been

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

160th Legislative Day

June 24, 1992

the most forth forward in my opposition to new licensures, but industrial hygienists are people that take care of toxic wastes for business. It helps business save thousands and thousands of dollars in regards to fines from the EPA. It's a...very serious, and it should be licensed. If we're gonna license people that cut fingernails and paint 'em with paint, we sure should license a person that deals with toxic wastes. I urge its support."

Speaker Giglio: "Further discussion? Hearing none, Representative Obrzut, to close."

Obrzut: "Thank you, Mr. Speaker. I want to thank the previous speaker. I would like to reiterate, as he did, that as minority spokesman, he supported the Bill. It's a licensure Bill that I know Representative Regan in the past has supported last year as well, and when you look at other licensure Bills that come up in Professional Regulations Committee that there's very few licensure Bills that do get out, and I also want to state the fact that the chairman of that committee, Representative Steczo, is the Sponsor of this Bill and in support of it. The Bill was well heard in committee. I admire the industrial hygienist for coming up with a creative plan to fund this program. It's gonna be returned. It's not gonna affect the school asbestos program. I think it's a good Bill, and I would hope for an 'aye' vote. Thank you."

Speaker Giglio: "The question is, 'Shall Senate Bill 1662 pass?' All those in favor signify by voting 'aye', opposed, 'no'. This is final action. Representative Parcels, one minute to explain your vote."

Parcels: "Actually, it was an inquiry of the Chair. I wondered because this pre-empts home rule, if this would take 71 votes?"

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

160th Legislative Day

June 24, 1992

Speaker Giglio: "Representative, we'll have the Parliamentary look at the Bill. Representative Curran, for what purpose do you rise, Sir?"

Curran: "I want to acknowledge I have a potential conflict of interest, but I'm voting my conscience."

Speaker Giglio: "The Parliamentary, Representative Parcells, informs the Chair that Amendment #2 deletes the provision that pre-empts home rule, and this Bill takes 60 votes. Have all voted who wish? Representative Steczko."

Steczko: "Thank you, Mr. Speaker. Just to explain my vote. I think that one just really had to listen to the comments that Representative Regan made, in order to really understand that this Bill is not controversial in any way, shape or form. As many of you know, or have observed, he has been the staunchest advocate of not furthering new licensure in this General Assembly. He feels so strongly about this one, that it is non-controversial and that it is necessary, that he's a...he's a hyphenated Sponsor of the Bill. So, if...if one would look at historical practice around this place, I would think that that alone should tell you that this is a Bill that deserves to be supported and your 'yes' votes are warranted."

Speaker Giglio: "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 54 voting 'yes' and 50 voting 'no'. Representative Obrzut asks the Bill be placed on Postponed Consideration. Representative Mautino, on Senate Bill 689. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 689, a Bill for an Act to amend the Beer Industry Fair Dealing Act. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Bureau, Representative

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

160th Legislative Day

June 24, 1992

Mautino."

Mautino: "Thank you, Mr. Speaker, Members of the House. Senate 689 amends the Fair Dealing Act, and it requires that products being delivered to federal enclaves (that would be an armory or a military base), be individually labeled. The second part of the Bill requires that the liquor license can be reissued to a location that has had its license revoked. This can be done by the liquor control commissioner. I know of no opposition. I ask for an 'aye' vote."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall Senate Bill 689 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 114 voting 'yes', none voting 'no'. Senate Bill 689, having received the required Constitutional Majority, is hereby declared passed. Let the record indicate that Representative Rotello wants to be recorded as voting 'aye' on Senate Bill 689. Representative Phelps, Senate Bill 2057. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 2057, a Bill for an Act concerning mines and mining. Third Reading of this Bill."

Speaker Giglio: "The Gentleman from Saline, Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill does a couple of things. One, it requires the Illinois Commerce Commission to collect information relating to the allocation, acquisition and sale of emission allowances that were created in the Federal Clean Air Act. In addition, it gives a fluorspar

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

160th Legislative Day

June 24, 1992

mine (the only one that actually exists in all the nation in my district in Hardin County, Ozark-Mahoney), who's asking permission to store explosives underground that does away with an antiquated, obsolete statute of 1922 that prohibits them, but it gives, in addition, the Mines and Minerals Department much more authority to regulate that activity for safety purposes, and with that I don't know of any opposition. I appreciate your support."

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

Black: "Yep. Thank you very much, Mr. Speaker. Will the Sponsor yield for purposes of a clarification of intent?"

Speaker Giglio: "He indicates he will."

Black: "Representative, is it your intent that this Bill go - and is the Senate Sponsor in agreement with you - that this Bill will be concurred with in the Senate and go right to the Governor's desk?"

Phelps: "Very much so. Yes, Sir."

Black: "It will not be used for any other purpose?"

Phelps: "No way."

Black: "Thank you very much. Mr. Speaker, Ladies and Gentlemen of the House, the Sponsor has done an excellent job of getting this Bill in a form that you see it. It's a good Bill. I join...I rise to join him in urging an 'aye' vote on this Bill."

Speaker Giglio: "The question is, 'Shall Senate Bill 2057 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? Take the record, Mr. Clerk. On this question, there are 114 voting 'yes', none voting 'no', and Senate Bill 2057, having received the required Constitutional Majority,

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

160th Legislative Day

June 24, 1992

is hereby declared passed. On the Order of Third Reading, under Revenue, appears Senate Bill 318, Representative Keane. Representative Keane in the chamber? All right, under Revenue, we have Representative Lang, Kubik, Currie, Steczko, Hartke and McGann. Revenue. Representative Lang. Out of the record. Representative Kubik, 1490. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1490, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of this Bill."

Speaker Giglio: "The Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Basically this particular Bill has two components. The first component allows that income taxes be paid for by credit card. This is a permissive proposal that needs to be looked at by the Department of Revenue, but we're going to give them the ability to look at that issue. In addition to that, we have another provision which has been a...was adopted in committee, and basically it amends the Uniform Penalty and Interest Act to make some substantive changes in the penalty and enforcement provisions and adds a voluntary disclosure provision and changed the effective date of the Act. This is a proposal which has been worked on with the Illinois Taxpayers' Federation, the Illinois Retail Merchants, the Chamber of Commerce and a variety of other groups who are in support of this particular proposal. I know of no opposition for this particular Bill, and would move for its adoption."

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

Wennlund: "If the Speaker could, I'd defer to Representative Currie to ask some questions for purposes of establishing legislative intent?"

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

160th Legislative Day

June 24, 1992

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

Currie: "Thank you, Mr. Speaker and Members of the House. For legislative intent, I want to make sure that the new limitations on collecting taxes do not at the same time limit the department's existing authority. As an example, when the application of the tax to a transaction or taxpayer was unclear, the department is sometimes not assessed or collected some or all back tax liabilities, as long as the taxpayers agree to collect in the future. Would passage of this Bill in any way limit the department's authority to continue with this past practice?"

Kubik: "No."

Currie: "Secondly, the director of the department currently has power to appoint a board of appeals that has the authority to review any and all department actions which the director refers to that board. Does anything in this Bill limit the authority of the director to continue to refer cases to the board, or limit the board's authority in any way?"

Kubik: "The answer is 'no'."

Currie: "Thank you."

Speaker Giglio: "The Gentleman from LaSalle, Representative Walsh."

Walsh: "Will the Sponsor yield?"

Kubik: "Yes."

Speaker Giglio: "He indicates he will."

Walsh: "In regard to the payment with a credit card, is this going to guarantee the full amount of tax being paid, there would be no percent withheld by the credit card company?"

Kubik: "Representative, first of all, we have not agreed to allow payment by credit card. What we're doing under this particular Bill, is to allow the department to look at the

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

160th Legislative Day

June 24, 1992

issue. There are a lot of unanswered questions regarding this, including the one that you raised, and what we're trying to do is allow the department authorization to look at this issue and determine whether it is a feasible proposal or not. So, the answer to your question is, we don't have an answer at this point in time, because we're waiting for the department to look at this issue and promulgate some regulations."

Walsh: "All right. So, in essence, what you're saying is that there will have to be future legislation that will actually allow this to take place when that time comes."

Kubik: "Right. There are some proposals in other states that are out there. There are some difficulties with this idea, but we want to give them the ability to look at the issue and yeah..."

Walsh: "Thank you."

Speaker Giglio: "Representative Kubik, to close."

Kubik: "I would just ask for a favorable vote on Senate Bill 1490."

Speaker Giglio: "The question is, 'Shall Senate Bill 1490 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? Take the record, Mr. Clerk. On this question, there are 118 voting 'yes', none voting 'no', and Senate Bill 1490, having received the required Constitutional Majority, is hereby declared passed. Representative Currie, Senate Bill 1518. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1518, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of this Bill."

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

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



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

160th Legislative Day

June 24, 1992

is a Revenue Committee proposal. It's a vehicle Bill in its present form, but our proposal is to send the Bill back to the Senate in case there are losses and other income tax measures that get tied up in one thing or another between now and the end of Spring Session. I'd appreciate your support."

Speaker Giglio: "Any discussion? Hearing none...Representative McNamara."

McNamara: "Yes, I wonder if the...if the Sponsor could...could explain again. I had a hard time hearing what you were saying, so I don't know what's in it right now."

Currie: "In its current form this is a shell Bill, but we in the Revenue Committee thought it would be wise to keep the option of technical changes in various of the Acts that we deal with available, in case some other measures, substantive measures, get caught up in deadlines or get up in other kinds of problems between now and the end of spring Session. So, if there are some technical Bills that pass the House but got caught in Senate Rules or the other way around, then this Bill would be available for those purposes. It's a bipartisan Bill."

McNamara: "Do...I haven't always been bipartisan. What I'm concerned in this, is these are just technical changes to the Income Tax Act?"

Currie: "That's our intent."

McNamara: "Okay. There are no raises, no lowerings. It's just technical language in it."

Currie: "That's not our intent. Our intent is, as I say, to clean up language if that becomes necessary. It's useful to have a vehicle available for the income tax, for the Revenue Act, for the sales and use taxes, and that's been our past practice."

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

160th Legislative Day

June 24, 1992

McNamara: "Thank you very much."

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

Parcells: "Thank you, Mr. Speaker. Would the Sponsor yield? Representative Currie, there was an Amendment #1 offered which, I believe, failed. It would not be your intention in a Conference Committee to try to put that back into the Bill, would it?"

Currie: "Right. The only Amendment on the Bill now is a technical Amendment, and so the Bill is a shell Bill."

Parcells: "And, you would use it for language to...having to do with income tax, but on Floor Amendment #1, which did not have to do with... Well, it did have to do with tax - it was an offset for insurance companies - it would not be your intention at any time to include that?"

Currie: "Nope."

Parcells: "Thank you."

Speaker Giglio: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this proposal. For my...for the benefit of the Membership on my side of the aisle, it is our intention to use this particular legislation to include some depart...Revenue Acts which may have passed the House, which have been held in the Senate Rules Committee. This gives us that opportunity. It is the agreement of the Sponsor and I, to keep all of these measures noncontroversial and basically clean-up language. So I would rise in support of the Lady's Motion."

Speaker Giglio: "Further discussion? Representative Currie, to close."

Currie: "I think Representative Kubik did that job nicely for me., I would appreciate your 'aye' votes."

Speaker Giglio: "The question is, 'Shall Senate Bill 1518 pass?'

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

160th Legislative Day

June 24, 1992

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, 107 voting 'yes', 5 voting 'no'. Senate Bill 1518, having received the required Constitutional Majority, is hereby declared passed. Senate Bill... Representative Jones, for what purpose do you rise? The Lady wants to be recorded as voting 'aye' on Senate Bill 1518. Let the record so indicate, Mr. Clerk. Representative Steczo, are you ready with 1556? Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1556, a Bill for an Act relating to state and local tax and fiscal matters. Third Reading of this Bill."

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1556 was amended yesterday, and all it contains now is language that would put on the ballot next November, an advisory referendum that...that addresses the question of mandates, similar to the Constitutional Amendment provision that failed to pass the General Assembly this year. I would ask for an 'aye' vote, Mr. Speaker."

Speaker Giglio: "Representative Black."

Black: "Yeah. Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative, is... In the language of the Amendment, it...it suspends the limitation about only three questions being on...on a ballot. Do we have three on?" Steczo: "No, we don't, Mr. Black."

Black: "All right. So that language was just added in case..."

Steczko: "Just in case, right, and we think this is so important that it should not be pre-empted by anything else."

Black: "All right. And this entire Act sunsets next January?"

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

160th Legislative Day

June 24, 1992

Steczo: "Next January."

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

Speaker Giglio: "Representative Lang."

Lang: "Thank you. Will the Sponsor yield? Representative, what about the six-month time requirement. Does that come into play here?"

Steczo: "Mr. Lang, excuse me?"

Lang: "The requirement that...that the General Assembly certify this within six months?"

Steczo: "This is... That's for, in the case of a Constitutional Amendment, I believe. This is just an advisory question that's being placed on the ballot."

Lang: "Thank you."

Speaker Giglio: "Representative Hartke."

Hartke: "Representative Steczo, explain this to me one more time. You're requiring that every polling place in the State of Illinois have a question on the ballot with this piece of legislation to determine whether we should stop all mandates?"

Steczo: "No, the question would be, Mr. Hartke, whether or not the...the voters of the state feel that there should be things like extraordinary majorities that are...that are required to adopt new mandates in the State of Illinois."

Hartke: "This is just a referendum, advisory only."

Steczo: "This is an advisory question for the voters of the state."

Hartke: "Okay. Are there any other questions that are going to be on the ballot, other than the Constitutional question, and what would this cost the State of Illinois and the counties who... Would this be a separate ballot?"

Steczo: "This will be a separate question."

Hartke: "Yes, it would be on a separate ballot then. It would be

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

160th Legislative Day

June 24, 1992

a separate line item, a separate, the whole works, right?"

Steczo: "Correct, sure."

Hartke: "And what would this cost?"

Steczo: "I'm not, Mr. Hartke, sure of the cost, but I'm sure it costs less than the next mandate that we pass."

Hartke: "Thank you very much for answering my question."

Speaker Giglio: "The Lady from Lake, Representative Stern."

Stern: "May I ask the Sponsor a question, and may I first apologize if you've already covered this. I was on a phone call, and I missed the beginning of this. Is this an advisory referendum on whether or not there should be a binding referendum on the subject of mandates?"

Steczo: "The question...the question as would be submitted to the voters would be as follows:"

Stern: "Aha. Lets hear it."

Steczo: "'Should the Illinois General Assembly, in order to stop increasing property taxes due to unfunded mandates on local government, approve a resolution for a State Constitutional Amendment prohibiting the General Assembly and the Governor from adopting new unfunded mandates that impose additional costs on units of local government?' So, we are asking the citizens of the State of Illinois, whether or not they feel we should provide new unfunded mandates (which is illegal anyway)."

Stern: "No, you're really not. You're asking them on an advisory referendum..."

Steczo: "Advisory only."

Stern: "Whether or not to put a binding referendum before them on the question of mandates. It's another step. Why don't we just put the binding referendum on the ballot?"

Steczo: "As I said in my initial remarks, this would be an advisory referendum, anything other than that - probably as

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

160th Legislative Day

June 24, 1992

Representative Lang's questioned - would need a Constitutional Amendment which... And at this point this would not satisfy that six-month requirement, so because our attempt to adopt a Constitutional Amendment Resolution failed, the next best thing perhaps is just ask the voters of Illinois for an advisory question as to what they think about unfunded mandates."

Stern: "Well, it's either the next best thing or the next worst thing. I'm not sure which, Representative. Thank you."

Speaker Giglio: "The noise level is getting very high. Those that are not entitled to the House floor, will you please remove yourself from the chambers. Mr. Emery, are you ready to remove personnel who are not entitled to the House floor? Representative Steczo, to close."

Steczko: "Thank you, Mr. Speaker. Just..."

Speaker Giglio: "Excuse me. Excuse me. Representative Matijevich."

Matijevich: "Terry, I was going to...I don't know if it's in the form of a question or not, but let me... I've been listening to the debate and as I understand the debate as it's going on what we're asking of the people is to tell us in an advisory referendum that we should follow the law. Isn't that really what it amounts to?"

Steczko: "That is absolutely correct, Representative Matijevich."

Matijevich: "Well, I don't happen to have to have an advisory referendum to tell me that I should follow the law. I think what we're telling the people is that we're stupid, that we have to have them remind us to follow the law. I will say that we have not always followed the law, but I think we're subject, you know, to ridicule by the people in a referendum if we did put such a thing on the ballot and they'd say, 'my God, you ought to follow the law. You

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

160th Legislative Day

June 24, 1992

shouldn't tell us to follow the law,' and that gets me a little nervous. How about you, Terry? Don't you feel that way, too?"

Steczo: "Representative Matijevich, I just know that since the law's been in effect on state mandates that we have not followed it very well and what has happened is that our role in enacting new unfunded mandates has created problems with local governments. So we are giving the folks back home, as we say, the option of telling us that we should do it no longer."

Matijevich: "Well, I think we should do what the law requires, too, but I think if we tell the people...remind us of it that...that I think it makes us look stupid, is what it does."

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

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Matijevich is correct, and what you really ought to do is read or at least listen to this ballot language. The ballot will read, 'Should the Illinois General Assembly' (and here comes the real kicker) 'in order to stop increasing property taxes due to unfunded mandates on local government, approve a resolution for a State Constitutional Amendment prohibiting the General Assembly and the Governor from adopting new unfunded mandates that impose additional costs on units of local government?' Ladies and Gentlemen of the House, do we really need a ballot referendum in order to know that the people of Illinois do not want their property taxes increased? Do we really need an advisory referendum? In addition to the three that can be on there anyway, to tell us that people are tired of unfunded mandates, that people

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

160th Legislative Day

June 24, 1992

are tired of increasing property taxes. I mean, how silly can we be? There's not a person in this chamber or in the Senate that doesn't know that the people of Illinois are tired of property tax increases, one after the other. If this General Assembly cannot police itself, an advisory referendum on the ballot certainly is not going to do it. The language of this ballot question is ridiculous and Representative Matijevich is correct. It makes us, this Body, look silly and stupid before the public in Illinois. It is demeaning to the General Assembly in Illinois. It doesn't belong on a ballot. It should be voted down."

Speaker Giglio: "Representative Steczo, to close."

Steczko: "Thank you, Mr. Speaker. Just in response to the last speaker, I would ask what makes us look sillier? A ballot question that asks people whether or not we should not fund mandates any longer or pass Bills with unfunded mandates, or the fact that we, year after year after year - all of us - constantly vote for new mandated programs without providing the funds? And if you are talking about silliness, that's the point. We, in November, are going to ask people (although we think we know the answer about primary responsibility for funding education) to tell us unequivocally 'yes', we should use...be the primary funder of education in this state. Same way with this Amendment. People should tell us, or we're giving them the opportunity to tell us, 'We've had enough unfunded mandates; General Assembly. Unless you provide the funds for it, 'quit it'' So, this actually does, I think, Mr. Speaker, provide a way for the citizens of Illinois to direct us to do something meaningful in terms of saving them property tax dollars, and I would ask for a 'yes' vote."

Speaker Giglio: "The question is, 'Shall Senate Bill 1556 pass?'



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

160th Legislative Day

June 24, 1992

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 88 voting 'yes', 25 voting 'no', and Senate Bill 1556, having received the required Constitutional Majority, is hereby declared passed. Representative Dunn and Representative Noland in the Chair for an announcement."

Dunn: "Thank you for allowing us to come to the podium. Representative Noland and I are very proud today. We are from the community of, Decatur and Decatur, Illinois, has received a singular honor just recently. One of our high schools, MacArthur High School in Decatur, had a team which participated in the state boys' high school track finals. Not only did they participate as a team, they won the state boys' high school track championship for 1992, for MacArthur High School, in Decatur, Illinois. Come on up here, guys. We are as proud of this team as we can be and in addition to the team title captured by the boys' track team, there was also a state champion on the girls' track team from the same high school, MacArthur High School, Terra Tyus, was a state champion as well. I'll let Duane Noland introduce you to the high school coach who will present the team to you."

Noland: "It's my pleasure to introduce Coach Bill Harbeck, who has had an outstanding career at MacArthur High School and with that, Coach, would you please come forward and introduce your state champion track team?"

Coach Harbeck: "Thank you very much. It is a pleasure to be here with this championship team from Decatur MacArthur High School. Alright. I'd like to introduce some of the members of the team and give you their events. On my right

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

160th Legislative Day

June 24, 1992

here is Byron Topps, a triple jumper. As a sophomore he made it to the state meet, jumping nearly 46 feet. This group right here with Eric Dabner, Jason Carson and Marcus Cook and Marcus Phillips - who is not here today, who is out. He went to South Carolina to visit a college - they won the 4 by 100 meter relay team. They were not beaten all year by anybody in the 4 by 100 meter relay and they won the 4 relay by quite a distance if you saw it on TV. They also... Okay. These three teamed with freshman, Joe Michael, to place second in the 4 by 200 meter relay and gave us eight valuable points there; and then Eric Dabner, back here, who was the small school state champ in the 100 meter last year was second this year in the Double A, behind a very fine sprinter from Proviso West. So these fellows here scored a lot of points for us in that state meet. Continuing on, we have Andy Harbeck, my son, who was a 14-foot 4-inch pole vaulter and made the finals in the state in the pole vault. Also with me is one of our team captains, Brian Edmonson, who was also on our cross country team captain, and he was one of our three team captains - Brian, a distance runner - and also with Brian...and also with Brian is Matt Clark, a junior, our top distance runner, who we're looking on...forward to this next year in cross country and track and field. We had three state champions from MacArthur this spring - in the boys side - as John mentioned; Terra Tyus, state champion; in the 300 hurdles, we also had another state champion from Decatur Eisenhower School, a triple jumper, Adam Hodges. So Decatur had five state champions. Our boys' team finished first. Our girls' team finished eighth and Eisenhower's team finished eighth, so the State of Illinois better look out for Decatur in the future because we're going to take

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

160th Legislative Day

June 24, 1992

over. Thank you."

Dunn: "Thank you very much, Coach Harbeck, congratulations again to all of you state champions. Can we have one final round of applause for these wonderful young people? They're the hope of our future."

Speaker Giglio: "Representative Currie, 1643. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1643, a Bill for an Act to amend the Revenue Act of 1939. Third Reading of this Bill."

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

Currie: "Thank you, Mr. Speaker, Members of the House. This changes the oath that's taken by county assessors to delete language that's no longer relevant by virtue of change in personal property...by virtue of abolition of the personal property tax in the State of Illinois. We've already passed this Bill once. I know of no opposition. I'd be happy to answer your questions and would appreciate your support."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall Senate Bill 1643 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? Take the record, Mr. Clerk. On this question, 115 voting 'yes', 0 voting 'no', and Senate Bill 1643, having received the required Constitutional Majority, is hereby declared passed. Representative Keane in the chamber? Representative McGann? Representative McGann, on Senate Bill 1935? Do you wish to have that Bill called, Sir? Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1935, a Bill for an Act in relation to the local government distributive fund. Third Reading

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

160th Legislative Day

June 24, 1992

of this Bill."

Speaker Giglio: "The Gentleman from Cook, Representative Andrew McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. Senate Bill 1935 addresses the General Revenue Funds, the transfers out of the GRF and what it is, is the...amends the State Revenue Sharing Act. The Bill provides that the Department of Revenue deposit one-twelfth of the income tax collection net of refund fund deposits directly into the local distributive fund. There will be no loss in dollars because it's just transferring and passing through from one to the other. Rather than going into the General Revenue Fund, it will go directly into the local government distributive fund, and I would ask passage of Senate Bill 1935. Happy to answer any questions."

Speaker Giglio: "Any discussion? Representative Black."

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

Speaker Giglio: "Proceed."

Black: "Was Floor Amendment #1 withdrawn from this Bill?"

Speaker Giglio: "Mr. Clerk, was Floor Amendment #4 withdrawn?"

Black: "One. Floor Amendment #1."

Speaker Giglio: "Floor Amendment #1?"

Clerk McLennand: "Yes, it was. It was withdrawn."

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

Speaker Giglio: "Indicates he will."

Black: "Representative, there are no other Amendments on this Bill?"

McGann: "That is correct, Representative Black. No other Amendments."

Black: "Thank you very much. Mr. Speaker, Ladies and Gentlemen of the House. This Bill has no fiscal impact on the State

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

160th Legislative Day

June 24, 1992

of Illinois. The Sponsor has worked very hard to get it into this form. It is very beneficial to our local units of government, and I know of no opposition to the Bill. I'm pleased to rise to support the Gentleman's Motion. I urge an 'aye' vote."

Speaker Giglio: "Further discussion. The Gentleman from Cook, Representative McNamara."

McNamara: "Yes, the Gentleman will...yield for a question?"

Speaker Giglio: "He indicates he will."

McNamara: "This has no change in the formula, the one-twelfth revenue that was always there."

McGann: "That is correct."

McNamara: "And all we're doing is taking it out of an appropriation process and putting it directly as a deposit into the municipalities fund?"

McGann: "Into the local distributive fund. That's correct."

McNamara: "So that they will get it directly."

McGann: "That's correct."

McNamara: "A very fine measure. Thank you."

Speaker Giglio: "The Gentleman from Lake, Representative Matijevich."

Matijevich: "Speaker, will the Gentleman yield?"

Speaker Giglio: "Indicates he will."

Matijevich: "Representative McGann, could you... If you have the information, could you tell the Body in numbers of...dollars how much we distribute to local governments from that local government distributive fund?"

McGann: "I believe that according to the Economic and Fiscal Commission the impact would be...the General Revenue Funds has receipts of by \$460 million but then when that goes directly to the local distributive fund, it will be that amount going directly there, but it has no effect on the

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

160th Legislative Day

June 24, 1992

General Revenue Fund per se."

Matijevich: "I'm aware of that. I'm going to vote for your Bill, but what I want to know is the total amount of dollars we give to local governments in the local distributive fund?"

McGann: "I do not...I would say..."

Matijevich: "Alright. It's a lot of bucks. You and I know that, right?"

McGann: "It's for our..."

Matijevich: "I want to make the point because we just voted for a Bill that told the people of Illinois we want them in an advisory referendum to tell us we have to follow the law with regards to state mandates. You know, this is a two-way street, and we beat ourselves over the head with this mandate issue. None of this...none of this one-twelfth revenue distributive fund do we tell local governments how to...what to do with it. Is that right?"

McGann: "That is correct."

Matijevich: "We don't tell them they've got to spend it on this, or that, or this, or that. We distribute it to local governments, and I think it's more often that we ought to tell the public that we provide a lot of revenue to local governments instead of beating ourselves over the head telling the people that we tell local governments to do this and that and don't give them the money to do it. It is a two-way street and let's remind up...our constituency about that once in a while."

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

McGuire: "Thank you, Mr. Speaker. I think we've heard enough encouragement on the Bill. I'd just like to rise to support the Bill. I had a similar Bill in the House at the request of my hometown, the City of Joliet. I think it's

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

160th Legislative Day

June 24, 1992

only fair, and I'd ask for an 'aye' vote for Andy McGann's Bill. Thank you."

Speaker Giglio: "The Gentleman from Cook, Mr. McGann, to close."

McGann: "Yes, I think enough has been said and move the process along. I appreciate the remarks Representative Black and others and we...I ask for an 'aye' vote."

Speaker Giglio: "The question is, 'Shall Senate Bill 1935 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? Take the record, Mr. Clerk. On this question, 117 voting 'yes', 0 voting 'no'. Senate Bill 1935, having received the required Constitutional Majority, is hereby declared passed. Representative Kubik. Mr. Clerk, let the record indicate that Representative McGuire wished to have voted 'yes' on the previous Bill, on Senate Bill 1935. Representative Kubik, 1956. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1956, a Bill for an Act in relation to taxation. Third Reading of this Bill."

Speaker Giglio: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1956 is basically a Department of Revenue Administration Bill. There is no impact on Revenue in this particular Bill. It is primarily a clean-up Bill, making a variety of changes. I believe that this has bipartisan support. I know of no opposition to the Bill. I'd be happy to respond to any questions to the legislation and would solicit your support on Senate Bill 1956."

Speaker Giglio: "Any discussion? Representative McNamara."

McNamara: "The Gentleman will yield for a question? I am just puzzled by the title it says, 'tax administration increase sales'. Can you tell me those technical Amendments?"

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

160th Legislative Day

June 24, 1992

Precisely what some of them do and which direction they take."

Kubik: "Okay. We, Representative McNamara, we adopted three Amendments to the Bill: Floor Amendment #1, Floor Amendment #4 and Floor Amendment #5. Essentially Floor Amendment #1 amended the Dram Shop Act, the Income Tax Act and the Retail Occupation Tax to conform the extended protest period to 60 days. The second provision of that Amendment repealed the requirement that schedules A and B partnership information be submitted to the department upon filing, but rather this information be retained by the taxpayer and available upon request from the department. The...Floor Amendment #4 changes the definition of bulk user, to eliminate the licensing and reporting of current bulk users who purchase tax paid, tax paid special fuel, restricts retailers and special diesel fuel from making tax free sales to unqualified purchasers regarding the international fuel tax agreement, it changes the fee and valid period of motor fuel tax identification devices from \$7.50 for two-year decal to \$3.75 for a one-year decal. It also authorizes the department to receive federal funds for the purpose of facilitating participation in the agreement. Floor Amendment #5, Kubik-Currie, provides that the 2% administration fee that the Department of Revenue is to receive for collecting and administering the restaurant portion of the McCormick Place taxes be deposited into the tax administration and compliance fund."

McNamara: "Just one question that I have on it. These were House Amendments that were put on? That's correct. There is no desire to have them refuse to receipt and make it a Conference Committee Report for the purpose of tax administration."



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

160th Legislative Day

June 24, 1992

Kubik: "The department is...wants this Bill to go straight to the Governor's desk."

McNamara: "Thank you very much. I think that's very good if it goes straight to the Governor's desk."

Speaker Giglio: "Further discussion? Hearing none, Representative Kubik, to close. Representative Kubik, do you wish to close?"

Kubik: "Just move for the passage of Senate Bill 1956."

Speaker Giglio: "The question is, 'Shall Senate Bill 1956 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? Take the record, Mr. Clerk. On this question, 115 voting 'yes', 0 voting 'no', and Senate Bill 1956, having received the required Constitutional Majority, is hereby declared passed. Representative Currie, Senate Bill 2051. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 2051, a Bill for an Act in relation to taxation. Third Reading of this Bill."

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

Currie: "Thank you, Mr. Speaker, Members of the House. This Bill is the one that represents agreement between various taxpayers including the Illinois Retail Merchants' Association, and it deals with the schedule on which taxpayers, not individuals, but corporations and companies, would begin paying their taxes by electronic data transfer. I'm aware of no opposition to the measure, and I would appreciate your support."

Speaker Giglio: "Any discussion? Representative Kubik."

Kubik: "Just to rise in support of the proposal so that our side knows Amendment #5 was adopted. This is an Agreed Bill between the Retail Merchants' and a variety of business

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

160th Legislative Day

June 24, 1992

groups that were...been working hard to make this Bill possible. I would encourage your support of Senate Bill 2051."

Speaker Giglio: "The question is, 'Shall Senate Bill 2051 pass?' All those in favor signify by voting 'aye', opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? McDonough, 'aye'. Have all voted who wish? Take the record, Mr. Clerk. On this question, 115 voting 'yes', 1 voting 'no', and Senate Bill 2051, having received the required Constitutional Majority, is hereby declared passed. Representative McGann on 2100. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 2100, a Bill for an Act to amend the Revenue Act of 1939. Third Reading of this Bill."

Speaker Giglio: "The Gentleman from Cook, Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. Senate Bill 2100 is a Bill that represents the initiatives of both the Republicans, Democrats on the floor. Amendment #1 was adopted in committee. All other Amendments were adopted on the floor. It's an Agreed Bill. I would ask for its passage, and I'll be happy to answer any questions."

Speaker Giglio: "Any discussion? Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2100 includes some administration proposals which are technical in nature. They also include some proposals from both Republicans and Democrats which were House Bill...that were passed in the...over to the Senate which the Senate in its infinite wisdom decided to leave in the Rules Committee. We would like to put those Bills in this particular proposal and send it over to the Senate for concurrence. All of the proposals are

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

160th Legislative Day

June 24, 1992

noncontroversial in nature and have been agreed to by both sides of the aisle. I would encourage your support of Senate Bill 2100."

Speaker Giglio: "Representative McGann, to close."

McGann: "Thank you and I appreciate your remarks, Representative Kubik. That is exactly what has happened here and we would like to have passage of Senate Bill 2100 with an 'aye' vote."

Speaker Giglio: "The question is, 'Shall Senate Bill 2100 pass?' All those in favor signify by voting '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, there are 116 voting 'yes', 0 voting 'no', and Senate Bill 2100, having received the required Constitutional Majority, is hereby declared passed. Representative Keane. Representative Keane in the chamber? Senate Bill 1934, Representative Keane. On the Order of Constitutional Officers, Third Reading, appears Senate Bill 1934. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1934, a Bill for an Act to amend the Deposit of State Moneys Act. Third Reading of this Bill."

Speaker Giglio: "The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker. Senate Bill 1934 amends the Deposit of State Moneys Act in the following ways: It eliminates the prohibitive investing and securities of the Federal National Mortgage Association, maturing longer than one year after the date of purchase. It codifies the investment language so that the investors...the treasurer;s investment authority is all into one chapter so it's revisionary and it just cleans up that...in that way. Third, it continues the treasurer's efforts to expand the

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

160th Legislative Day

June 24, 1992

universive permitted money markets to include bankers acceptances and it restores language inadvertently deleted due to a drafting error in a previous Bill that we enacted. There was a good bit of discussion in committee and Representative Klemm indicated that the Treasurer's Office should have only the most...the most secure and the highest rated of all investments, and I agree with that approach, and in terms of legislative intent, I would like to make that perfectly clear that we...the legislative intent of this language is for the treasurer's investments to be of prime quality, and I'd be happy to answer any questions and ask for a favorable roll call."

Speaker Giglio: "Representative Satterthwaite, in the Chair."

Satterthwaite: "The question is, 'Shall Senate Bill 1934 pass?'

All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Giglio 'aye'. Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present', and the Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Keane, would you like to return to the two Bills on the previous Order that... Okay. Proceeding then to Mandates, Third Reading. The Sponsors are Giorgi, Stepan, Ryder, Schakowsky and McGann. Representative Giorgi in the chamber? Do you wish to call Senate Bill 1486? Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1486, a Bill for an Act to amend the State Mandates Act. Third Reading of this Bill."

Speaker Satterthwaite: "Representative Giorgi."

Giorgi: "Madam Speaker, Senate Bill 1486 corrects an omission that occurred when House Bill 542 was passed last Session. Senate Bill 1486 exempts the state from reimbursement of a

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

160th Legislative Day

June 24, 1992

mandate to self-insured municipalities and counties that provide health insurance coverage for their employers (sic-employees). This mandate in question is the medical services that provide screening for low doses...mammography for women to detect cancerous growth. I urge the adoption of this Bill."

Speaker Satterthwaite: "Is there any discussion? Seeing no one seeking recognition, the question is, 'Shall Senate Bill 1486 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present', and the Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Ryder, on Senate Bill 1941. Out of the record. Representative Schakowsky, on Hou...on Senate Bill 2075. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 2075, a Bill for an Act in relation to school visitation rights. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Schakowsky."

Schakowsky: "Thank you Madam Speaker and Ladies and Gentlemen of the House. Senate Bill 2075 creates the School Visitation Rights Act. All experts agree that parental involvement is the key to success of children in school. That's what SB 2075 is about. It's a Bill carefully crafted by the Illinois Parent-Teachers' Association, the Illinois Manufacturers' Association. It's supported by all the teachers and the State Chamber of Commerce, among others. It requires employers to give employees up to eight hours of unpaid leave to attend school conferences and other activities and to respond to emergencies at school. What this Bill does is make the statement that Illinois supports

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

160th Legislative Day

June 24, 1992

the notion of parental involvement, and we will smooth the way. We're fortunate to have an enlightened business community which agrees with this goal and which supports this Bill. I think that all of those who are anxious to improve the quality of education of our children by involving parents in their education will support this legislation. I urge an 'aye' vote, and I'd be happy to answer any questions."

Speaker Satterthwaite: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I think that it is really incumbent upon me to try to explain to you how we came to the situation we are in today in relation to Senate Bill 2075 and a very similar Bill, which is Senate Bill 2118. Because of the similarity of these two Bills, the House Elementary and Secondary Education Committee saw fit to release both of them from the committee despite the fact that there were several people who had registered as opponents to both Bills. Representative Schakowsky and I as the House Sponsor of 2118, agreed to try to work with those people who had objections and try to satisfy whatever their concerns were. I have worked very hard and very long with those objectors who seem to have concerns that could be satisfied. (Senate Bill) 2118 is no longer on the Special Order of Call. It is now in the back of the calendar, which I presume, means the Democrats are going to kill it. However, there are several Amendments that have been filed to 2118 that would, in fact, have satisfied all of these objections. I would like to point out to you that Senate Bill 2075 in its present form is still strongly opposed by Central Management Services. It is opposed by the Management Association of Illinois and certain of the

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

160th Legislative Day

June 24, 1992

education groups in Illinois, not the PTA. The PTA is still in favor of this Bill, but that is the genesis of where we got to where we are today on Senate Bill 2075 and since it seems to be our mode these days that we don't go around passing things that have...that anybody, particularly Central Management Services, has a strong objection to, I would suggest the appropriate vote on this Bill is 'no'."

Speaker Satterthwaite: "Representative Parke."

Parke: "Thank you, Madam Speaker. Will the Sponsor yield for a question?"

Speaker Satterthwaite: "She indicates she will."

Parke: "Thank you. Representative, now let me get this straight. You're saying that a parent can now go to an employer and ask for time off from their jobs to go visit their child's school for, let's say, a teacher conference. Is that what we're saying here?"

Schakowsky: "Yes, they can go to the employer and work out with that employer - and the Bill explicitly expresses that - time when they can go for teacher conferences, emergencies or other activities. Although the Bill does make it clear that for regularly scheduled non-emergency visitations, schools shall make time available for visitations, both during regular school hours and evening hours. So this is really designed for people who can't arrange to get to such a meeting in a time other than when they're working. The Bill, I'd might add, was also amended with employers in mind to say that the employer shall improve...approve the request unless it would be unduly disruptive to the operations of the employer. So there is so much leeway in this Bill, and I think that's the reason why the Illinois Manufacturers' Association and the Illinois Chamber of

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

160th Legislative Day

June 24, 1992

Commerce supports this legislation."

Parke: "Is this over and above any other kinds of leave or time off or is this in addition to anything else that they may already have from an employer? I mean, don't they have a lot of employers give personal time that they can do... How about state employees? Can they... Is this over and above anything they've collectively bargained for? Why can't they collectively bargain for this opportunity?"

Schakowsky: "Let's be clear that we're talking here about unpaid leave and that it is probable that most employees would use their paid personal days for this time. This is if you have an especially troubled child, if you've got an emergency situation and you've used up your personal days then you still have the opportunity to take advantage of this unpaid leave. We are talking about only eight hours a year for people to be able to do this."

Parke: "So, in other words, this is a educational parental leave kind of Bill, huh?"

Schakowsky: "Unpaid eight hours. This is not weeks, days, months, anything. Eight hours."

Parke: "Thank you."

Speaker Satterthwaite: "Representative Wennlund."

Wennlund: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. The Sponsor of the Bill is correct. The Illinois Manufacturers Association supports this legislation. The Illinois State Chamber of Commerce supports it, as well as the Illinois Congress of Parents and Teachers Organizations, and the reason is, is that the Bill was amended to provide that an employer could disapprove any request for leave if the granting of that leave would unduly be disruptive of his operations, and it could require the employer to make up those hours. Now,



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

160th Legislative Day

June 24, 1992

the real parent that this is aimed at is the parent who works the third shift, 3 to 11, who can never make it to the parent-teachers conferences in the evening and that was the basic reason for it, and it's going to be limited to a very small amount of people, just those third shift people who otherwise can't make an evening parent-teacher conference which is when most of them are generally held. They are not held during the work day for the teacher because the teacher is obviously in the classroom. They're held after school and generally in the evening when there is a parent teacher organization night. So it addresses a specific need and the manufacturers have looked at it carefully and have decided that this is pro-family legislation, and good legislation and I'm glad to support it."

Speaker Satterthwaite: "Representative Davis."

Davis: "Thank you, Madam Speaker, Ladies and Gentlemen. Will the Sponsor yield?"

Speaker Satterthwaite: "She indicates she will."

Davis: "Representative, if a parent takes an hour to go and check on his or her child at school and their work is left on their desk, does that mean that someone else will have to do it or..."

Schakowsky: "The employee must give a week's notice to the employer and work out those details so that the work would not just be abandoned. Arrangements would either be made for that employee to make up the time at no extra pay or for someone to come in, but in any case the employer has discretion."

Davis: "Well, to the Bill, Ladies and Gentlemen. I have received absolutely no opposition to this Bill. I think it certainly leads to parents being able to stay in

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

160th Legislative Day

June 24, 1992

communication with the child's school. We're in a period in history where I think it's tremendously important that parents and children's teachers remain in contact with each other. I think it's an excellent piece of legislation, and I'm glad to hear from Representative Wennlund that all of those groups that you name are also in support of this Bill. I urge an 'aye' vote."

Speaker Satterthwaite: "Representative Ropp."

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

Speaker Satterthwaite: "She indicates she will."

Ropp: "Representative, as this Bill is currently amended, does it necessarily mandate or insist that parents now go to participate in the school program or the counseling, as I think we all agree that parental support is extremely important, and I think what you are attempting to do is to allow them to do it, but this really doesn't guarantee that, by golly, those parents are going to go and become more involved with their kids in school? Is that true, or not, as amended?"

Schakowsky: "It doesn't mandate that the parents go, but this was brought to me by parents actually in my district, one of which did have a problem getting excused from work to go to school when her child was having problems. So this smooths the way and so when we encourage parents to go and be involved, at least this makes it a little bit easier for them. It doesn't mandate it, though."

Ropp: "Well, chances are, like a lot of legislation, most parents won't even know this Bill ever passed except maybe the one you're doing this for. The other concern that I have here is, according to the analysis that we have, if people are replaced that this could cost as much as \$2 million to employees...to employers. Has that been corrected or

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

160th Legislative Day

June 24, 1992

adjusted under any Amendments you have?"

Schakowsky: "I don't know which...what you're referring to with that amount of money."

Ropp: "This is a document that I have from Central Management Services that just with state employees it could cost - if those people are replaced for a period of time - up to \$2 million."

Schakowsky: "No, that has been revised."

Ropp: "Pardon?"

Schakowsky: "Those figures have been revised."

Ropp: "Okay, so that figure is incorrect. It is much less than that now."

Schakowsky: "Correct."

Ropp: "One million? The figure I have now is 1 million?"

Schakowsky: "Let me read to you from what they've said: 'If the overtime employee is paid at the same rate as the absent employee, the effect will be negligible.' Then they go on, frankly, to concoct a scenario where every person who took leave would have to be replaced at time-and-a-half. This is really a ridiculous assumption. We've made it so that if it unduly burdens the employer, they don't have to do it."

Ropp: "They don't have to grant it?"

Schakowsky: "They can choose their own time. Right."

Ropp: "They can deny their request or readjust the schedule?"

Schakowsky: "And that's exactly right."

Ropp: "I certainly don't want to see this pass if, in fact, it's going to increase substantial cost of business, although I do understand from time to time that the bureaucracy over-inflates some of these figures, and I've had that happen several times. I don't think that is quite fair. I hope if anything this would encourage parents now to become

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

160th Legislative Day

June 24, 1992

more involved as is truly needed in the educational process so that they, in fact, can show concern and compassion with their children so that they do understand why it's important to stay in school, and if this in some way helps then, this Bill ought to be passed."

Speaker Satterthwaite: "Representative Flinn."

Flinn: "Madam Speaker, I move the previous question."

Speaker Satterthwaite: "The previous question has been moved. All in favor say 'aye', opposed, 'nay'. The 'ayes' have it, and the previous question is put. Representative Schakowsky, to close."

Schakowsky: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This has been mentioned, this really is a family bill. This is to encourage parental involvement with their children. This is supported by business, by teacher, by parents. It's unpaid leave. It's to send a signal that we do care about parental involvement in schools. I urge an 'aye' vote."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 2075 pass?' All in favor vote 'aye', opposed vote 'no'. Representative Barnes."

Barnes: "I can see that this Bill is going to pass without any further comment. Thank you."

Speaker Satterthwaite: "Representative Parcells."

Parcells: "Thank you, Madam Speaker. I think the...there's only one problem, the underlying idea is great, but there are many businesses and teaching facilities right now that offer this policy and for teachers to have personal days, vacation days and then one more extra day is absolutely unnecessary, and I think there was an Amendment offered that would have taken care of this by saying if a policy was already in effect that you would be able to have that

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

160th Legislative Day

June 24, 1992

personal day, but not in addition to the personal days you're already taking and, therefore, although the underlying idea is good I think this particular Bill will be very detrimental to the business community, and I would think the 'no' vote is a proper vote and to have it come back later with that Amendment on it."

Speaker Satterthwaite: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 94 voting 'aye', 19 voting 'no', 1 voting 'present'. The Bill, having received the required Constitutional Majority, is hereby declared passed. Representative McGann, on 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. Third Reading of the Bill."

Speaker Satterthwaite: "Representative McGann."

McGann: "Thank you, Madam Speaker and Members of the Assembly. Yesterday we put an Amendment on this shell Bill in order to keep it alive. I discussed it with the other side of the aisle, and we're going to move it into conference the same as the next Bill to follow this, and I'd appreciate support and happy to answer any questions. It has to do with municipalities, and it's been cleared with the other side of the aisle."

Speaker Satterthwaite: "Is there any discussion? Seeing no one seeking recognition, the question is, 'Shall Senate Bill 2093 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 106 voting 'yes', 4 voting 'no', 0...excuse, me 8 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared

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

160th Legislative Day

June 24, 1992

passed. Representative McGann, on Senate Bill 2097."

McGann: "Thank you Madam Speaker."

Speaker Satterthwaite: "Excuse me, Mr. McGann. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2097, a Bill for an Act to amend the Home Rule Note Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative McGann."

McGann: "Thank you, Madam Speaker and Members of the Assembly. Senate Bill 2097 is in the same posture as 2093. I've checked it out with the other side of the aisle. We placed an Amendment to keep it alive to place in Conference and I'd ask support."

Speaker Satterthwaite: "Is there any discussion? Seeing no one seeking recognition, the question is, 'Shall Senate Bill 2097 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 0...excuse, me 1 voting 'no', 2 voting 'present'. The Bill, having received the required Constitutional Majority, is hereby declared passed. On the Special Order of Consumer Protection, Third Reading. Representative Schoenberg, do you wish to have Senate Bill 1565 called at this time on Third Reading? Out of the record. Representative Obrzut, on Senate Bill 1768 on Agriculture and Environment, Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1768, a Bill for an Act concerning the Environment. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Obrzut."

Obrzut: "Thank you, Madam Speaker, Members of the House. Senate Bill 1768 amends the Solid Waste Management Act. The Bill, which has been worked out by the business community and the

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

160th Legislative Day

June 24, 1992

environmental group, deals with the recycling of three items: household batteries, automotive tires and solid wastes. The first matter the Bill addresses is that of creating a battery task force within the Department of Energy and Natural Resources. It would require that the task force report to the Governor and the General Assembly by April 1, 1993, on the management and disposal of household batteries. It also requires that the task force evaluate the feasibility of reverse distribution of batteries. It would also look into reviewing the existing battery management and collection systems. In relation to tires, the Bill limits the application of the upcoming recycling tax on tires to that of the original intent of the law and that is to automotive tires only, thus excluding such items as lawn mower wheels, bicycle tires, et cetera. The Bill also, as amended, would exclude reprocessed tires from being taxed since it was felt that a person who was in the business of recycling tires should not be penalized the \$1 tax per tire if he or she is helping to solve an environmental problem. The Bill also provides that a person selling tires at retail would not have to collect the \$1 fee but rather the supplier of that retailer whose primary business is tires would be responsible for collecting the tax. Finally, Senate Bill 1768 deals with volume-based garbage fees, or tag-and-bag. The Bill, as amended, would require communities of 1,000 or more in 17 largest counties in Illinois to consider the feasibility of implementing quantity based disposal fees by January 1, 1994, unless they determine it would impose undue hardship. It also would require the Governor to establish a 15-member solid waste advisory council to make recommendations on E and R and EPA Solid Waste Program. In

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

160th Legislative Day

June 24, 1992

closing, I would like to thank the several different businesses and environmental groups that have worked with me in coming up with this compromise package, and I would urge an 'aye' vote. Thank you."

Speaker Satterthwaite: "Representative Black."

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

Speaker Satterthwaite: "He indicates he will."

Black: "Representative, just to make sure our records are in concert. Floor Amendment #1, #3, #6 and #7 are all on this Bill. Correct?"

Obrzut: "That is correct."

Black: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. I commend the Sponsor for working with a wide range of interests to get a Bill that most segments, if not all, of the industry can live with. It's a good Bill. I stand in support. An 'aye' vote is in order."

Speaker Satterthwaite: "Representative Obrzut to close."

Obrzut: "Thank you, Madam Speaker. Just appreciate an 'aye' vote."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 1768 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 voting 'yes', 0 voting 'no', 0 voting 'present'. The Bill, having received the required Constitutional Majority, is hereby declared passed. On the Special Order Elementary and Secondary Education, Third Reading, there appears Senate Bill 969, Representative Curran. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 969, a Bill for an Act to amend the



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

160th Legislative Day

June 24, 1992

School Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Curran."

Curran: "Thank you, Madam Speaker. Leave to take this Bill back to Second Reading?"

Speaker Satterthwaite: "I believe that you have to get the Bill on a Special Order for that."

Curran: "Okay."

Speaker Satterthwaite: "The Bill will be taken out of the record at this time. House Bill 1736, Representative McAfee. Out of the record. House Bill 1772, Representative Cowlshaw. Mr. Clerk, read the Bill."

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

Speaker Satterthwaite: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Madam Speaker. Like Representative Curran's Bill, this is one that needs to be taken back to Second Reading for the purposes of adopting one Amendment. So, do you want to do that right now or do I need to get this on a list?"

Speaker Satterthwaite: "We need to have you put the number on a list, please."

Cowlshaw: "Very good. I'll do that... Thank you, Madam Speaker."

Speaker Satterthwaite: "It is on the list, and we'll get to that Order shortly. On Special Order, Pensions, Third Reading, appears Senate Bill 1770, Representative Capparelli. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1770, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Capparelli."

Capparelli: "Thank you, Madam Speaker. Senate Bill 1770 is the Early Retirement Incentive Program for Cook County

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

160th Legislative Day

June 24, 1992

employees which has been okayed by the Cook County Board. To be eligible for the benefits provided, a person must be a current contributor and member of the fund on May 1, 1992. The individual cannot have previously retired under this Article and he must file before May 1, 1993, with a written application requesting for benefits. And he must elect to retire on or after December 1, 1992, or on or before May 29, 1993, and he must have attained the age of 55 before retiring. This Bill is similar to the Bill that we passed last year for the state employees. This fund is over 92% funded, and they feel there is no obligation. I would ask for a favorable roll call."

Speaker Satterthwaite: "Representative Parke."

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1770, in fact, is a Bill that will increase the ability of the Cook County employees to retire earlier. That fund is 96.1% funded and, therefore, we feel that if this is something that their board of directors feels is appropriate and that they will utilize it then...and they will feel that they can handle the load because of their over-funding, in essence, of their plan, then quite frankly, we don't have any problem with it and would support the measure."

Speaker Satterthwaite: "Representative Black."

Black: "Thank you very much, Madam Speaker. An inquiry of the Chair. Has Floor Amendment #2 been added to the Bill?"

Speaker Satterthwaite: "Mr. Clerk, how many Bills? How many Amendments are on the Bill?"

Clerk O'Brien: "Amendments #1 and 2 were adopted to the Bill."

Black: "Further inquiry of the Chair. Amendment #1 was a Committee Amendment? Correct?"

Speaker Satterthwaite: "Mr. Clerk, was Amendment #1 adopted in

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

160th Legislative Day

June 24, 1992

committee?"

Clerk O'Brien: "Adopted in Personnel and Pensions Committee."

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

Speaker Satterthwaite: "He indicates he will."

Black: "Representative, Amendment #2, I think makes this a very palatable Bill. That... You're increasing the annuitant by 1% over ten years rather than 10% up front. Correct?"

Capparelli: "Right."

Black: "And there seems to be some confusion. Let me just stand in agreement with my colleague on this side of the aisle, Representative Parke. This only affects the Cook County Pension Fund. It does not affect the State of Illinois Pension Fund?"

Capparelli: "Only Cook County."

Black: "Thank you very much. I simply rise to concur with our spokesman, Representative Parke. You've done a good job of getting this Bill in order, and we urge an 'aye' vote."

Speaker Satterthwaite: "Representative Capparelli, to close."

Capparelli: "Ask for a favorable roll call. Thank you."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 1770 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 107 voting 'yes', 0 voting 'no', 10 voting 'present'. The Bill, having received the required Constitutional Majority, is hereby declared passed. Back to Government Administration, Third Reading. The following Sponsors have Bills on that Order: Representatives LeFlore, Lang, McPike, Bugielski. Representative LeFlore on Senate Bill 1717. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1717, a Bill for an Act to amend the

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

160th Legislative Day

June 24, 1992

Illinois Public Aid Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative LeFlore."

LeFlore: "Thank you, Madam Chairman. (Senate Bill) 1717 is a shell Bill. We're working on the contents for the GA Program, and we're still in negotiation. We're going to have a Conference Committee put this into a Conference Committee, so I would like to get this Bill moving so it can be in proper...in a proper place when the time is ready. I'd like to have a favorable vote."

Speaker Satterthwaite: "Is there any discussion? Seeing no one. Representative Black."

Black: "Yeah. Thank you very much, Madam Speaker. An inquiry of the Chair. Is Floor Amendment #1 on the Bill?"

Speaker Satterthwaite: "Mr. Clerk, are there any Amendments adopted on this Bill?"

Clerk O'Brien: "Amendment #1 has been adopted to the Bill."

Black: "All right. Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. The Department of Public Aid has indicated to me, within the last 30 seconds, that they commend the Sponsor for accepting the Amendment that it contains their language and that they are attempting to work out a Bill in conference that will be agreeable, hopefully agreeable, to all parties. So, I intend to vote for the Bill."

Speaker Satterthwaite: "Representative LeFlore, to close."

LeFlore: "Thank you, Madam Speaker. I'd just like to have a favorable vote on this vehicle."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 1717 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 1 voting 'no', 1 voting

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

160th Legislative Day

June 24, 1992

'present'. The Bill, having received the required Constitutional Majority, is hereby declared passed. Representative McPike, on Senate Bill 1740. Out of the record. Representative Bugielski, on Senate Bill 1823. Out of the record. On the Special Order of Human Services, Third Reading, appears Senate Bill 1965, Representative Currie. Mr. Clerk, read the Bill. 1965."

Clerk O'Brien: "Senate Bill 1965, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. The Bill, as amended in the House, does three things: First, it asks the Department of Public Aid to work on a waiver in respect to the definition of stepparents' income in the calculation of aid to families with dependant children benefits. Secondly it revises penalties in respect to nursing home violations and third, at the request of the Department of Public Health, it corrects a flaw in the tanning facilities legislation that was passed last year. I'd be happy to answer your questions and would appreciate your support for the Bill."

Speaker Satterthwaite: "Is there any discussion? Seeing no one seeking recognition, the question is, 'Shall Senate Bill 1965 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. The Bill, having received the required Constitutional Majority, is hereby declared passed. On Special Order of Municipal, County and Conservation, Third Reading, appears Senate Bill 1828, Representative Hartke. Out of the record. Representative Brunsvold, on Senate

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

160th Legislative Day

June 24, 1992

Bill 1862. Out of the record. Representative Stepan, on House...Senate Bill 2101. Out of the record. On Banking, Third Reading, Representative Capparelli, on Senate Bill 1519. Mr. Clerk, read the Bill. No. Out of the record. On Insurance, Third Reading, Representative Regan, on Senate Bill 1638. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1638, a Bill for an Act to amend the Comprehensive Health Insurance Plan Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Regan."

Regan: "Thank you, Madam Speaker. Are we on the right list? Is this on the list where we move it back? I ask leave of the House to move it to Second for purposes of an Amendment, please?"

Speaker Satterthwaite: "Representative Regan, have you submitted that number for that list?"

Regan: "Yes, I've been on the...this list for five days."

Speaker Satterthwaite: "We'll get to you shortly. On the Special Order of Civil Law, Third Reading, appears Senate Bill 2076, Representative Lang. Senate Bill 2076. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2076, a Bill for an Act to amend the Probate Act of 1975. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Lang."

Lang: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 2076 does some grammatical things for the Probate Act. It also has on it Representative Stang's Amendment relative to grandparents' visitation rights, and I move passage of this Bill."

Speaker Satterthwaite: "Representative Currie."

Currie: "A question of the Sponsor, please."

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

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

160th Legislative Day

June 24, 1992

Currie: "This is the measure that would say that grandparents may sue for visitation even when the parents of the child are living in an intact union and neither parent supports that petition. Is that what's in this Bill?"

Lang: "One moment. I believe that is correct, Representative."

Currie: "To the Bill Madam Speaker and Members of the House. We've dealt with this issue about 15 times over the last two years. Currently in the statutes a grandparent may sue for visitation in the event the parents of the children are not living together and in the event that one of those parents in an intact union supports the petition filed by the grandparent. What this law says is if you and your husband, you and your wife bringing up your children have reasons to think that grandpa or grandma is not going to be a good influence on your family unit that grandparents may never the less haul you into court require you to hire a lawyer and defend against this action. Not all grandparents are rosy, cheeeked, smiling, wonderful influences such as not all parents are, but there are situations in which a grandparent may be a manipulative person who wants to pit one child in the family against another who may be anxious to manipulate the parent, the child of that grandparent in ways that are not healthy for the family at all. We have a long tradition in this country in civil law that we even brought to us from across the waters that says that natural families are the place for basic decisions are made to undo this very small exception to the grandparents visitation program would fly in the face of what we expect from our natural families, from what we expect from families bringing up their children and I think we do damage to the family values that everybody in this chamber likes to talk about on the

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

160th Legislative Day

June 24, 1992

campaign trail. The sensible vote on this measure is a 'no' vote."

Speaker Satterthwaite: "Representative John Dunn."

Dunn: "Thank you Madam Speaker, Ladies and Gentlemen of the House. I too rise in opposition to this legislation, in particular because Amendment #1 which has been added to the Bill on Second Reading. As many of you may recall the issue of grandparents visitation has been with us for a number of years. We have visited that issue many times and we have tried our best to set policy in this state for the families affected in the most sincere and the most compassionate point of view. We have in our statute books a provision which provides that where the parents are not currently cohabiting on a permanent basis, where one of the parents is absent, where one of the parents is deceased or where one of the parents joins in the petition, grandparents can petition for visitation. The purpose of that policy is to encourage the integrity of the family. I am a grandparent now and I'm proud to be a grandparent, but I am not the parent of my grandchild. My son and my daughter-in-law are. They brought that child into this world, they're responsible for his upbringing, his care, his

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

160th Legislative Day

June 24, 1992

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

160th Legislative Day

June 24, 1992

knows that. He has been defeated time and time again and it is time to reject his point of view once more and to discourage him from coming forward with this Amendment again. I urge a strong 'no' vote on this Bill and perhaps we can take it back, take this Amendment off and consider the Sponsor's other aspect of this legislation on its own merits. Please vote 'no'."

Speaker Satterthwaite: "Representative Parke."

Parke: "Thank you Madam Speaker, Ladies and Gentlemen of the House. I'm going to rise in support of this Bill. I think its time that its shown that its not working as well as the previous Speaker would like you to believe it to be that grandparents are being denied the right to their grandchildren. What is the greatest pain that there can be to a family is to have a breakup and have somebody with control and not want that other side of the family to do it. I think its time that this Bill is implemented, that we try it, that the courts, I have confidence in the courts that they're going to go to partition the courts to take into consideration the special needs of each family and I would ask that we pass this legislation. Let's give it a try and see if it works and if there's a modification later on once this has been implemented we can come back, but I think that too often we have found grandparents being denied the opportunity to see their grand children and what could be the greatest pain of all than that, so I think its time to pass this Bill and lets try it out."

Speaker Satterthwaite: "Representative Stange."

Stange: "Thank you Madam...thank you Madam Speaker, Ladies and Gentlemen of the House. Again we've debated this Bill over and over again. This Bill was made loss several years ago, Judge Laughlin, DuPage County, said it was probably the

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

160th Legislative Day

June 24, 1992

best child, grandparent, grandchild Bill the State has ever introduced. This is a model Bill through many, many states in Illinois, in the country right now. Most psychiatrists, psychologists have adopted this legislation, recommends this legislation. It's a good, good family Bill. I recommend your favorable vote. Thank you."

Speaker Satterthwaite: "Representative Ropp."

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

Speaker Satterthwaite: "He indicates he will."

Ropp: "Would you give a little clearer definition as to does this allow for grandparents to take some responsibility or does it have to go through the whole court system in order for them to get responsibility?"

Lang: "I'm sorry Representative. Can you repeat the question?"

Ropp: "Does this Bill allow for grandparents to become responsible for those children, or does as I understand this, the parents still would have rights, first rights to be responsible for their own children."

Lang: "An excellent question Representative. Thank you for asking it? The parents have...the grandparents get no responsibility here. This is merely a visitation Bill. The parents are still...still the parents of the children. That doesn't affect custody and it doesn't affect discipline and it affects visitation only."

Ropp: "Alright, if at some point in time someone determines that the parents are not responsible because of whatever behavior does this prohibit grandparents from ultimately lets say being given the authority to care for their grandchildren?"

Lang: "Well, it doesn't prohibit it, but it's irrelevant to the Bill. It has nothing to do with the Bill."

Ropp: "Well sometimes grandparents feel a greater responsibility

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

160th Legislative Day

June 24, 1992

than maybe the parents and I guess in looking out for the concern of the child that grandparents may need to come into the picture in some point and time versus attempting to exempt them from being lets say lovers and caretakers of their grandchildren if the parents are found not responsible. Again Representative I suppose anything g is possible, anybody can petition the court to do anything, but this would allow in the law, grandparents to get visitation rights for their being refused. The issue here has come up because although many of these proponents of this Bill are talking about this father know best kind of family where a husband and wife and the two children and the dog and they are a very happy family and they have decided for whatever good reasons they have to deny grandparent visitation, but there are many happy families that appear to be happy that aren't happy at all, where either the husband or wife has great influence over the other, where there are weaker party or a stronger party and for some reason there is some friction with inlaws and therefore grandparents that might be giving value to those children are being denied not in a happy family situation, but in a family where there's trouble, where there's friction and that's the genesis of the Bill."

Ropp: "Thank you."

Speaker Satterthwaite: "Representative McNamara."

McNamara: "The Sponsor will yield for a question? Indicates he will. Representative what you're really trying to do by this is not for the normal every day family? What you're trying to say is that grandparents have the right to petition the court for visitation rights and its simply as that. That's the only right that you're giving in this?"

Lang: "That's correct."

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

160th Legislative Day

June 24, 1992

McNamara: "So its really up to the courts to decide whether that is a valid consideration or not? To this Amendment and to the Bill. I stand in strong support of this because of a situation that incurred in my district that some of you may not be aware of, of situations that can occur. There were a set of grandparents that had a daughter who was on drugs and a live in boy friend. The parents themselves in order to straighten out the daughter decided that they were going to report that daughter because of the fact they tried to get that daughter off drugs. There were four children involved in this family. Those four children as a punitive measure, this daughter says okay grandparents you did this, you reported me for drugs and for the abuse of my children by the boy friend, therefore I am not going to allow you visitation rights. This is not your normal here comes father family. This legislation is structured so that there is the normal extended family, which the grandparents can overlook a situation or be at least supportive of their grandchildren and it can't be used against them because they want the best interests of those children at heart. I think its a very important measure that grandparents have the right in a court of law to go there and petition to present their case and say in these strained relations hips we have the right to visit our grandchildren because we know that our child has not been taken care of their children. I think this strengthens the family values. I think it strengthens the family bonds and indications of these families. I think it is very, very important. It is a good measure and I urge all of our support."

Speaker Satterthwaite: "Representative Wennlund."

Wennlund: "Madam Speaker, Ladies and Gentlemen of the House. Many or most of the Members of this House have not been

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

160th Legislative Day

June 24, 1992

through a divorce with a contested custody case. Believe me there is nothing worse in this world than a parents and a child going through a contested custody case, but if you think that's bad, if you pass this Bill you're going to compound the problem of the child dealing with a very difficult situation, not only with his parents, but then the grandparents get involved with the situation and the pain that's inflicted upon a child when the grandparents start fighting over visitation privileges with the child after his parents have just been doing the same thing is just almost impossible to endure. Think of the child that gets bounced around, not only between his parents, but the pain inflicted by a contested custody proceeding gets compounded when his grandparents get into the act and start fighting over whether or not they should visit or not. That's the real loser in this Bill and that's the reason it should be defeated. It's because of the child."

Speaker Laurino: "Representative Laurino in the Chair. Representative Johnson."

Johnson: "How many times does this Chamber have to debate an issue before we finally say 'enough is enough'. I don't have enough fingers or toes to count the number of times that we've considered this Bill in the last nine months. We repealed the previous law went through the process, the Governor signed it, it was done, but I guess nothing is ever done around here because it's come up again and again and again and again and again by Amendment, Senate Bills, House Bills, you name it, this concept's been here and we consider it time after time and it continues to get beat and somebody continues to bring it back. With all due respect to Representative McNamara whom I agree with pretty frequently and whom I consider a friend. His argument is

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

160th Legislative Day

June 24, 1992

ridiculous and it has no sense at all. This is not a divorce. It's not a death it's an existing happy family where we're trying to authorize by this Bill grandparents intervening in a family relationship and filing a petition for custody of children who are living with their mother and their father. I...I...it's conceivable to me that we want to enact that into the law. The grandparents are members, let's say, of some religion that differs from what the parents are. And they believe, as grandparents, that they're grandchildren ought to be exposed to their religious faith. So what they do is they go and file a petition and after four years of litigation, which this Bill authorizes, we come to a determination after tens of thousands of dollars in legal fees, in a forum on religious face...faith, and the agony of the children involved in it, which parents have to move from state to state to avoid these silly laws, as we have a number of examples of, to get to one result or another. If you have bad parents, Representative McNamara, Representative Lang, there's provisions in the law that allow you to terminate parental rights, or to eliminate custody. And there are situations where that is appropriate, and the current law allows that, and the grandparents, in a number of situations in that scenario, conserve then as the custodians where you have unfit parents and where you've terminated their rights. But to allow a petition that inevitably, as Representative Wennlund says, involves a huge amount of litigation. This is as lengthy litigation as I've ever been involved with in my twenty years of law practice have been custody cases. And you damage the family, the children and the parents and everybody else to the tune of thousands and thousands and thousands of dollars to reach a result is just absolutely

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

160th Legislative Day

June 24, 1992

absurd. You...under the current law, without this Bill, allows you to petition under certain circumstances where the parents aren't cohabitating on a permanent basis, where one or more of the parents have been absent from the marital home for more than a month, et cetera, et cetera, where one of the parents is deceased, where one of the parents joins in the petition with the grandparents, or where the sibling is in state custody. If that isn't sufficient then I don't know what is. Why don't we just extend this Bill to include best friends, bothers and sisters and cousins and neighbors and great grandparents and everybody else. This society is founded for better or worse, and I would say for better, on the unitary family existence. And to change that structure, to change that fundamental concept and open this Pandora's box, and it truly is, is something that works not only against common sense, it works against the best interests of the children and the parents, and it really, even if they don't know it, works against the interests of any kind of extended family that Representative McNamara refers to. This is a horrible Bill. It's been defeated so many times I can't even count it. Let's just give it one more defeat then hopefully we'll have an agreement that we won't come back with this Bill again and waste the time of the House with another 'no' vote."

Speaker Laurino: "Representative Wolf."

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

Speaker Laurino: "The Gentleman moves the previous question. All those in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it. The previous question has been put. Representative Lang to close."

Lang: "Thank you, Mr. Speaker. Some of the opponents have not



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

160th Legislative Day

June 24, 1992

really spoken directly to this issue. This Bill has nothing whatsoever to do with custody. This Bill has to do with visitation of grandchildren by grandparents. To deny grandparents the right to visit their grandchildren would be a terrible act. This Bill does not cover a happy family, as I said before. Court can take a look at the facts and determine where there's friction between a husband and a wife. Where one party is a weaker party, one party is a stronger party, where one holds the inlaws out as some sort of problem in the relationship, where one doesn't have the where with all to fight back. Grandparents are being denied visitation to their grandchildren for no reason. And we should not allow that to happen, because we know the positive influence a grandparent can have on a grandchild's life. So, let's go beyond the narrow that is being drawn for us by the opponents. We're not talking about a happy family with no friction. We're not talking about Father Knows Best. We're not talking about Leave it to Beaver. We're talking about real life. Families that have real problems. Let's help the families. Let's let them get involvement by grandparents that really care about grandchildren, and not give them the right, but the possibility to record action of seeing grandchildren where parents have denied them that access improperly. Let's vote 'aye' on the Bill."

Speaker Laurino: "The Gentleman moves for the adoption...or passage of Senate Bill 2076. All those in favor will indicate by voting 'aye', opposed 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Homer, for what reason do you rise, Sir?"

Homer: "I'd like to explain my vote. Mr. Speaker, there is absolutely no earthly reason why we would want to have the

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

160th Legislative Day

June 24, 1992

courts intervene in a family unit situation where the parents of the child has denied visitation to its parents. Where a family unit is intact we ought to honor that family unit's integrity, and the courts ought not to intervene. The current law allows grandparents the right to visitation where their child is dead, or with a couple's divorce where the family is not living together. That makes a lot of sense. But to allow the grandparents to go into court and to disrupt the decisions made by the parents of these children who are living in a family unit is anti-family, makes no sense, has been rejected in the past. We ought to vote no."

Speaker Laurino: "Further discussion? Representative Parcels."

Parcels: "Thank you, Mr. Speaker. I join the previous speaker on this. You know, I watched this Bill pass here years ago. It sounded great on paper, and then we saw that there was a family that literally had to move out of this state because the grandparents were so obnoxious and terrible to their children that they literally moved away, and that was the parents, the two parents decision together. They made that decision. What we're saying here is there are no bad grandparents. There are bad parents, but there are no bad grandparents. That's not true. There are bad grandparents, and who better to make that decision than the parents of that child. They know what's best for their child, and this should not be taken to the courts. The proper vote here is a 'no' vote."

Speaker Laurino: "Representative Williams, one minute to explain your vote."

Williams: "Yes. I think we ought to think about this for a moment, because the reality of it all is that there is situations as we've heard examples of where the parent or

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

160th Legislative Day

June 24, 1992

the grandparent of some great beautiful situation, and loving situation exists, but there are also the other situations that people may not want to bring out and drag out in court. Say, for instance, and let's face it the way the world is today, what if you was (sic were) a child and then molested by your parents? What if you had been hurt by your parents, but it never came out? It had never been a part of any record, and the only way that you can prove that you're parents did not have the right to force visitations upon your grandchild, is for you to stand up in court and admit that you had been molested by your parent. This is not the right way to go. We should not alter the law to have us intervene in the parent-child relationship. I would urge a no vote."

Speaker Laurino: "Representative Cowlshaw."

Cowlshaw: "Mr. Speaker, to explain my 'no' vote. I am both parent and a grandparent, and I would never want to see the day rise when I could not see my grandchildren again, but I am not responsible for those children. Their parents are. And their parents, as long as they are living in a two parent home, should have their say about what happens with their own children, just as we had when we were raising ours. It has been said in jest, Mr. Speaker, that the thing that brings grandparents and grandchildren together is a common enemy. I'd hate to see them come together as the common enemy of those children's parents. Those parents should have those rights to make those decisions, and this vote...this vote...a yes vote on this Bill is a terrible vote."

Speaker Laurino: "Representative Dunn. John Dunn."

Dunn: "Thank you, Mr. Speaker. If this gets the requisite number of votes, I request a verification."

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

160th Legislative Day

June 24, 1992

Speaker Laurino: "Representative McNamara, you've spoken in debate. For what reason do you arise?"

McNamara: "On personal privilege. My name was used several times in debate. The reason that I am so much in favor of this Bill, or of this concept is...Yes, but it's a personal privilege, because..."

Speaker Laurino: "I'm sorry...Representative McNamara, your name was not mentioned in debate."

McNamara: "Yes, my name was mentioned several times by the Representative from the other side of the aisle..."

Speaker Laurino: "Oh, my I'm sorry."

McNamara: "...in debate."

Speaker Laurino: "Well, answer his..."

McNamara: "I will answer the points that he mentioned against me. The reason it is so important is that we must realize that we are not dealing with a family unit that is intact. We are dealing with problems within a family unit. We are not forcing anybody to do anything. We are allowing a grandparent a visitation, the chance to go to court to get permission to visit those children, those grandchildren. This doesn't happen in the normal, everyday situation that most of us have. I am a parent. I am a grandparent. I'm very proud to be both. I would not force my will on my grandchildren, but it is important to realize the point that if we don't have some checks and balances within the system where grandparents that are loving, caring, just as parents, as grandparents..."

Speaker Laurino: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill, having received 61 'ayes', 52 'no' and 5 voting 'present'...Representative Dunn requests a verification of the Roll Call. Clerk, poll those not

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

160th Legislative Day

June 24, 1992

voting, please."

Clerk O'Brien: "There is no one that is not recorded as voting."

Speaker Laurino: "All right. Poll the affirmative vote, please."

Clerk O'Brien: "Ackerman. Barnes. Black. Bugielski. Burke. Capparelli. Cronin. Curran. Deering. DeJaegher. DeLeo. Deuchler. Doederlein. Edley. Farley. Flinn. Frederick. Giglio. Granberg. Hannig. Hartke. J. Hoffman. Lou Jones. Keane. Klemm. Kulas. Lang. LeFlore. Marinaro. Matijevich. McAfee. McCracken. McDonough. McGann. McGuire. McNamara. McPike. Obrzut. Parke. Persico. Petka. Phelan. Phelps. Regan. Richmond. Ronan. Ropp. Rotello. Saltsman. Santiago. Shaw. Stange. Steczo. Stern. Tenhouse. Walsh. Wojcik. Wolf. Woolard. Mr. Speaker."

Speaker Laurino: "Representative Dunn, are there any questions of the affirmative Roll Call?"

Dunn: "Yes, Sir. I don't see Representative McNamara in his seat."

Speaker Laurino: "He's in the center aisle."

Dunn: "Representative Hartke."

Speaker Laurino: "Representative Hartke in the chamber? Representative Hartke? Remove him."

Dunn: "Representative Kulas."

Speaker Laurino: "Representative Kulas is in his chair."

Dunn: "Representative Deering."

Speaker Laurino: "Representative Terry Deering. Is he in the chamber? Representative Steczo wishes to be verified...go ahead, Terry. Representative. Tom Walsh wishes to be verified."

Dunn: "All right."

Speaker Laurino: "Go ahead."

Dunn: "I know."

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

160th Legislative Day

June 24, 1992

Speaker Laurino: "Representative Deering, is he in the chamber?  
Remove him."

Dunn: "Representative Ronan."

Speaker Laurino: "Representative Ronan. Is the Gentleman in the  
chamber? Representative Ronan? Remove him."

Dunn: "Representative Farley."

Speaker Laurino: "Representative Farley. Representative Farley  
in the chamber? Remove him."

Dunn: "Representative Keane."

Speaker Laurino: "Representative Keane. Is the Gentleman in the  
chamber? Representative Keane? Remove him."

Dunn: "Representative Ackerman."

Speaker Laurino: "Representative Ackerman. He's in his chair.  
Representative Keane just...return Representative Keane to  
the Roll Call."

Dunn: "Representative Tenhouse."

Speaker Laurino: "Representative Tenhouse? Right here at the  
well."

Dunn: "Representative Giglio."

Speaker Laurino: "Representative Frank Giglio. Representative  
Giglio? Remove him."

Dunn: "Representative Phelps."

Speaker Laurino: "Representative Phelps...Representative Deering  
has returned to the chambers. Representative Deering.  
Return him to the Roll Call. Representative Farley has  
returned to the chambers. Put him back on the Roll Call."

Dunn: "What about Representative Phelps?"

Speaker Laurino: "Representative Phelps? Representative Phelps  
in the chambers? Remove him."

Dunn: "Representative Brunsvold."

Speaker Laurino: "Representative Brunsvold..."

Dunn: "Brunsvold's here."

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

160th Legislative Day

June 24, 1992

Speaker Laurino: "is on his knees in the middle aisle."

Dunn: "Representative Woolard."

Speaker Laurino: "Representative Larry Woolard. Representative Woolard? Is he in the chamber? Remove him."

Dunn: "Representative Petka."

Speaker Laurino: "Who did you say?"

Dunn: "Representative Petka."

Speaker Laurino: "Petka?"

Dunn: "He's over there. Never mind. Representative McCracken."

Speaker Laurino: "Representative McCracken on the...he's in his chair. Representative Delco...DeLeo wishes to be verified. Representative Dunn, Representative James DeLeo was to be verified. He's in the rear..."

Dunn: "His leave is granted and we have no further questions. Roll it. Take it. Take it."

Speaker Laurino: "No further questions? This Bill, having received 56 'aye', 52 'no'. Representative Lang, for what reason do you arise, sir?"

Lang: "I would ask for postpone consideration."

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

Johnson: "What is the provision...no, no, no. Just forget it. It's all right."

Speaker Laurino: "Return Representative Phelps to the Roll Call, and Representative Woolard to the Roll Call. I didn't announce the Roll Call yet, John. This Bill, having received 58 'ayes', 52 'no', Representative Giglio has returned to the Roll Call. This Bill, having received 58 'ayes', add Giglio to the Roll Call, 59 'ayes', 52 'no', 5 voting 'present', and the Bill is on Postpone Consideration. Senate Bill 2134, Representative McCracken. Out of the record. On the Order of Mandates, we'll have

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

160th Legislative Day

June 24, 1992

Senate Bill 1640, Representative Stepan. Read the Bill,  
Mr. Clerk."

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

Speaker Laurino: "Representative Stepan."

Stepan: "Yes, Mr. Speaker and Members of the House, this is a  
Bill that will help the blind children of Illinois. This  
is a Bill that will open their eyes to reading and writing  
and literacy. Senate Bill 1640 amends the School Code.  
This Bill would require publishers of any textbooks used by  
the State Board of Education to furnish, upon request,  
computer diskettes which could then be translated into  
braille. Publishers would be required to produce these  
diskettes within 90 days. Further, a copy of the textbooks  
with copyright permission to duplicate into braille would  
also be requested. These would have to be furnished within  
a period of 15 days. The Bill would also require people  
who teach blind students to successfully complete a braille  
exam before certification. This legislation would address  
the very vital importance of braille instruction and the  
availability of braille materials to the education of blind  
children. Braille remains the only truly viable means of  
reading and writing for most blind people and it's truly  
the means of literacy for the blind. Yet for blind people  
in Illinois, and throughout the nation, braille itself and  
in its instruction is under threat. Braille is a dying art  
in Illinois, and while the importance of braille... Could  
we have some order in the chamber, Mr. Speaker? Mr.  
Speaker, could we have some order in the chamber?"

Speaker Laurino: "The Lady requests order and so does the Chair.  
Thank you."



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

160th Legislative Day

June 24, 1992

Stepan: "We all take for granted that braille is readily available, and it may seem self-evident to most, but a serious problem does exist in Illinois. Braille has been on the decline for at least a decade, and it is surprising, but a fair number of parents in Illinois of totally blind children have had to battle reluctant school districts for any instruction in braille for their children. Further, few, if any, school districts have readily available textbooks translated into braille. The Bill before you addresses these issues head on. It puts in place a certification process which will help insure that teachers of the blind are themselves conversant in braille reading. It would make readily available computer diskettes to translate into braille. This is a Bill that I am proud to have sponsored in the House. It has made me open my eyes to the problems of those who can't see. If we pass this Bill, it will open up the world of reading and writing to those who have no sight. I ask for your favorable vote. Thank you."

Speaker Laurino: "Further discussion? Representative Black."

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

Stepan: "She yields."

Speaker Laurino: "She indicates she yields."

Black: "Mr. Speaker, can we have some order in this chamber? This is outrageous. Absolutely outrageous."

Speaker Laurino: "Representative Black..."

Black: "This Bill needs our undivided attention. Thank you very much. Representative Stepan, is this your first Bill?"

Stepan: "No, Representative, it's not my..."

Black: "Is it the first time your husband has been in the chamber when you've presented a Bill?"

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

160th Legislative Day

June 24, 1992

Stepan: "Yes, Representative. It does happen to be the first time."

Black: "Well, let me just say this, Representative. I've never heard you more eloquent. I've never heard you stand up any straighter than you have today to present this outstanding Bill, and I'm going to join with you and I hope every Member of this chamber joins with me and your husband to help you pass this Bill. Mr. Speaker, thank you."

Stepan: "Representative Black, I've never heard you so eloquent, either. Thank you."

Speaker Laurino: "Behind every woman is a good man. Representative Stern."

Stern: "Will the Lady yield?"

Stepan: "She yields."

Stern: "Representative Stepan, in this day of mainstreaming youngsters with handicaps, we may have a lot of blind children in our schools. Will this be very expensive for our local school districts?"

Stepan: "No, Representative, on the contrary. If we don't do...take action like this, you end up translating those textbooks by hand, which, indeed, costs much more than what this would. This is a minimal cost. All...or most of the textbooks that are published for the State Board are on computer diskettes already. So, this will be a savings as I see it to the state."

Stern: "Is this a mandate on textbook manufacturers? We've been talking a lot against mandates here today and I know that you concur in that philosophy."

Stepan: "Well, I...I wouldn't call this a mandate, Representative. These are contracts that the publishers have with the State Board. I consider this as part of the negotiating and having a contract with the State Board of

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

160th Legislative Day

June 24, 1992

Education."

Stern: "Mr. Stepan is not a textbook manufacturer, is that correct? I think we should clarify this for subsequent litigation."

Stepan: "That's correct, Representative."

Stern: "Thank you, Representative."

Stepan: "Thank you."

Speaker Laurino: "Further discussion? Representative Ropp."

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

Stepan: "The Sponsor yields."

Speaker Laurino: "She indicates she will."

Ropp: "You mentioned that the cost would be insignificant, and according to our analysis we don't have a cost. What do you anticipate this might cost in order to provide this program?"

Stepan: "This will not cost...this will be part of the negotiations with the textbook publishers. They have contracts with the state already. The cost to them to do this...the cost to the state will be nothing. The cost to them is... These books are already on computer diskettes, and we would like them to furnish to the State Board, these computer diskettes so we can then translate them into braille and have them readily available for those children that can't see. Braille is a dying art here, and this is the only way kids who have no sight are going to learn to read and write."

Ropp: "But doesn't this also include standards for instructors to teach braille and to have them acquire a certain level of understanding and ability to communicate?"

Stepan: "That's correct. Currently, there is no exam that those that teach blind students have to pass before they are certified, and this would indeed set up that process."

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

160th Legislative Day

June 24, 1992

Ropp: "So in other words, if a teacher currently has a blind student in their class they're going to have to...and they may not know braille now, they're going to have to go back to school to be in a position..."

Stepan: "They're going to have to be able to pass an exam, yes, Representative."

Ropp: "So the individual teacher will be required, or insisted that they go back to school to acquire this skill, even if the student is being mainstreamed?"

Stepan: "Well, they may have the experience already, and we're just asking them to take an exam to pass for certification. You can't teach blind students if you yourself are not conversant in braille, Representative."

Ropp: "Okay. Thank you."

Speaker Laurino: "Further discussion. Representative Matijevich."

Matijevich: "Yes, would the Lady yield?"

Stepan: "She yields."

Speaker Laurino: "She indicates she...she indicates she will, Representative."

Matijevich: "Representative Stepan, on another day and another Bill, I recall that some members of the committee that you're in said that your word wasn't good, and I defended you as you recall. I wonder if you would look your husband in the eye, and he'd look you in the eye...he's not even listening. Thank God. Mr. Stepan, Mr. Stepan... You know I'm talking to you, really. Paul, on another day and another Bill...yeah...another day and another Bill, somebody questioned Ann's word, whether it was good, and I defended her, and I would hope that for the Body you would look your wife in the eye and tell the whole Body that when Ann gives her word we can all trust her. Isn't that right?"

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

160th Legislative Day

June 24, 1992

There you have it. I was right, that we could trust Ann and her word is good, and I'm happy to support Ann Stepan on her first Bill while her husband is here and possibly her last Bill as an effective Legislator. You've done a great job for us, Ann."

Stepan: "I would like to thank Representative Matijevich, because...for being Co-Sponsor on this Bill. John, you may or may not know...had a problem with his eyesight and nearly lost the sight of both eyes, and so I am proud that he is on this Bill with me. I... Could we get a roll call going here? I think we have more important matters to discuss. Could we get..."

Speaker Laurino: "Further discussion. Representative Stepan, to close."

Stepan: "Thank you. As I said before, I don't think this needs any more discussion. When the blind students came and those that represent the blind organizations in Illinois came and I was with them testifying in the committee hearing, I was very moved and very touched and the idea that I could play a small role in helping them to learn to read and write makes me very proud, and I ask you for your 'aye' votes. Thank you."

Speaker Laurino: "The Lady moves for the adoption, the passage of Senate Bill 1640. All those in favor will indicate by voting 'aye', opposed 'nay'. The vote is open. Have all voted who wish? Ann, it looks like your husband didn't bring you very much luck. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill, having received 116 'ayes', 0 voting 'no', 0 voting 'present', having received a Constitutional Majority, is hereby declared passed. The Chair would like to have...take an opportunity right now to have Representative

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

160th Legislative Day

June 24, 1992

Bugielski and Kay Wojcik come up here and introduce somebody very special to you. Representative Obrzut, Representative Burzynski, would you please come to the podium. Terry McLennand, Ed Petka...You're out of order, Representative. Representative Wojcik."

Wojcik: "Well, this is a first. Good afternoon, Members of the Assembly. It gives me great pleasure to stand before you today and present to you Monica Schashulska. She is from Wloclawek, Poland. She's a second Lech Walenska Fellow in the Governor's Office serving in an eight week internship program. Monica passed the exams to attend the University in Poland; however, she became a Fulbright scholar, studying English and psychology at the University of California at Davis."

Monica Schashulska: "Thank you. What I'd like to say...I'd like to thank you for greeting me here. I'd like to say that people that I met here in Springfield and in Illinois are very nice to me, and I'd like to thank especially to Governor of this State, Jim Edgar for creating this fellowship that I've got. Thank you very much. Dwiekuje."

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

Lang: "Thank you, Mr. Speaker. I'd like to take this opportunity to congratulate a real elder statesmen of the Democratic Party, a person who admits to 45 years, but is in fact much older, my seat mate, whose birthday is today, Dave McAfee. I forgot about the cake. The cake's right over here in the center aisle."

Speaker Laurino: "Representative Lang, stay right where you are near your microphone, cause there's going to be Senate Bill 744, under Criminal Law, Third Reading. Read the Bill, Mr. Clerk."

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

160th Legislative Day

June 24, 1992

Clerk McLennand: "Senate Bill 744, a Bill for an Act to create the Standards of Conduct and Police Brutality Investigations Act. Third Reading of this Bill."

Speaker Laurino: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 744 deletes what we call the no-knock provisions. We thoroughly debated this when we put the Amendment on the Bill. Some who say that... This Bill is really about warrants, but it really isn't. This is about entering a person's premises with the potential of violation of their Constitutional right to privacy. You know, often times when warrants are issued, they could have the correct address; they could have the wrong address, and many times when these warrants are served, officers barge into homes. They break up furniture; they disrupt families; they break up property. Sometimes people are injured. People's right to privacy is violated, and although those who are opposed to this will tell you that the Supreme Court has said that under certain circumstances this is Constitutional, the fact is that we have the right in Illinois to say what makes sense and what doesn't make sense. The fact is that to barge into my home erroneously, breaking into my privacy right, is a violation of my constitutional rights to have privacy and safety and peace in my own home. So this Bill is designed to remove the provisions we added last year - which were added inappropriately - which were wrong, which violated...or potentially violated people's right to privacy, and this would remove that no-knock provision so that when a warrant was being served, under whatever circumstances, the person would have to knock and announce. To those that say, 'Well, this was put in there so that we can go after drug

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

160th Legislative Day

June 24, 1992

lords and so we can surprise them in their homes.' I understand that, but, there are so many circumstances under which warrants are improperly served, so many circumstances under which they have the wrong address, so many circumstances under which people and property are injured and hurt, that the removal of this provision is essential to protect the Constitutional rights that people have in their homes. I would urge an 'aye' vote."

Speaker Laurino: "Further discussion? Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill could aptly be titled 'The Drug Seller's Protection Act' because if you knock on the door of a drug house and tell them you're a police officer they flush all the drugs down the toilet. That's the idea. I mean, this is just to give them time to flush the drugs down the toilet, run to the bedroom and get their guns and be ready for you when you come in the front door. I would urge a 'no' vote."

Speaker Laurino: "Further discussion? Representative Homer."

Homer: "Thank you, Mr. Speaker. I rise to support the Bill. As one who has long advocated tough sentencing and no-nonsense dealings with those convicted of crimes, I don't take this...undertake this position lightly. But I am mindful of the fact that over 200 years ago that our founding fathers found that it was necessary in order to protect, and preserve the rights of the citizens, to add a specific Amendment to the Bill of Rights to the Constitution that protects citizens from unreasonable searches and seizures. The concern then, as the concern should be now, is that there are occasions where there are police excess. Most police officers are fine public servants of the highest quality, but we have an obligation, I believe, to protect



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

160th Legislative Day

June 24, 1992

our citizens from overzealousness, from excessive use of force and unwarranted intrusion into their homes. That's a fundamental right. That's why we passed the mandatory sentencing for residential burglars. That's why we ought to protect people in their homes from unwarranted, unjustified police intrusions. Now the fact of the matter is that under the prior law, before this no-knock was put in the law, police officers could, with sufficient exigent circumstances, enter a dwelling without knocking if the police feel that there is reasonable belief that their safety is endangered, or that evidence will be removed or concealed or destroyed if they knock. But to put in the statute a provision that allows a judge to pre-authorize going into someone's house without knocking is wrong. It's a bad statement of public policy, and for those who practice in the field, if you think that every time a judge is presented with an application for a search warrant by a state's attorney that that judge scrutinizes that petition, you're dead wrong. Many of these search warrants are presented to judges in the middle of the night. Some judges aren't as scrupulous or as careful as others, and I think you're opening Pandora's box to allow for violation of our citizens' rights to be secure in their property if you fail to vote for this Bill. The right vote is a 'yes' vote, and I would hope that we would send a good message and a clear resounding approval for the Bill."

Speaker Laurino: "Further discussion? Representative Petka."

Petka: "Thank you very much, Mr. Speaker, Members of the House. Last year we sent out of this House a no-knock Bill which passed by a very, very wide margin of votes. In the intervening period of time, there has not come to any attention any abuse of this provision in the State of

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

160th Legislative Day

June 24, 1992

Illinois. Now some of those proponents who are speaking on behalf of this Bill simply, in my opinion, missed the target. Every warrant in the State of Illinois must be signed by a judge for execution. In this instance, we're just putting another box on the warrant that says that in those special circumstances (that is where a drug pusher may be armed or he may have surveillance cameras or fighting dogs), that under those circumstances, the police may be excused from knocking to know that they'll take these drug pushers off the streets. It's a mischaracterization to talk about rights to privacy. Drug pushers and other criminals simply don't have those rights. The United States Supreme Court has held that the provision that is currently the law meets Constitutional standards. However, they have permitted the states, if they choose, to have more strict standards on the police. So there's no question that the current Act is Constitutional. What we are, in effect, doing is providing a safe haven for drug pushers in the State of Illinois. Representative McAuliffe is absolutely correct. This should be entitled 'The Drug Pusher's Protection Act of 1992'. This is one of the best 'no' votes you'll ever cast."

Speaker Laurino: "Further discussion? Representative Stern."

Stern: "Mr. Speaker and Members of the House, I rise in support of this Bill, not only for Constitutional and privacy reasons, but also for safety reasons. If you care about police officers and you care about those who are about to make this raid, try to put yourself in the position of a homeowner when suddenly someone comes flying through your door shouting nothing - just breaking in...breaking and entering. If I were the owner of a handgun, I would immediately use it. I happen not to be, but I would think

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

160th Legislative Day

June 24, 1992

if we care about our police officers, the 'knock and announce' rule is an absolute must. I urge an 'aye' vote on this Bill."

Speaker Laurino: "Further discussion? Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I also rise in opposition to this Bill. The no-knock requirement, or allowance of no-knock, is in place only if a judge agrees that circumstances of that particular case warrant the no-knock entry. That is, the judge must pass not only on the question of the search and seizure in issuing the warrant, he almost...also must pass on the issue whether the police have to knock and announce themselves prior to entry. It is only where the judge has adequate facts before him to conclude that it is necessary in order to effectuate the purposes of the warrant, that the no-knock rule will be waived in that case. This is not a question of unbridled police discretion. This is not a question of police abusing an inherent right they would otherwise have. Don't be misled about that. Don't allow that misconstruction to hold sway here today. That is just not the case. The police must present facts sufficient to the judge that he can determine whether to allow a waiver of the no-knock rule. That is part of the warrant. That is part of what the judge must pass on. I rise in opposition. This is a good vote to vote 'no' on."

Speaker Laurino: "Representative Lang, to close."

Lang: "Thank you, Mr. Speaker. For years the common law held that this was allowed only in the most compelling cases, situations where knocking might cause destruction of evidence or might create a danger to police. If we repeal no-knock we'll still have those exceptions. Under this law, under the no-knock law, mere objects, mere objects,

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

160th Legislative Day

June 24, 1992

not a danger to police or destruction of evidence, but mere objects, even a dog in some situations, would allow a no-knock entry. For those of you who consider yourself pro-gun or anti-gun control, I would say to you that the mere presence of a gun in a home, even a legal gun, even a person with a FOID card, a legal FOID card and a legal gun, can have a no-knock search on their home merely because of the presence of that gun. It is an unwarranted intrusion on people's rights, an unwarranted intrusion in people's homes. The potential for danger for both police and residents, the potential for destruction of property that can't be recovered in a civil suit due to the Tort Immunity Act and other provisions. It is critical that the mistake we made last year in adopting this no-knock provision be corrected today. I would urge in the strongest terms an 'aye' vote."

Speaker Laurino: "The Gentleman moves for the adoption...or the passage of Senate Bill 744. All those in favor will indicate by voting 'aye', opposed, 'nay'. The vote is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative Hicks wishes to be recorded as 'no'. Representative Davis?"

Davis: "Mr. Speaker, I wanted to explain my vote, especially in lieu of the fact that I think a few days this Bill got like 58 or 59 votes. You know, when we each decide to give up just a little bit of freedom, it certainly diminishes our entire freedom, and that's how your freedom goes - a little bit at a time; just a little bit at a time. Now when we talked about that judge making that decision, first of all, I'd like to say, we have found that not all judges are noncorrupt. Number two, I'd like to say that that

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

160th Legislative Day

June 24, 1992

policeman who has the right to burst in someone's door without knocking or identifying himself, can also find himself at the wrong door. He has the right, supposedly by a judge, to just break into someone's house. Hopefully he gets the right house, but there is that chance. There is certainly that prevailing chance that he's bursting into the wrong house. He's putting your family in jeopardy. He's putting your children and himself in jeopardy. Do we really want to do that? I think a few days ago this Bill had like 58 or 59 votes. We need 60 votes. I don't think you... This is not a Bill that's going to stop crime. It is not a Bill that's going to catch the drug dealer. It's merely a piece of legislation that is going to diminish the freedom of the people who live in the State of Illinois. It is going to say to those people, 'You are not free from searches and seizures.' Only when people don't make mistakes. This is not a Bill that would...that will help criminals. This is a piece of legislation to help us keep the freedoms that we certainly deserve in the State of Illinois."

Speaker Laurino: "Representative Hicks wishes to be recorded as voting 'aye'. Representative Hartke wishes to be recorded as 'no'. Representative Rotello wishes to be recorded as 'no'. Representative Rice wishes to be recorded as 'aye'. Representative Turner wishes to be recorded as 'aye'. Representative Rice wishes to be recorded as 'aye'. Representative Turner wishes to be recorded as 'aye'. Representative Jones wishes to be - Shirley Jones - wishes to be recorded as 'aye'. Representative Hoffman, Jay Hoffman. He's recorded, Jay. Representative Deering wishes to be recorded as 'no'. Representative Donny Trotter wishes to be recorded as 'aye'. Further changes?

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

160th Legislative Day

June 24, 1992

Seeing none, hearing none, very good. This Bill, having received 33 'aye' votes, 78 'no' votes, and 5 voting 'present', fails. Senate Bill 1693, Representative Rotello. Read the Bill, Mr. Clerk."

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

Speaker Laurino: "Representative Rotello."

Rotello: "Thank you, Ladies...Mr. Speaker, Ladies and Gentlemen of the House. I would appreciate a vote for this Bill which would allow judicial discretion in terms of enhancing a sentence. This Bill was called yesterday. We had a lengthy debate on it. I don't think the issue has changed. There are no Amendments to the Bill. I would appreciate support on it."

Speaker Laurino: "Further discussion? Representative Black."

Black: "Yeah. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is on Postponed Consideration. Nothing has changed since it was defeated the last time. This...this Bill really is aimed at making it tougher, or making it easier, I should say, to put shoplifters in the Department of Corrections. That's the bottom line. That's the bottom line. Now I'm not necessarily opposed to that, and I have heard from supporters of this Bill that there was somebody who got arrested for shoplifting who had 20 prior convictions for shoplifting and so that this Bill is designed to say, 'Well, by golly, we're going to put those people in prison before they get 20 convictions for shoplifting.' I think, as it was explained yesterday by attorneys speaking against this Bill, the judge already has that discretion. There is no reason why a shoplifter who has been convicted dozens of times needs...the prosecutor needs no more ammunition to

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

160th Legislative Day

June 24, 1992

put that person away then they already have. All this Bill will do, and the primary reason that I stand in opposition, we love to go home and talk about we're going to get tough on crime. It makes great mailers. Well, I'm not gonna go home to my prison guards, who are in harm's way every day because we've overcrowded the system, and understaffed it. Now enough is enough. This Bill has been defeated once; it deserves to be defeated again. If we're going to put people in prison, let's make sure it's an offense that we need to put them in prison for, so we can put them in there, lock them up and throw away the key. I don't think you want to flood the correction system with shoplifters. I don't think they're a danger to me or my family, but I'll tell you the overcrowded prisons are a danger to every community that has one, and they are certainly a danger to the people who work in them. Enough is enough. Vote 'no'."

Speaker Keane: "Representative Keane, in the Chair.  
Representative McGann...McNamara."

McNamara: "Can't tell us alike."

Speaker Keane: "The Irish all look alike."

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

Speaker Keane: "He indicates he will."

McNamara: "Representative, this does not say that the person automatically goes to prison, but it gives the judge a consideration or an order to do it after a three time event. Is that correct?"

Rotello: "That is correct."

McNamara: "Okay. To this Bill, perhaps we are looking at this Bill in the wrong way, with due respect to the speaker from the other side of the aisle. Let us not get to a society

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

160th Legislative Day

June 24, 1992

where we say, 'All of these crimes are so minor that we're going to overlook all minor crimes and only those that go out and murder people will be in prisons.' That is probably the most foolish argument I've ever heard for having a Bill defeated. Let me look at it a second way. My son - and it happens to be personal - is a manager for the Osco food chain. Now as a manager for the Osco food chain, in our area, which is considered a fairly good area, but it expands through all of the stores around the area, they continuously have shoplifters coming in. What they come in for are razor blades. They stick 30, 40 packages in their pockets, and they run out the store. Now to all of us that sounds, 'Oh, it's so petty.' But what they do then, is they run down the street to a cut-rate store, they sell those razor blades for cash, they turn around, they buy their drugs, they go in and the next time they're in, they're stealing 15, 20 packs of cigarettes because they can get a quick cash crop out of it. This is not against the occasional shoplifter. It's to try to thwart the crime that's going on out there that you and I are paying for and a price of every good that we have and that repeat offender, who is doing it for quick cash, must be thwarted in some way. There are instances of 15, 20, 30, 40 times that these people are dragged in before the court just because they have had happened to have 20, 50 packages of razor blades which we would consider as just petty. There is a whole ring out there, a whole undercurrent of dollars out there, and this is the way they support the habit. It is about time that we start putting the real criminals away and just because it falls under a limit, let's go out...let's do it. Let's pass this. Let's give law enforcement, let's give the judges, the tools that they



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

160th Legislative Day

June 24, 1992

need to get the real crime off the street because all these people do is graduate to greater crime. And then when they murder somebody we're gonna say, 'Well, we don't have enough room in the prisons.' Let's face it: Crime is crime. Repeat offenders should be put away. This is a good Bill. I urge your 'yes' vote."

Speaker Keane: "Representative Parcels."

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

Speaker Keane: "He indicates he will."

Parcels: "Representative Rotello, isn't it true that now on a second defense the judge may give you an extended sentence, but on a third offense, he cannot? Isn't that the case?"

Rotello: "As I understand it, that is the case."

Parcels: "Well, and that seems like we just have a glitch here in the law. What we're after here is not the bubble gum stealers, we're after the big guys that are stealing over and over razor blades, as we've heard about, or that are taking away lots of fur coats, and these guys should be in prison. And we have a glitch now that if he does it the second time he can have an extended sentence, but if he does it the third time he can't have the extended sentence. That makes no sense at all. For those of you that don't know, the Illinois Retail Merchants' Association are very much in favor of this Bill. They're trying to get those repeat offenders, who are making a mockery of the retail business by stealing over and over again and getting short sentences. This would now have those people allowed to have an extended sentence on the second, the third, the fourth and continuing offenses. I think it's a good Bill, and we should vote 'aye'."

Speaker Keane: "Representative Morrow."

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

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

160th Legislative Day

June 24, 1992

House. I rise to oppose Senate Bill 1693 and one of the previous comments made that crime is a crime, and I, for the most part, agree that crime is a crime, but our jails are filled with the little guy. Two years ago we had an S and L crisis in this country. How many of those people have been in jail? How many of those people have been put in jail? Why? Cause they're politically connected. So now we're going to put someone in jail because they stole a razor blade. Or they stole some bubble gum. They really added to the nation's...to this...debt of this nation. Why don't we start putting people in jail that really need to be put in jail? The bankers, the lawyers, the insurance agents that ripped the people of this country off? Let's put some of those people in jail. And they say, they're going to turn to more crime, hard crime. Well, I'd like to see a guy that used to head an S and L get put in the same jail with a dope dealer. He'll really teach him about running business. Vote this Bill down, and let's get to the real business of why we're here: Let's get to the budget. Let's get to the budget. Let's get to why we're really down here. These Bills don't do a damned thing in this country. Let's get to the budget. That's what I'm pleaded for. All this monkey stuff... We're going to be sitting here after June 30th trying to explain why we're getting paid \$79 a day. Now I can explain it in my district, cause \$79 goes a long way, but let's stop calling these asinine Bills and get to the budget."

Speaker Keane: "Representative Monroe Flinn."

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

Speaker Keane: "The Gentleman has moved the previous question. The question is, 'Shall we move the previous question?' All in favor say 'aye', all opposed 'no'. The 'ayes' have

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

160th Legislative Day

June 24, 1992

it. The question is moved. Representative Rotello, to close."

Rotello: "Thank you, Mr. Speaker. This Bill does not just address shoplifting, and it certainly is discretionary. The minor offenses that are mentioned by the opponents certainly would not be reason to send someone to prison. I don't know of a judge that would send someone to prison for stealing bubble gum. Let's get serious on this issue, allow the flexibility and discretion at the local level. I urge your support."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. Voting is open. Representative Wennlund, to explain your vote."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, I find it particularly ironic that the very same people who are the proponents of this Bill voted to cut \$45 million out of the Department of Corrections, keep Big Muddy Prison closed, keep four work camps closed and endanger the lives of every member of the Department of Corrections who works in these penal institutions that are now over 30,000 people and way beyond their capacity. A 'no' vote is the proper vote."

Speaker Keane: "Representative Davis, one minute to explain your vote."

Davis: "Thank you, Mr. Chairman. I'm sure most of you know that the Illinois Task Force on Crime and Corrections with Anton Valukas as the chairman has sent us information that states the cost to keep a prisoner in jail...in prison for a year in Illinois costs about 16,000 or 17,000 per year. He also states that the task force recommends that the Illinois General Assembly declare a moratorium on legislation creating new non-probational offenses until the task force

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

160th Legislative Day

June 24, 1992

can study the effects of this legislation. They also recognize that some of these sentencings will help to create the overburden on the prison system. This task force has asked the General Assembly to show caution in creating sentence enhancements or new mandatory prison sentences for nonviolent offenses without appropriate funding for the criminal justice system. Thank you. I urge a 'no' vote."

Speaker Keane: "Representative Hicks, explain your vote. One minute."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I do see some of the votes coming off...some of those green votes are coming off. I think that's the right thing to do. I believe that we have such a serious overcrowding problem in this prison. We just recently saw the total populations of prisons in Illinois go over 30,000. I understand as of today we're over 30,400. That's just in the last few weeks. We cannot stand and continue to put people into our prisons for nonviolent crimes. It's something that we can't stand; we cannot afford it. We can't continue to do this. The right vote's a red vote. Thank you."

Speaker Keane: "Representative Homer, one minute to explain your vote."

Homer: "Thank you, Mr. Speaker. This is all good debate concerned about the prison population problem, but it's on the wrong Bill. Representative Rotello's Bill is a very modest Bill. It does not increase any mandate in sentencing; it requires no enhanced sentencing. All that it does is say that in the case of a third-time offender for a misdemeanor that's been enhanced that the court would have authority, jurisdiction, discretion, to issue an

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

160th Legislative Day

June 24, 1992

extended term. It doesn't require the judge to do a darned thing and furthermore, before someone's convicted of three offenses, a practical matter, they've had court supervision at least once, so we're talking about four-time offenders, primarily for shoplifting, to simply give the court the authority to issue an extended term. I...you know... This Bill doesn't increase prison population. It's a good Bill. Representative Rotello ought to be supported."

Speaker Laurino: "Representative Matijevich, one minute to explain your vote."

Matijevich: "Explaining my vote, I could just hear the conversation; a guy gets convicted for shoplifting...I can just hear him going to prison, talking to his cellmates, 'What'd you get in here for?' He says, 'I'm here for murder. What'd you get in here for?' 'I'm here for shoplifting.' My God, that would be shock treatment. That might be a good idea after all. That would be shock treatment for the...for his cellmate. It's crazy. You know...we go overboard. I've told you time and time again, 'Let's knock it off. Let's get a commission, a task force and start working on our Criminal Code. We're going to hell what we're doing. We're doing too much piddly stuff. Let's get at real crime.'"

Speaker Keane: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 57 voting 'aye', 52 voting 'no', 6 voting 'present', and the Bill fails. On Labor, Third Reading is Senate Bill 1657, Representative McAfee. Representative Novak, for what purpose do you rise?"

Novak: "Yes, Mr. Speaker, point of personal privilege. I'd like to introduce to the Illinois General Assembly, Mayor Russell Johnson, from the City of Kankakee."

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

160th Legislative Day

June 24, 1992

Speaker Keane: "Welcome Mayor Russell. Representative McAfee, is it your wish to proceed with this Bill?"

McAfee: "Mr. Speaker, I'd like to return it to Second Reading for purpose of an Amendment."

Speaker Keane: "You want an Amendment? Have you talked to...? Okay. Take it out of the record. On the Order of Professional Regulations, Third Reading is Senate Bill 626. Out of the record. Senate Bill 963. Out of the record. On the Order of Revenue, Third Reading, appears Senate Bill 1479, Representative Lang. Out of the record. Senate Bill 1606, Representative Hartke. Out of the record. Has this Bill...is this Bill going to be amended? No. We'll do that at a later time. On the Order of Third Reading, Mandates, Senate Bill 1640, Representative Stepan. Out of the record. On the Order of Mandates, Third Reading appears Senate Bill 14...1941, Representative Ryder. Out of the record. On the Order of Consumer Protection, appears Senate Bill 1565, Representative Schoenberg. Representative Schoenberg? Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1565, a Bill for an Act to amend the Air Rifle Act. Third Reading of the Bill."

Speaker Keane: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Fifteen sixty five is an issue which we considered earlier, and in the course of debate there was some very poignant and, perhaps, misunderstood testimony as to why this measure would not be a good measure. The issue which was raised last time in debate is - to refresh your memory - is whether or not this would preclude anyone who happens to have one of those Daisies that's so well associated with childhoods throughout the state, if that would be restricted by this Bill, which maintains that it is

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

160th Legislative Day

June 24, 1992

unlawful to transfer an air rifle gun to a person under 13 years of age and adds that it's unlawful to transfer an air rifle to a person 13, 14 or 15 years of age without written consent of the person's parent or guardian. On this Bill the dealer can't sell, lend, transfer, rent or gift to a person under age 16 without written consent. It also prohibits any possession under 16, except where the relationship is parent-child or parent-guardian relationship. But because of the velocity involved, because of what's defined, this is actually not what you think it is, and I would entertain any questions that you have and urge your affirmative support."

Speaker Keane: "Representative Black."

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

Speaker Keane: "He indicates he will."

Black: "Representative, to the best of your knowledge, do you have to have a firearm owner's identification card to buy an air rifle?"

Schoenberg: "Pardon me?"

Black: "Do you have to have a firearm owner's identification card in Illinois to purchase an air rifle?"

Schoenberg: "Any weapon that has...any, any item which has a muzzle velocity of 700 feet-per-second or greater, according to Illinois statute, is defined as a firearm, technically, and therefore would require a FOID card. However, to have a FOID card, you have to be 18 years of age. So those high-velocity guns, for example, like an impact gun which can have a more devastating impact on an individual, that muzzle velocity exceeds 700 feet-per...the 700 feet-per-second and would be technically constituted as a firearm. Something that Representative Wennlund alluded

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

160th Legislative Day

June 24, 1992

to the last time we discussed this matter, such as a Daisy which he alluded to and which Representative Hartke alluded to and Representative Deering alluded to, the muzzle velocity is 350 feet-per-second and would by no means qualify under this case."

Black: "What's the muzzle velocity of a Super Soaker? That's that...that's that..."

Schoenberg: "I know what it is. Mayor Flynn of Boston has been talking about it a lot lately..."

Black: "Well, didn't...it's been banned in Boston, as I recall."

Schoenberg: "Mayor Flynn has, last I understand, he was talking about it, but it hasn't been the case."

Black: "All right,...what..."

Schoenberg: "That's a squirt gun."

Black: "Oh. All right. Let me ask you, do you define air rifle in this legislation as something that is propelled by a CO2 cartridge, so that you can distinguish it between the Daisy B-B gun, which...which you said isn't...doesn't qualify under the FOID definition?"

Schoenberg: "The distinction, as I mentioned earlier, Sir..."

Black: "Just simply muzzle velocity?"

Schoenberg: "Muzzle velocity...is the issue of muzzle velocity."

Black: "All right."

Schoenberg: "The impact guns do have a muzzle velocity which exceeds 700, and therefore would require a FOID card and an 18 year of age threshold and the other category, the Daisies, the muzzle velocity is 350, and therefore, would not be...would not be under consideration for this."

Black: "All right. I... Well, Representative, and Mr. Speaker, Ladies and Gentlemen of the House, I...I guess all I can say... I, number one, I admire that the Gentleman's perseverance, and I guess in summation - and I'm not even



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

160th Legislative Day

June 24, 1992

sure how I'm going to vote on this Bill - I'm just happy I grew up in a simpler time. I'm just happy I grew up when my dad could get me a B-B gun and I could go out in the woods and plink around with my B-B gun, and I didn't even know such a term as muzzle velocity even existed when I was a kid. I...I guess maybe it's a...it's a commentary on the times in which we live that these kinds of Bills have to come before us, but I'll tell you one thing, I'm just glad I grew up where I did, when I did, and times were simpler, but I admire your perseverance, Representative."

Speaker Keane: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think you might recall the prior argument on this Bill. This Bill is an Amendment to the Air Rifle Act. Nowhere in the Air Rifle Act is muzzle velocity referred to. That's the definition of a firearm. This refers to air rifles and would prevent 15-year-olds or 14-year-olds from buying them without consent from their parents. Let me read you from the Act itself what the definition of an Air Rifle is. 'Air rifle means and includes any air gun, air pistols, spring gun, spring pistol, B-B gun or paint ball gun'. So we're back to the issue of the Red Rider Daisy B-B gun, not even a sawed off B-B gun, but a Daisy Red Rider B-B gun that a kid who's 15 years old can't go in and plunk down his \$20 and buy his old B-B gun and go out there and have fun in the back yard like every other American kid...every other red-blooded American kid, like Representative Deering, who grew up with a B-B at his side at all times. We're going to regulate everything in this society for the protection of the individual, the kid, even the parent, a parent can give one to his kid. We're destroying what you and I knew as we grew up as youths in

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

160th Legislative Day

June 24, 1992

this state, the enjoyment and the hours that we spent with our B-B guns occupying our time. We defeated this Bill before, and it should be defeated again."

Speaker Keane: "Representative Schoenberg, to close."

Schoenberg: "In response to the previous Gentleman's comments, I don't know how much more clear I could be. The Daisy, which so many of my colleagues hold near and dear to their hearts, does not apply in this case. As a matter of fact, I think if it had applied in this case, I don't think that the National Rifle Association would have worked so thoughtfully in negotiation with the Senate Sponsor of this Bill, and in discussions with myself and ultimately, just to clarify, they've taken no position on the issue. What this Bill does is two things, actually three things. One, it doesn't take your beloved Daisy away from you. Your father, or anybody else's father if they wanted to go ahead and do it, could, because the muzzle velocity is such where it doesn't qualify for the way an...the way an impact gun would, and you wouldn't need a FOID card. It does two things. It represents a concerted effort on both parts, both sides, and this is something that is a bit of a rarity, to come to some kind of agreement. It has to do merely with parental consent, and if the parent was consenting there'd be no issue whether it was a Daisy or anything else. And it's for that reason that I brought this up again, and I urge you all to vote 'aye'."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Representative Ropp, to explain his vote. You have one minute."

Ropp: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. You know, there comes a time when you almost wonder

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

160th Legislative Day

June 24, 1992

whether or not we're going to allow anyone to do anything, and it seems like this is another very...issue which we're demanding that something happens to young people. Why wouldn't it be better, and why isn't it smarter, to insist that parents begin to educate young people about the dangers or the safety of the use of B-B guns or air rifles or automatic weapons? Certainly education is the key and is far more important than whether or not you get consent as to whether or not you can buy a B-B gun."

Speaker Keane: "Representative Dunn, you have one minute to explain your vote."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I remember when my oldest son was seventh or eighth grade and wanted a B-B gun, and we went out and bought him a B-B gun. I talked to him about it. He had the gun about three or four days and one of his friends in our neighborhood, who also had a B-B gun, was playing irresponsibly with the B-B gun and shot the gun and shot out the eye of another playmate. We, with consent of our son, put the B-B gun away in a closet where it remains to this day. I think this is a good Bill to say at some point in time you're a little too young to take advantage of anything which can cause great harm, and an instrument which can put your eye out and did put the eye out of a young man I know. It can do that, and should be properly supervised, and I urge more green votes on this good Bill."

Speaker Keane: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 41 voting 'aye', 65 voting 'no', 7 voting 'present'. This Bill, having failed to receive the required Constitutional Majority, is hereby declared failed. On Elections, Third Reading is Senate Bill 1992, Representative Lang. Mr.

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

160th Legislative Day

June 24, 1992

Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1992, a Bill for an Act to amend the Election Code. Third Reading of this Bill."

Speaker Keane: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1992 does two things. The first is not controversial. The first allows county clerks to provide additional dollars for election judges. We all agree that election judges are underpaid. This would be at the discretion of the county clerk based on his or her own budget, so there's no state dollars involved, fairly noncontroversial. The second item on this relates to registration of homeless people. We've debated this before on a very close vote previously. Let's debate it again. Homeless people are people just like everyone else. Homeless people have a right to...should have a right to basic health care, basic education where they have children, and who has a greater stake in the political process than homeless people? The people at the very bottom of the socio-economic scale. The people who can't take care of themselves. The people that need our help. Who has a better...a more important stake in who the elected officials are that oversee their lot in life, and who make an effort to make their lot in life better. Our responsibility is to uphold the Constitutional rights of all of our citizens, and we should not limit citizens' Constitutional rights simply because they don't have a home or because they don't have a job, or because they're tall or because they're short or because of their race or any other reason. Every citizen of our state should have the right to vote. It is a right that we have given everyone else. The only people in our state that don't have the

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

160th Legislative Day

June 24, 1992

right to vote today are homeless people and convicted felons, and I would submit to you that putting homeless people in convicted felons in the same boat relative to voting is not where the State of Illinois wants to be. So I would recommend an 'aye' vote on this Bill to protect the constitutional rights of all of our citizens, regardless of who they are, regardless of where they live. And I would remind you that changes were made in this Bill from the original proposal requiring that, even though these people are homeless, that requires them to have them an address at which they regularly receive mail. So those of you who are preparing to stand up and say this will allow people that live on park benches to vote, or people that live under bus stations to vote, or in L stations to vote, none of that is true. The person must have an address at which they live and sleep and receive mail and to turn down a right of a person to register to vote, for us, under those circumstances would be wrong and it would smack of certain kind of politics that we don't stand for in the State of Illinois. I would recommend an 'aye' vote."

Speaker Keane: "Representative Hoffman. Jay Hoffman, to explain your vote. Representative Hoffman, did you want to speak on this issue? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What we're talking about here is the integrity of the election process, the integrity of the registration and election process. Now, turn to page 5 on the Bill and take a look at it and take a look at what a definition of a homeless individual is: 'It means any person who has the non-traditional residence including, but not limited to, shelter, a day shelter, a park bench, a street corner, or a space under a bridge.' Now, that's where a homeless person

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

160th Legislative Day

June 24, 1992

resides, and from a technical standpoint, under the other provisions of the Election Code, you don't have to have an address. You can, in fact, use a congressional designation. You can have an address at a park bench at the corner of 5th and South Grand and call that your address. The park bench that advertises Joe Blow's Motor Sales at the corner of 5th and South Grand could be a residence address. Now I know that Chicago invented the ghost voter, and those voters who rise up out of the cemeteries on election day and swell the population of the City of Chicago to a million people. This Bill is fraught with evidence of obvious abuse of the entire process, when we don't have permanent abodes of residence for the voters in Illinois, who have always been that way. On page 17, all they need to bring in is a piece of mail addressed to the homeless person at that address, whether it be the corner of 5th and South Grand in Springfield, Illinois, or anywhere in Hometown U.S.A. or the City of Chicago. That's all the evidence that's needed, but everybody else who goes to register in the State of Illinois has to have two forms of identification - two forms, like a driver's license and some other form of identification, in order to be registered. That's what's required, but now we want to say the homeless person doesn't even have to have two forms of evidence of identification. All they've got to have is a piece of mail that's addressed to the homeless person, and that could even be at a park bench at the corner of 5th and South Grand. Everybody else has to have a higher standard before they can register, but now we want to allow the homeless to register from a park bench or any other address. Now I know that the cemeteries open up on election day in the City of Chicago where that type of

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

160th Legislative Day

June 24, 1992

activity was originated, but now we don't need to add to the possibility of fraud in the election process. We're talking about the integrity of the election process. This is a bad Bill. It opens up the floodgates for election fraud, and you and I both know it, and this ought to be defeated."

Speaker Keane: "Representative Shirley Jones."

Jones: "Mr. Speaker, would the Sponsor yield?"

Speaker Keane: "He indicates he will."

Jones: "Representative Lang, most of your homeless people get their checks from the currency exchange. Is that right? Is that proof of, you know, part of identification for them? Will that be proof of part of our identification, and also a birth certificate along with their check, is that two pieces of ID that they can use to register to vote?"

Jones: "Thank you. I urge that everyone that's in this chamber should give the person that's homeless a chance to vote to show that they are apart of this United States of America. If you can pay taxes, you are able to vote. Anyone that can pay taxes they should be able to vote, as long as they are a citizen of the United States. Thank you."

Speaker Keane: "Representative Walsh."

Walsh: "Will the Sponsor yield?"

Speaker Keane: "He indicates he will."

Walsh: "In relationship to the legislation having an effect on someone other than the person who is presently eligible under the system, where they are allowed to vote only down to the congressional race. Am I understanding you correctly to say that the person now will be eligible to vote for State Senate, State Representative, county board member, member of the city council, precinct committeeman,

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

160th Legislative Day

June 24, 1992

that all those designations will now be available because of this legislation?"

Lang: "That is correct. The intention, Representative, is to allow full voting rights for all citizens of the State of Illinois who can prove they have a legitimate residence. The reason we're going to require them to prove they have a legitimate residence is to avoid the kind of vote fraud that was alluded to by some of the opposition to this Bill. We don't want vote fraud; nobody wants vote fraud and the way to avoid that is to require two forms of ID and proof that the person has a residence at which they receive mail. That's the same test that's applied to you and to me and to everybody else in this Body."

Walsh: "To the Bill, Mr. Speaker."

Speaker Keane: "Proceed. Proceed."

Walsh: "My concern has been satisfied and I think that the main goal that I can see here is a point that...I am in favor in favor of this Bill on and that is that it's allowing further access to the ballot by a greater number of citizens who are presently being denied ballot access, not only the homeless, but other persons in that same situation that may not be able to, at the present time, qualify for a full ballot, and after hearing the discussion of this Bill now I now realize that they will be eligible for the entire ballot which, to me, is the crux of the whole matter, and I recommend an 'aye' vote."

Speaker Keane: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', all opposed vote 'no'. Represent...Voting is open. Representative Schakowsky, to explain your vote."

Schakowsky: "I think it's... Thank you, Mr. Speaker. I think it's important to note that in developing this legislation,



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

160th Legislative Day

June 24, 1992

we have worked with the State Board of Elections and election officials all over the State of Illinois. I have been assured by election officials that computers are adequate to check that people aren't registered in a couple of places. They are satisfied. Election officials are satisfied that there's no problem with fraud here. In the City of Chicago, only 368 people have registered to vote under their allowance for the homeless people. There... We have done everything to avoid fraud and now to give the constitutional right to homeless people. Urge an 'aye' vote."

Speaker Keane: "Representative Kubik, one minute to explain your vote."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to oppose this particular measure. I would give the Lady a lot of credit in terms of improving this Bill. However, the bottom line is when you don't have a residence you cannot prove that the voter is in that particular place. So there is an opportunity even though the opponents say there is not - there is an opportunity for vote fraud. I think our job, as an Assembly, is to make the determination as to whether or not we can have a fair and open and honest Election Code. I don't believe that by including this provision that that will be the case. I would urge you to look at this Bill very carefully. It is a Bill which will open up some areas for election fraud, and I would oppose this Bill and hope that more people would do the same."

Speaker Keane: "Representative Hultgren, my apologies, I missed your light during the course of the debate. Please state your..."

Hultgren: "Thank you, Mr. Speaker. If the Sponsor would yield or

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

160th Legislative Day

June 24, 1992

at least at this point if he could make some kind of an affirmative or negative indication that might appear in the record. I have a question..."

Speaker Keane: "Excuse me. Excuse me. Ladies and Gentlemen, let's have some quiet. We're trying to establish legislative intent on this Bill."

Hultgren: "Representative, if you would yield for a question? Is it your intent that the homeless persons identified under this Bill must register to vote using a physical street address where they actually receive mail? Is that your intent?"

Speaker Keane: "Representative Lang."

Lang: "Can you repeat your question?"

Hultgren: "I'd be glad to. Is it your intent that the homeless persons defined under this Bill must register to vote using a physical street address where they actually receive mail?"

Lang: "That is absolutely correct."

Hultgren: "Thank you very much. I wanted that for the record."

Speaker Keane: "Have all voted who wish? Have all voted who wish? Representative Matijeovich, to explain your vote."

Matijeovich: "Mr. Speaker, it disturbs me that we don't have more votes on this Bill. I realize we're over the limit but I recall some years ago where, I think it was the brother-in-law of John F. Kennedy, lived in the Drake Hotel. Used that as the mailing address and everybody knew he didn't live there. He used that as a mailing address and the fact was that he could have that as his registration in Illinois. Didn't even live there and everybody knew it. Here we are saying by voting 'no' to this Bill that somebody who lives in Illinois, lives in Illinois and ought to have the constitutional right to

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

160th Legislative Day

June 24, 1992

vote, that we are going to deny them. I don't see how anybody can deny it. And let's face it: Because of the circumstances of our economy, the number of homeless is growing and growing. This is a problem of our times. We should not deny anybody the right to vote. They ought to have a voice in representative government. They have a constitutional right to have that voice."

Speaker Keane: "Have all voted who wish? Have all voted who... Take the record. On this, there are 64 voting 'aye', 44 'noes', 7 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. There will be an immediate Democratic Caucus in Room 114; the Republicans immediate Caucus in Room 118. We will give... We will return at 4:30. So there will be a Caucus, Democratic Caucus in Room 114, Republican Caucus in Room 118. We'll return at 4:30. Yes, we are coming back."

Speaker McPike: "...Come to order. Would the Parliamentarian come to the floor? All right, we have Bills on Third Reading that need to be brought back to Second Reading for Amendments. Senate Bill 1606, the Bill's on Third Reading. The Gentleman asks leave to return the Bill to Second Reading. Leave's granted. The Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative Flinn."

Flinn: "Well, Mr. Speaker. First, before I deal with Amendment #5, I would like to move to table Amendment #3."

Speaker McPike: "The Gentleman moves to table Amendment #3. All in favor say 'aye', opposed 'no'. The 'ayes' have it. Amendment #3 is tabled. Amendment #5."

Flinn: "Thank you, Mr. Speaker. What Amendment #5 does is the

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

160th Legislative Day

June 24, 1992

same thing (Amendment) 3 did except some corrections and it simply gives the local counties the option in regard to animal control. I know of no opposition. It's been dealt with..."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 969, the Bill's on Third Reading. The Gentleman asks leave to return it to Second. Leave's granted. The Bill's on Second Reading. Are there any Amendments?"

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

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #4 was a idea that made it out of the House Education Committee. However, when we adjourned early on the deadline of House Bills it was not able to be called for a vote. Basically, this addresses a terrible problem we have in the state. It's a no-cost, no-mandate, dropout, reduction proposal that has been proposed by the Regional Superintendent of Schools as well as the at-risk youth groups. I believe that it is a good Bill. I ask for a favorable roll call. Basically, you know, three out of four prison inmates are dropouts, and I think this will address that."

Speaker McPike: "Senator Carroll. And on the Motion, Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Do you want to tell us how it works?"

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

160th Legislative Day

June 24, 1992

Hoffman: "Basically, Representative, what this Bill would do is, right now in the State of Illinois, you can just leave school. Nobody knows why you left. You don't know sometimes why you left. This would put some provisions in place where you would essentially have to fill out a form; go through an exit procedure, which would be done through the Regional Superintendent of Schools. You would have to say you have an intent to drop out, why you're going to drop out, go through an exit procedure. This doesn't mean, this doesn't mean that you still can't drop out. What it does mean is that we're not just going to let people slide out of the system unchecked and unprepared for their future."

Wennlund: "Well, if the... You mean the student would have to fill it out?"

Hoffman: "Exactly."

Wennlund: "And if the student doesn't fill it out, what happens then?"

Hoffman: "Well, then you..."

Wennlund: "He just says, 'To heck with you. I'm leaving,' and goes."

Hoffman: "I...Excuse me."

Wennlund: "I mean if the student just says, 'To heck with you. I'm leaving school.' Is he then a truant?"

Hoffman: "Representative, I'm not saying that this is the solution to all our problems. You know, we don't have the money in the State of Illinois to provide some of the types of alternative schooling that we probably should be doing. But this is a step in the right direction. Let's say he doesn't do it. He could be declared a truant, he may be declared a truant, but, as a practical matter, as a practical matter, we're talking about putting some type of

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

160th Legislative Day

June 24, 1992

barrier in front of the student that he will have to go through and if he doesn't do it, there could be some repercussions. Now, we're not saying that, let's say the person doesn't do it. He may come in and just fill out the form and go through the procedure and everything's fine if we catch him. But the problem is we cannot...go on without addressing this problem in the State of Illinois."

Wennlund: "What's the purpose of the statement, the dropout statement?"

Hoffman: "What's the purpose of the statement? Well, basically, right now people in... There's a dual purpose: Number 1, we don't have any statistics in Illinois as to why people are dropping out. Sometimes we can't even tell how many people are dropping out simply because of the fact that with the school system it could be a transfer case, it could be a dropout, and we lose track of people. Also we're saying to the kids in Illinois that we're going... We care about you. We're going to do something, and we're going to make you think about, prior to the time that you just leave school one day have a fight with your parent, have a fight with the teacher and just leave school, you're going to have to go through some type of a procedure whereby, in order to drop out you're going to have to go through this procedure. It's kind of an impediment in the ways of people that kids, young kids, who are...you know, between the age of 16 and 18 years old and really don't know what they're going to do with their future, that young kids begin to re-think what this is going to mean to them later in life."

Wennlund: "Does this apply to the County of Cook?"

Hoffman: "Yes."

Wennlund: "In 1994 who's going to do it there?"

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

160th Legislative Day

June 24, 1992

Hoffman: "Well, basically, what will happen is all the services that are now being done by the Regional Superintendent of Schools in the County of Cook, it's my understanding that they are being transferred, the responsibilities are being transferred, to an Educational Service Region, and I believe it's 1995, Representative, it may be '94 but '95."

Wennlund: "1995. Okay."

Hoffman: "The Educational Service Region would then take over, the Cook County Educational Service Region, would take over these responsibilities as well."

Wennlund: "Thank you very much. To the Bill, to the Amendment. I certainly really don't see any harm in the Amendment, but nor do I see any valid purpose for it or good purpose for it, and I don't see it accomplishing really anything."

Wennlund: "Representative Pullen."

Pullen: "I'd like to ask the Sponsor a question or two, please."

Speaker McPike: "Yes."

Pullen: "Yes. Proceed."

Pullen: "At what age does a student leaving school qualify to be considered a dropout?"

Hoffman: "This would apply to 16 to 18."

Pullen: "Is there anything in this Bill that extends the compulsory school attendance age to 18?"

Hoffman: "In order to give teeth to this Bill, it has changed. However, that doesn't mean that you cannot drop out. All you have to do is go through the procedure. This does not mean..."

Pullen: "Could you please answer the question? Does this increase the compulsory school attendance age to 18?"

Hoffman: "In effect, no, it doesn't. In the Bill what it says..."

Pullen: "What do you mean by 'in effect'? Does it change that

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

160th Legislative Day

June 24, 1992

age in the Compulsory School Attendance Law?"

Hoffman: "The practical effect is that it does not do that. You could still dropout if you're between the ages of 16 and 18. In the Bill...in the Bill ( and I think everybody should know this), in the Bill it says that 'The compulsory age is changed from 16 to 18', but you could still drop out if you follow the procedure of filing an intent to drop out and go through the exit process. This does not raise, does not say that if you are between the age of 16 and 18 you cannot drop out."

Pullen: "What if a student graduates at the age of 17? Under your legislation, which changes the Compulsory School Attendance Law to 18, what if a student graduates at the age of 17? Is he then subject to harassment from truant officers because he or she is not in school while under 18?"

Hoffman: "If you graduate, this does not apply to you."

Pullen: "If they...if you are changing the compulsory school attendance age to 18, I think you had better reconsider that...your answer to that question, Sir."

Hoffman: "If you graduate this does not apply to you."

Pullen: "Does this reflect legislation which has already been considered in this Session?"

Hoffman: "No."

Speaker McPike: "Excuse me. Representative Black, for what reason do you rise?"

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

Speaker McPike: "Yes."

Black: "Pursuant to Rule 36(d), I believe that this Amendment changes or amends the title of the Bill..."

Speaker McPike: "Mr. Clerk, give us the Amendment."



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

160th Legislative Day

June 24, 1992

Black: "Therefore, on the demand of any Member, this may...this Bill may have to be returned to Second Reading, First Legislative Day, and if that's the case, it might stop some of the debate on this Bill until a later date. I would ask the Chair to so rule on my inquiry."

Speaker McPike: "Mr. Black, your point is not well taken. Rule 36(d) indicates that 'This subsection does not apply to Amendments which amend the title of the Bill by adding or deleting section numbers from the same Act that is amended by the Bill.' Proceed, Representative Pullen."

Pullen: "Thank you, Mr. Speaker. I asked you a moment ago, before we were interrupted, whether this Bill reflects legislation that was previously considered in this General Assembly Session?"

Hoffman: "Well, like I said in my opening remarks, this passed out of the House Elementary and Secondary Education Committee. Then we adjourned earlier than expected on the night of Third Reading deadline for the House. This was not called for a vote on the full House floor."

Pullen: "So this is one of those relic Bills."

Hoffman: "It's not a relic Bill, Representative."

Pullen: "Mr. Speaker, I would like to address the Bill. I hope that everyone has noticed that although the Gentleman did not mention this, at least in my hearing in his explanation of the Amendment, he has now said that this Bill does change the Compulsory School Attendance Law age to 18. He indicates that one could still drop out before 18, but one would have to file forms in order to do so. This does a couple of things in effect: (1) It makes a mockery of the concept of the Compulsory School Attendance Law age level because now you can drop out if you're over 16 and under 18 and under this legislation you would still be able to, but

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

160th Legislative Day

June 24, 1992

you would have to follow bureaucratic procedures and tell people why, and I suspect that in many cases people would file forms saying that the reason they were dropping out is because they're so tired of the bureaucracy of the schools. This being a perfect example. It also would put into jeopardy of truancy investigations, people who are not truant but have decided to leave school before the age of 18 or who are being educated in another school, a private school, have transferred to a private school, are being taught at home in a private school. It would subject home school families to truancy investigations between the ages of 16 and 18 - even if they had graduated their students - because it would raise a real cloud over the heads of those parents who are now dedicating their lives to educating their own children. This Bill was not called, apparently, before the deadline when it was in the House, but it was considered very controversial and, yet, now in the waning days of the Senate Bill consideration, we're being offered this Amendment as though it's just a minor change. It is not a minor change, and I hope everyone on the House floor is aware of what they are voting on and will vote 'no' on this Amendment."

Speaker McPike: "Mr. Hoffman, to close."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House. I think what you just heard you could just disregard. Basically, let's talk about the truth. Let's talk about the truth in Illinois. Three out of four prison inmates are dropouts. Let's talk about the truth. Seventy percent or two-thirds, over two-thirds of the people on Public Aid are dropouts. What do we do about it? Let 'em dropout. What the heck. What do we care? Let's talk about building more prisons. Let's talk about Public Aid reform, but let

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

160th Legislative Day

June 24, 1992

'em drop out of school. Who cares? Who cares? Here's what we've got to do: We have a chance to make a difference, maybe just a small difference, but we've got to walk before we run. It's time that we do something about this problem.

I ask for a favorable roll call. Thank you."

Speaker McPike: "...'Shall Amendment #4 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Representative Williams, to explain his vote. Further Amendments."

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

Speaker McPike: "Representative Hoffman."

Hoffman: "Withdraw Amendment #5."

Speaker McPike: "The Gentleman withdraws the Amendment. Further Amendments."

Clerk O'Brien: "Floor Amendment #6, offered by Representative Rotello."

Speaker McPike: "Representative Rotello."

Rotello: "Thank you, Mr. Chairman. Amendment #6 would set up a commission whereby we can have a credentialing system for the concept of tech prep for education. Some of this is already being done in the State Board. This Amendment would tighten up the language. The commission would consist of five appointees from the Governor and four from the State Board of Education. It's an Agreed Bill. It also was one that was not called on the House deadline, but it's been agreed by the State Board of Education (as I promised in committee that it would be), the IEA, the IMA and, hopefully, by everyone in the House here. I ask for your support on this Amendment."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. I stand in

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

160th Legislative Day

June 24, 1992

support of this Amendment. This is actually a piece of legislation that the current state board is administering which, in fact, this legislation should have taken place several years ago to comply with the Carl Perkins Law, which is a federal law. It is moving forward into the tech prep program which attempts to prepare young people for the world of work. It's a good Amendment, and I urge your support."

Speaker McPike: "The question is, 'Shall Amendment #6 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments."

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

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #7 incorporates what I think to be the good parts of this Bill. It actually changes it, allows Amendment #1, allows Amendment #4, Amendment #6 and it also adds provisions of a Bill...of three Bills we passed out of here dealing with special education issues. I've talked with Representative Cowlshaw about this at length and let me give you a little idea. House Bill 809, which we passed out of here which dealt with residency for special education payments; also dealt with House Bill 3249 which deals with borrowing authority for educational entities; also a third part of that which was in House Bill 695 which expanded the authority for local education entities for federal funds which is the main underlying portion of this Amendment. All three of these were passed out of the House without objection. I have, again, talked with Representative Cowlshaw concerning these matters that

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

160th Legislative Day

June 24, 1992

is in this Amendment. Be happy to try to answer any questions concerning this. And, Mr. Speaker, I would like a Roll Call Vote, please, on this."

Speaker McPike: "What was that last request?"

Hicks: "I...Mr. Speaker, I requested that we do have a Roll Call Vote on this Amendment, please."

Speaker McPike: "All right. And on the Amendment would be Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Does this increase the mandatory attendance age to age 18?"

Hicks: "It incorporated all of the same provisions that Representative Hoffman's Amendment did, which listening to the debate, Representative, I understand that that was part of that. Whatever his answer to that question before would be the same in this Bill. It incorporates everything that Representative Hoffman did have in his."

Wennlund: "And this Amendment #7 becomes the Bill?"

Hicks: "That's right."

Wennlund: "Now with respect to the authorization for...joint educational programs to borrow up to 50% of state payments due."

Hicks: "Representative, could you speak up just a little bit? I can't hear you."

Wennlund: "Yes. What's the mechanism for borrowing 50% of the state payments due?"

Hicks: "Yes, Sir, Representative, what we've had in the past... This simply allows special education districts to borrow up to 50% of all of the categorical and grant payments. Currently, they may borrow 85% of any payment overdue for 30 days or more. This simply lowers that authority but

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

160th Legislative Day

June 24, 1992

allows them to borrow on all of those line items. It's a Bill that...House Bill 3249 that we passed out of here, Representative, I...I mean if I may take a second to look that Bill up real quickly, I'll do so and...I don't remember what it passed by but it was overwhelming. It incorporates all of 3249 in that Amendment. Let me look at that."

Wennlund: "Can you tell me where in the Amendment it provides that...that if you have graduated from an accredited high school, even though you may be, say 17, that the provisions on mandatory attendance that go up to 18 do not apply?"

Hicks: "Representative, I guess I would defer the answer to that to Representative Hoffman whose Amendment that...the Amendment #4 was that addressed that. I know that we incorporated the provisions of Amendment #4 in this Bill and I believe Representative Hoffman then could...could speak to the fact of the 18. I would defer to him to do that."

Wennlund: "Thank you very much."

Hicks: "Representative, I do...I did look up the provisions under the borrowing authority and that was passed out of here on May 22nd, on a vote of 118 to 0, which is simply what is incorporated in that Amendment...in this Amendment under the borrowing authority. It is the exact same language we had in House Bill 3249 that we did pass out of here that got stalled in the Senate."

Wennlund: "Thank you very much."

Speaker McPike: "Mr. Black."

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

Speaker McPike: "Yes."

Black: "Representative, I need to, in my own mind, now, get

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

160th Legislative Day

June 24, 1992

something very clear. Has there been a task force report lately or...a study group that said, 'To solve our dropout problem, we need to raise the dropout age limit to 18'?"

Hicks: "Representative, again, on that matter, I would defer. If you would like to ask that question of Representative Hoffman I would defer to..."

Black: "Yeah, 'cause I think it's extremely important. I'm just not clear in my own mind of where this is coming from."

Hicks: "I would prefer to defer to Representative..."

Black: "Okay. Could Representative Hoffman answer that question, Mr. Speaker?"

Speaker McPike: "Mr. Hoffman."

Hoffman: "Representative, I think that in order to address this problem the only way that we can do that is having a little bit of teeth in the Bill. We're not saying...we're not saying, as you know, that you can't drop out. We're saying you have to go through some type of procedure whereby...whereby that...that you...before you drop out you go through that procedure and you think about what could be the results of your actions. And the only way to do that is...is... We're not saying you can't do it. So, in effect, we're not raising and saying you can't drop out. We're not saying you have to stay in school between 16 and 18. All we're saying is you have to go through a procedure, minimal at best. It's a small step in the right direction, I admit it, but you should go through that procedure before you drop out."

Black: "All right. Thank you very much, Representative, and Mr. Speaker and Ladies and Gentlemen of the House, in my four or five years down here, I don't think I have voted against very many of Representative Hicks' Bills or Amendments, and I'm not sure that the wisest thing to do is to vote against

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

160th Legislative Day

June 24, 1992

this one, but I do rise in opposition. I think they have addressed a problem that we're all familiar with. I don't know what in the world a 16-year-old is going to do if he or she drops out of school and tries to survive in the decade that faces us. At the same time, I don't think making it more difficult for them to leave school, without changing the structure of the educational experience, is the answer either. We need alternative methods of education for those people we haven't been able to reach. We need more specially trained teachers. Most of all, maybe, we need more money for education, and that Bill...this Bill doesn't do any of that. It just says we might put some obstacles in front of the path of someone who wants to drop out of school. If that person at the age of 16 is bound and determined to quit school, whatever obstacle you put in his or her path at that late date isn't going to have much effect. If we really want to get serious about the dropout problem (and I think all of us do), then let's begin to make some fundamental changes in our educational system. Let's begin to fund our educational system at a level we know it needs and deserves. This Amendment and Bill doesn't do that. It doesn't change the educational structure. It simply puts additional impediments, paperwork and staff time on an educational system that is already understaffed, underfunded and overmandated. If you'll just stop and think about that, I don't think this is going to do what any of us want done. In fact, it may have the opposite effect, simply adding one more straw to the overloaded proverbials' camel back that may very well cause this school system to collapse around our ears. As I said, Mr. Speaker and Ladies and Gentlemen of the House, I generally



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

160th Legislative Day

June 24, 1992

find myself in total agreement with what Representative Hicks brings to this floor, but for the reasons I have tried to illuminate, I do rise in opposition to this Amendment, and I would urge you to vote 'no'."

Speaker McPike: "Question is, 'Shall Amendment #7 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 81...82 'ayes', 28 'noes'. Amendment #7 is adopted. Further Amendments."

Clerk O'Brien: "Floor Amendment #8, offered by Representative Hicks."

Speaker McPike: "Mr. Hicks withdraws Amendment #8. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Has this... That would require 71 votes, I believe. Read the Bill, Mr. Clerk."

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

Speaker McPike: "Representative Curran."

Curran: "Mr. speaker, we've just heard this Bill. We've just discussed it. We just put 80 votes on the board. I ask for the same roll call."

Speaker McPike: "All right. The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Mr. Black."

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

Speaker McPike: "Yes."

Black: "Did you suspend the appropriate rule so we could hear this Bill immediately?"

Speaker McPike: "Mr. Black, your request is, obviously, not

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

160th Legislative Day

June 24, 1992

timely. We're in the middle of the roll call."

Black: "I do the best I can, Mr. Speaker."

Speaker McPike: "Yes. Right. Yes, it would have needed 71 votes had your request been timely."

Black: "Well, and I...Yes. I also see that it has in excess of that so I understand."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 81 'ayes' and 28 'noes'. Senate Bill 969, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1529. This Bill has been read a previous...a second time previously. Is that correct, Mr. Clerk?"

Clerk O'Brien: "The Bill has been read a second time previously."

Speaker McPike: "Are there any Amendments?"

Clerk O'Brien: "No Floor or Committee Amendments."

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

Clerk O'Brien: "Senate Bill 1529, a Bill for an Act in relation to radiation protection. Third Reading of the Bill."

Speaker McPike: "Representative Hensel."

Hensel: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1529 amends the Radiation Protection Act of 1992 to impose a fee on the storage and disposal of certain radioactive by-product materials beginning January 1st, 1994, effective immediately. What this Bill does, we have some low-level radioactive wastes in West Chicago, and it's been there for a number of years. What we're trying to do is get the company to negotiate in good faith with us to see about getting it removed. They've been negotiating for the last three days. We do not have a consent decree signed as yet. What this Bill will do is it will impose a \$2 a cubic foot fee for the storage of the material in the

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

160th Legislative Day

June 24, 1992

State of Illinois. If, upon the consent decree being signed, then there will be no fees imposed upon the company. If the consent decree is not signed and the fees are imposed, that money that goes into a special fund, which is in the Bill itself, and the money will be used for the removal and disposition of this material. The Governor, the Attorney General, are all in favor of this. It's not a political Bill. It's not a re-election Bill because I'm not running for re-election. It is an environmental Bill, and I'd be happy to answer any questions and ask for a favorable vote."

Speaker McPike: "All right. Does anyone rise in opposition to this Bill? The question is, 'Shall Senate Bill 1529 pass?' All those in favor vote 'aye', opposed vote 'no'. Representative Novak."

Novak: "Yes. Mr. Speaker, I would just like to thank everyone for supporting this measure. I think it addresses a very serious problem on the west side of Chicago."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 117 'ayes' and no 'nays'. Senate Bill 1529, having received a Constitutional Majority, is hereby declared passed. Representative Lang, on Senate Bill 7...1722. The Bill's on Third Reading. The Gentleman asks leave to return it to Second Reading. Leave's granted. The Bill's on Second Reading. Are there any Amendments?"

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

Speaker McPike: "Representative Lang. Withdraws Amendment #4. Further Amendments?"

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

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

160th Legislative Day

June 24, 1992

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. Amendment #5 represents an agreed Amendment between the parties on the cemetery Bill that we so hotly debated last week. It's mostly clean-up language to satisfy some concerns that both parties had."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 963. It is now 6:00 p.m. The Chair announced this morning that we would adjourn at 6:00 p.m. The Chair misled you. Since we were in Caucus an extra hour, we will stay an extra hour tonight until 7:00 p.m. We will adjourn at 7:00 p.m. shortly and instead of coming at 9:00 a.m., we will come in at 10:00 a.m. Senate Bill 963. The Bill's on Third Reading. The Gentleman asks leave to return it to Second Reading. Leave's granted. The Bill's on Second. Are there any Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Satterthwaite."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, Amendment #6 puts in place the substance of House Bill 3434, an issue that has been supported strongly by Senator Etheredge in the Senate as well, to do a licensure for geologists. I'll be happy to try to answer any questions. I really don't believe that there is any opposition."

Speaker McPike: "Representative Black, on the Lady's Motion."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. There is indeed opposition to this Bill,

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

160th Legislative Day

June 24, 1992

strong opposition from the Department of Professional Regulation. Now let's make no mistake of what we're doing here. I don't know how many licenses we've created. I think it's in excess of 250. No fee is specified in this Bill to license geologists. We're going to license geologists. Based upon the fact that there are no fees specified in this Bill, the start-up cost to the Department of Professional Regulation is estimated by the Department to be \$60,000. Now, Ladies and Gentlemen of the House, first of all, I remain unconvinced that the Department of Professional Regulation is the appropriate entity for licensing geologists. Perhaps, Mines and Minerals or Energy and Natural Resources or even Agriculture would be the proper agency to license geologists. However, this Bill says the Department of Professional Regulation is the agency to do it and, if that be the case, so be it. But I don't think this is the year to do it. There is no money to start up these licensure fees, license costs, mailing and staff. We have literally decimated the Department of Professional Regulation with broad-based budget cuts and yet we persist in coming in here and saying, anybody and everybody. My God, we should license Legislators. Maybe that's the only thing we can do. Until we get our budget straightened out I urge a 'no' vote. I'm not arguing against the merits of the Bill. I'm simply telling you there's no money to do it. Vote 'no'."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, before I was cut off mid-sentence, I was about to say that I know of no opposition except from the Department. The Department, by its own projections, indicate that there would be a four-year net revenue of \$308,533 according to their

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

160th Legislative Day

June 24, 1992

estimates of the licensure fees that they would charge. And because the Bill does not take effect until July 1st of '93 there would certainly be no impact in the next year. If we can devise a system where people do their...send in their registration fees ahead of time, we can certainly cover the small costs of start up for this profession. There is no place in our agencies, other than the Department of Professional Regulations, for registering professions. Let's do it."

Speaker McPike: "The question is, 'Shall Amendment #6 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments."

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

Speaker McPike: "Representative Rotello. Withdraws Amendment #7. Further Amendments."

Clerk O'Brien: "Floor Amendment #8, offered by Representative Rotello."

Speaker McPike: "Representative Rotello."

Rotello: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment was a...actually a Bill that went out of here on Consent Calendar and was shot down in the Rules Committee of the Senate and I think unfavorably so. This Amendment would create the Professional Athlete Drug Bill. I think that we have seen in our society a war on drugs that's taking place in this state and across this country and, quite frankly, government is losing the war. In my opinion, professional athletes have a responsibility above and beyond just making big multimillion dollar salaries."

Speaker McPike: "Does anyone stand in opposition to this

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

160th Legislative Day

June 24, 1992

Amendment? Question is, 'Shall Amendment #8 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 2177, Representative Hartke. Mr. Hartke? The Gentleman asks leave to return the Bill to Second Reading. Leave's granted. The Bill's on Second Reading. Mr. Clerk, any Amendments?"

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

Speaker McPike: "Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker. This is purely a technical Amendment to put it into a conference."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Just a quick question of the Sponsor. I thought this was the one we were going to extend the deadline on?"

Hartke: "Yeah, we can, but I'm going to throw it over there with just this technical Amendment."

Black: "But if the other Bill goes down, are we going to be able to keep this one alive? That's my only concern."

Hartke: "Well, it's on Second right now. It goes to Third. It'll hang there, and then we extend the deadline."

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

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 1657, Representative McAfee. The Gentleman asks leave to return the Bill to Second Reading. Leave's granted. The Bill is on Second Reading. Any Amendments? (Senate Bill) 1657."

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

160th Legislative Day

June 24, 1992

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

Speaker McPike: "...McAfee."

McAfee: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 proposes to change the law to extend the current provisions for notification of emergency personnel when they're exposed to infectious disease to those when they're exposed to a cadaver. This is proposed by the Illinois Fire Fighters. I know of no opposition. I ask for your support."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 626, Representative Mautino. The Gentleman asks leave to return it to Second Reading. Leave's granted. The Bill is on Second. Mr. Clerk, any Amendments?"

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

Speaker McPike: "All right, who's the Sponsor of the Bill...of the Amendment?"

Clerk O'Brien: "Representative Hicks."

Speaker McPike: "Mr. Hicks. Mr. Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #4 to House Bill (sic - Senate Bill) 626 actually becomes the Bill. This creates a new Act cited as the Spirits Fair Dealership Law. Provides guidelines by which contractual relationships between suppliers of spirits, distributors...importing distributors, those types of things. Provides for definitions... Actually looks at the whole franchise



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

160th Legislative Day

June 24, 1992

agreements between liquor dealers, spirit dealers, suppliers and with distributors. Be happy to try to answer any questions about the Bill."

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

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

Speaker McPike: "Mr. Black."

Black: "Yeah. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #5 is a DASA administration Bill that consists primarily of language that was tabled in House Bill 3694. Does several things: amends the State Finance Act, amends the State Comptroller Act and the State Treasurer Act to permit the Comptroller to make payments to DASA providers by means of direct deposit into those bank accounts. I'm not aware of any opposition to this Amendment. I would ask for your favorable consideration of Amendment #5."

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

Clerk O'Brien: "Floor Amendment #6, offered by Representative Black."

Speaker McPike: "Mr. Black."

Black: "Yeah. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #6 is one of these things that I call just a common sense Amendment. It simply allows for copies of invoices to be retained at the license premises because of a problem we're having with the Liquor Control Commission. They expect people to keep the original copies of receipts at their place of business and

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

160th Legislative Day

June 24, 1992

if they don't, they fine them \$500. Well, most ma and pa operations have a bookkeeper and they simply can't keep their original receipts at the premise that they do business. So all this Amendment does is to say that we will allow them to keep copies of invoices at their business and that should suffice for purposes of the Liquor Control Commission."

Speaker McPike: "Question is, 'Shall Amendment #6 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

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

Speaker McPike: "Representative Shaw. Mr. Homer."

Homer: "Thank you, Speaker. This Amendment would provide that whenever a precinct has voted itself dry under the Liquor Control Act that there should be an exception made for any inter-track wagering location or an OTB parlor that may be located within that precinct. I would move the adoption of the Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 2131, Mr. Hoffman. The Gentleman asks leave to return it to Second Reading. Leave's granted. The Bill's on Second Reading. Are there any Amendments?"

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

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, this is the responsible bidder Amendment, and it's exactly what the Bill implies, and it's to ensure

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

160th Legislative Day

June 24, 1992

that bidders for state business have their employees covered with the proper insurance coverage such as unemployment insurance workman comp., comprehensive general insurance, product liability, automotive and truck liability insurance, and if they have apprenticeship programs, to see that they're registered with the State of Illinois or the Federal Government. And this is to ensure that responsible bidders do actually bid and get the job and get to work, working for the State of Illinois. I don't know of any reputable person that would be objecting to a Bill of this sort. I urge adoption of the Amendment."

Speaker McPike: "Mr. Black."

Black: "Yeah, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise to oppose the Amendment. The Amendment literally was, we've seen before, as House Bill 3606, and it says, 'Anybody doing business with the state will maintain health insurance for their employees.' This will simply take many minority and female businesses out of the ability to do business with the state, and I don't think that's a very good idea, and I stand in opposition to this Amendment."

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

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

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment deals with the Scott joint use airport. This would essentially save \$10 million in the construction and removal of the Cardinal Creek Village housing and the schools related to it."

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

160th Legislative Day

June 24, 1992

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Cowlshaw, Senate Bill 1772. The Lady asks leave to return the Bill to Second Reading. Leave's granted. The Bill's on Second Reading. Are there any Amendments? Any Amendments? Where is Representative Cowlshaw? Take the Bill out of the record until she... Where have you been, Representative? All right. Any Amendments, Mr. Clerk?"

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

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Please withdraw Amendment #4."

Speaker McPike: "You ran all the way back for that? Further Amendments?"

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

Speaker McPike: "Representative Turner."

Turner: "Thank you, Mr. Speaker. Can you withdraw Amendment #5?"

Speaker McPike: "The Gentleman withdraws Amendment #5. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Turner."

Speaker McPike: "Representative Turner."

Turner: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. Amendment #6 is substantially identical to House Bill 4196 that passed out of this House 114 to 0 and then it was caught up in Senate Rules. This Amendment provides that a solely degree granting institution of higher

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

160th Legislative Day

June 24, 1992

education that is accredited by the north central colleges and in which primarily grants baccalaureate degrees, shall be regulated solely by the Board of Higher Education. This Amendment applies to Devry Institute only. Currently, Devry is regulated by both the Illinois State Board of Ed and through the Private and Vocational Schools Act and by the Board of Higher Education. In recent years Devry has completed the transition from a vocational school to solely a degree-granting institution of higher education. The State Board of Education agrees that Devry should no longer be subject to the Illinois State Board of Ed regulations and they support this Amendment. This Amendment has no opposition from the Board of Higher Ed or from the Federation of Independent Colleges and Universities. Indeed, there is no known opposition to this Bill, and I move for the favorable adoption of Amendment #6."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. I stand in support of the Gentleman's Motion for adoption of Amendment #6."

Speaker McPike: "Question is, 'Shall Amendment #6 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 626. The Bill's on Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 626, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker McPike: "Representative Mautino."

Mautino: "Mr. Speaker, Members of the House. This Bill was just heard and the Amendment's heard. I ask for a favorable adoption. Will stand to answer any questions."

Speaker McPike: "Question is, 'Shall Senate Bill 626 pass?' All

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

160th Legislative Day

June 24, 1992

those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Kubik, 'aye'. Have all voted who wish? The Clerk will take the record. On this Bill, there's 110 'ayes' and 1 'no'. Senate Bill 626, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1892, Representative Obrzut. Obrzut. The Gentleman asks leave to return the Bill to Second Reading. Leave's granted. The Bill's on Second Reading. Are there any Amendments?"

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

Speaker McPike: "Mr. Obrzut."

Obrzut: "Withdraw #1. Mr. Speaker, withdraw #1."

Speaker McPike: "The Gentleman withdraws Amendment #1. Further Amendments?"

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

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

Pullen: "Please withdraw 2 and 3."

Speaker McPike: "The Lady withdraws Amendment #2 and Amendment #3. Further Amendments."

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

Speaker McPike: "Representative Obrzut."

Obrzut: "Thank you, Mr. Speaker, Members of the House. Amendment #4 contains provisions that are substantially similar to the original Bill. The Amendment makes technical changes which accommodate the concerns of the Pro-Life Coalition. It represents an agreement between that organization, the Illinois Coalition Against Sexual Assault. The legislation allows a minor 12 years of age or older, who's a victim of an aggravated criminal sexual assault, aggravated criminal sexual abuse or criminal sexual abuse, to receive rape

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

160th Legislative Day

June 24, 1992

crisis counseling services from a rape crisis counselor. The legislation also provides that the minor's parents, guardian or person acting in place of the parent shall not be informed of the counseling without the consent of the minor. Furthermore, the minor's parents, guardian or person acting in place of the parent shall not be liable for costs associated with the counseling services obtained without consent."

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

Wennlund: "Thank you, Mr. Speaker. I have a question of the Sponsor."

Speaker McPike: "Yes."

Wennlund: "Does this Amendment provide that rape counseling and crisis counseling can be provided to a minor without the consent of his parents?"

Obrzut: "Right."

Wennlund: "Regardless of the age?"

Obrzut: "Twelve years or older."

Wennlund: "So a 12-or 13-year-old can be provided with rape counselling even though the parents don't consent to it?"

Obrzut: "That is correct, Representative. What you have... You could have a parent that could be the problem as far as the child being raped, so there's extenuating circumstances."

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

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

Speaker McPike: "Representative Pullen."

Pullen: "Mr. Speaker, I ask leave to have Amendments 5 and 6

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

160th Legislative Day

June 24, 1992

considered together."

Speaker McPike: "The Lady would ask...that Amendments #5 and 6...

Did you request that they be voted on in one roll call?"

Pullen: "I request that they be considered together."

Speaker McPike: "Is your request that they be voted on on one roll call?"

Pullen: "Mr. Speaker, what I'm requesting is that I be given leave to present the two Amendments together. They are of a very similar subject matter."

Speaker McPike: "Well, you can talk about Amendments #5 and 6 together."

Pullen: "Thank you. Thank you."

Speaker McPike: "Proceed to talk about them. Now, my question for the third time is, Do you want to vote on them together or do you want to vote on them separately? What is your request?"

Pullen: "My request is what you just granted, Mr. Speaker, that I be permitted to speak on them together, and I appreciate that."

Speaker McPike: "Well, Representative Pullen, the Chair would like to thank you for your cooperation."

Pullen: "You're welcome. Mr. Speaker, Ladies and Gentlemen of the House. Amendments #5 and 6 have been introduced to attempt to illustrate what really is at issue in this Bill. The Bill, as the Gentleman has indicated, would provide that rape crisis treatment or counseling can be provided to a minor, age 12 years or older, without the knowledge or consent of the parents, unless the minor consented to that notification. Amendments 5 and 6 are Amendments that, as...as one who is supportive of parental consent and notification, I am offering as tongue-in-cheek Amendments, for they address the minor who is 12 years of age or older



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

160th Legislative Day

June 24, 1992

who is likewise the victim of a violent crime and they say that the parent or guardian of such a minor, age 12 years or older, who is injured with a knife shall not be informed of any medical treatment received by the minor without the minor consenting to the parents' being notified, and the parent or guardian of a minor who was 12 years of age or older who was shot with a firearm shall not be given medical treat...shall not be informed of any medical treatment received by the minor without the consent of the minor. Mr. Speaker and Ladies and Gentlemen of the House, when a child, whether that child is of the age of 12, eight, 15, 17 is the victim of a violent crime, it is inappropriate for this General Assembly to be prohibiting those who are providing treatment and services to that child from notifying the parents without the consent of the minor. One of the reasons why the age of majority in this state is 18 is that that is what the people of this state through the Legislature, have determined as an age when mature judgment can be had. Minors age 12 to 18 - through 17 - are not considered in our law to have mature judgment, and it should not be up to them whether their parents are notified when they are the victim of a violent crime. I have offered these Amendments by way of illustrating that point. Mr. Chair, Mr. Speaker, I'm sure you won't like this, but I am now going to withdraw the Amendments because I do not support the idea that parents not be notified, and I will not seek that they be voted on. Thank you."

Speaker McPike: "The Lady withdraws Amendment #5 and Amendment #6. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 1736, Representative McAfee. The Gentleman asks leave to return the Bill to

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

160th Legislative Day

June 24, 1992

Second Reading. Leave's granted. Any Amendments, Mr. Clerk?"

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

Speaker McPike: "Representative McAfee."

McAfee: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 amends the School Code to permit this permissive program to be extended to K thru five as well as five thru 12. This was indicated by both DASA and ISBE in terms of working this out. I ask for your support."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 1590, Representative Schoenberg. The Gentleman asks leave to return the Bill to Second Reading. Leave's granted. The Bill's on Second Reading. Any Amendments, Mr. Clerk?"

Clerk O'Brien: "Senate Bill 1590, a Bill for an Act to amend the Illinois Enterprise Zone Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Schoenberg."

Speaker McPike: "Schoenberg withdraws Amendment #1. No? All right. Representative Schoenberg, the Bill's on Second Reading. Do you wish to leave the Bill on Second Reading? All right. The Bill's on Second Reading and it will stay there. Representative Cowlshaw, Senate Bill 1988. The Lady asks leave to return the Bill to Second Reading. Leave's granted. The Bill's on Second Reading. Any Clerk, Mr... Mr. Clerk, any Amendments?"

Clerk O'Brien: "Senate Bill 1988...1988, a Bill for an Act to amend the School Code. Second Reading of the Bill.

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

160th Legislative Day

June 24, 1992

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: "Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment provides that no petition calling for the dissolution of a school district with a population of fewer than 5,000 residents may be adopted until the Board of Education or petitioners give ten days notice and conduct a public informational hearing. It arises out of a situation in my district wherein a petition calling for the dissolution...was...circulated without the opportunity for such public notice and input. I think it's a positive contribution."

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

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

Speaker McPike: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. This Amendment would simply add language that the girls' basketball tournament may be held at a different location than the boys'. This has been discussed with the Illinois High School Association. Representative Levin has met with a women...organizations; they agree with this. I know of no opposition."

Speaker McPike: "Question is, 'Shall Amendment #3 be adopted?'"

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

160th Legislative Day

June 24, 1992

All in favor say 'aye', opposed 'no'. The 'ayes' have it.

Amendment #3 is adopted. Further Amendments?"

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

Speaker McPike: "Representative Levin. Withdraws Amendment #4. Further Amendments?"

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

Speaker McPike: "Representative Cowlshaw. Withdraws Amendment #5. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Stern."

Speaker McPike: "Representative Stern."

Stern: "Withdraw Amendment #6."

Speaker McPike: "The Lady withdraws Amendment #6. Further Amendments?"

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

Speaker McPike: "Representative Stern."

Stern: "Amendment 7 simply patches up a piece of law that deals with newly merged school districts and when they may start talking to the labor unions in terms of negotiations."

Speaker McPike: "Question is, 'Shall Amendment #7 be adopted?' All in favor say 'aye'...Representative Black."

Stern: "It is agreed, I might add by the way."

Black: "An inquiry of the Chair."

Speaker McPike: "Yes."

Black: "If my notes are correct, Amendment #7 makes a technical change in Amendment #6 which you withdrew."

Stern: "But I..."

Speaker McPike: "Amendment #6 was withdrawn."

Stern: "Amendment #6 says the same as Amendment #7, does it not?"

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

160th Legislative Day

June 24, 1992

Except that Amendment #7 changes the language to take out the phrase that had 'Representative (s)' and that troubled the Legislative Reference Bureau."

Black: "Okay, I've got you. It doesn't reference Amendment 6."

Stern: "No."

Black: "I thought it did. All right. Thank you."

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

Clerk O'Brien: "Floor Amendment #8, offered by Representative Levin."

Speaker McPike: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #8 is supported by Lieutenant Governor Kustra, the Chicago Teachers' Union, the Chicago Board of Education, various principals, local school councils and school reform groups in Chicago. It provides flexibility with respect to teachers, staff development and teacher training. If there are any questions, I'd be happy to answer them."

Speaker McPike: "Representative Davis."

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

Speaker McPike: "Yes."

Davis: "Representative Levin, is this that legislation that failed in committee twice? Is this the piece of legislation in which you were asking that certain schools have permission to change their dismissal time and for them to use instructional time for staff development?"

Levin: "This is very different than that. This is modeled on legislation that Senator Palmer introduced in the Senate and has gone through substantial re-drafts with the Lieutenant Governor's Office, the Chicago Teachers' Union,

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

160th Legislative Day

June 24, 1992

the Board of Education, various principals, local school councils and school reform groups."

Davis: "Well, what does it do?"

Levin: "What it does is when, right now, where teachers want to have opportunity for staff development or teacher training, there is very little time at the beginning of the day. This provides that where the teachers have voted, by a three-quarters vote under the union contract, that they want some flexible hours to have a longer period of time for staff development or teacher training, that they can have that and make up the time in terms of the instruction time for the students. So the bottom line in terms of instruction time for the students remains the same. One of the criticisms, when we did school reform, was that it only dealt with governance. This deals with education. This deals with what's going to be going on in the classroom."

Davis: "Well, what, excuse me, what you're calling education is a reduction in instructional time to the children in the Chicago public schools. Now, I have requested and received from the Illinois Association of School Boards, the time in which their children attend school and receive instruction. Most of the children in the State of Illinois start at 8:30; in the morning, they're dismissed at 3:30; some are dismissed at 3:15; some are dismissed, oh a little later, 3:40, 3:30. Most of them begin at 8:00; some 8:30; some begin at 8:15. In the City of Chicago the students begin class at 9:00, and they're let out of class at 2:30. That time also includes a lunch period, a recess period, and I don't think we have time to give you for staff development on instructional time, plus you want the state to continue to fund that system at the same rate as if those students were in class receiving instruction. I think it's a very

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

160th Legislative Day

June 24, 1992

bad Bill. It is not in the spirit of school reform. What you're actually doing is trying to diminish the instructional time for children in the City of Chicago. On this piece of legislation, I urge a 'no' vote. It is not of any benefit. We want a roll call on this Amendment. It is not of any benefit to those students, and I think it's abhorrent that you would consider your special interest groups more important than these little boys and girls whose scores are so low already. They don't need to have any reduction in their instructional time. They need to have some additional instructional time - not less instructional time. Granted, your teachers may need training and staff development, but for God's sake don't do it with the time that should be given to those children to learning."

Speaker McPike: "Question is, 'Shall Amendment #8 be adopted?' All in favor vote 'aye', opposed 'no'...vote 'no'. Representative Cowlshaw."

Cowlshaw: "To explain my vote, Mr. Speaker. This Amendment is an excellent Amendment. It has been very carefully crafted and nearly everybody I can think of, who has anything to do with schools, has agreed to it. It does not result in any reduction in instructional time for the children of Chicago. It is sought by the Chicago Teachers' Union, the Chicago Board of Education, Lieutenant Governor's Office, and any number of other people with real interest in promoting the school improvement plans for the City of Chicago. Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 79 'ayes' and 28 'noes' and Amendment #8 is adopted. Further Amendments?"

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

160th Legislative Day

June 24, 1992

Clerk O'Brien: "Floor Amendment #9, offered by Representative Davis."

Speaker McPike: "Representative Davis."

Davis: "Floor Amendment #9 merely states that the children of the City of Chicago should receive same instructional time, hopefully, as other students. That's all."

Speaker McPike: "Question is, 'Shall Amendment #9 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments."

Clerk O'Brien: "Floor Amendment #10, offered by Representative Davis."

Speaker McPike: "Representative Davis."

Davis: "I withdraw #10."

Speaker McPike: "The Lady withdraws Amendment #10. Further Amendments."

Clerk O'Brien: "Floor Amendment #11, offered by Representative Cowlshaw."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. Floor Amendment #11 is a purely technical Amendment that simply makes some corrections in places in the School Code in which we had words that were singular that needed to be plural and changes some of the phraseology for some..."

Speaker McPike: "Question is, 'Shall Amendment #11 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Well, you didn't...I was... Senate Bill 1516, Representative Kubik. Representative Cowlshaw, for what reason do you rise?"

Cowlshaw: "Mr. Speaker, could we have that last Bill moved to Third Reading?"



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

160th Legislative Day

June 24, 1992

Speaker McPike: "Yes. Third Reading, I said. I believe."

Cowlshaw: "Oh. Thank you."

Speaker McPike: "Yes. Senate Bill 1516 and the Gentleman asks leave to return the Bill to Second Reading. Pardon?"

Clerk O'Brien: "It's on Second."

Speaker McPike: "Oh, the Bill's on Second. The Chair's error. The Bill's on Second Reading. Any Amendments, Mr. Clerk?"

Clerk O'Brien: "Senate Bill 1516, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practice Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 is offered in order to take this Bill to Conference Committee. We need to work out some language between the City of Chicago and various parties. The reason I'm offering it is so that we can go to conference and, hopefully, work out the agreed language."

Speaker McPike: "The question is, 'Shall Amendment #1 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 1749, Representative Levin. Mr. Levin. Ellis Levin. The Gentleman asks leave to...No. The Bill's on Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1749, a Bill for an Act to amend the Condominium Property Act. Second Reading of the Bill. No Committee Amendments."

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

160th Legislative Day

June 24, 1992

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to withdraw Amendment #1."

Speaker McPike: "The Gentleman withdraws Amendment #1. Further Amendments."

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

Speaker McPike: "Representative White."

White: "Amendment #2 is a simple Amendment. It's one that is designed to help phase out the Torns Indemnity Fund in Chicago, and those funds would be used to phase out the program. And the second part of the Amendment, the funds would be used to settle claims by the County of Cook."

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

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

Speaker McPike: "Representative White."

White: "Amendment #3 is an agreed Amendment. It's one that would allow a trustee to withdraw from that assignment in a proper manner."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 2039, Representative Obrzut. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2039, a Bill for an Act to amend the

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

160th Legislative Day

June 24, 1992

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

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Obrzut, Amendment #1."

Obrzut: "Thank you, Mr. Speaker. Amendment #1 is purely a  
technical one. It adds the language, 'or limousine' to the  
Bill."

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

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

Speaker McPike: "Yes."

Black: "This is the exemption of limousine-testing Amendment,  
correct?"

Obrzut: "Right."

Black: "Who...Does the Department of Transportation still have to  
do the testing?"

Obrzut: "That is correct, Representative."

Black: "And you're aware they're still opposed to doing this  
testing?"

Obrzut: "I was not aware of that."

Black: "Well, let's go ahead and put this good Amendment on the  
Bill and we'll visit it later. Thank you."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 2163, Representative  
Churchill. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2163, a Bill for an Act to create the

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

160th Legislative Day

June 24, 1992

Limited Liability Company Act. Second Reading of the Bill.

Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment that is put in to comply with the requests of the Judiciary I Committee basically establishes that members and managers of a limited liability company have the same liabilities as the shareholder or director of an Illinois business corporation."

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

Williams: "Yes. Will the Gentleman yield for a..."

Speaker McPike: "Yes."

Williams: "Is this the Amendment - because I remember we were discussing it in committee - that was going to be drafted that made the liability the exact same as it was for corporate shareholders? Is that correct?"

Churchill: "I believe that this Amendment does exactly what you're saying."

Williams: "Okay. No further questions."

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

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

Speaker McPike: "Representative Churchill."

Churchill: "Please withdraw that."

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

160th Legislative Day

June 24, 1992

Speaker McPike: "The Gentleman withdraws Amendment #3. Further Amendments."

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

Speaker McPike: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker. This delays the effective date of the Bill to January 1st, 1994."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 1769. Read the Bill, Mr. Clerk. Representative Steczko."

Clerk O'Brien: "Senate Bill 1769, a Bill for an Act to amend the Illinois Physical Therapy Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Steczko."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #2 was filed at the request of the Department of Professional Regulation to make technical corrections in the Barber, Cosmetology, Aesthetics and Nail Technology Act, because of the language added to the statutes last year regarding the nail technologists. I would move for the adoption of the Amendment."

Speaker McPike: "Question is, 'Shall Amendment...Representative Black.'"

Black: "Yeah. Thank you very much, Mr. Speaker. With due

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

160th Legislative Day

June 24, 1992

apologies to the Chair, I'd like to get out of here as bad as anybody, but, Representative, our staff says that this is the second Amendment filed with the number 'two' on it, and that there is no distinction. Have the two staffs been able to get this worked out or are we going to get ourselves into a problem here?"

Steczo: "My staff tells me it's fine, Representative Black."

Black: "I'll defer."

Steczo: "The Clerk's Office may have made the error or something, but as far as we know, this is the good one."

Black: "We have no problem with the Amendment. We just find that there's two of them. That's fine. If it's straightened out, let's go."

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

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

Speaker McPike: "Representative Steczo."

Steczo: "Thank you, Mr. Speaker. Again, this has been requested by the Department as a result of the Marriage and Family Therapy Licensing Act."

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

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

Speaker McPike: "Representative Steczo."

Steczo: "I'll yield to Representative Phelps, Mr..."

Speaker McPike: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a provision we're asking for a person who

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

160th Legislative Day

June 24, 1992

desires to become a private detective to have the opportunity to use his experience working for an attorney two years in lieu of the three-year requirement."

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

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

Speaker McPike: "Representative Steczo."

Steczko: "Out of the record."

Speaker McPike: "Withdraws Amendment #5. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Lang."

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

Clerk O'Brien: "Lang and Hultgren."

Hultgren: "I...withdraw or table, Mr. Speaker."

Speaker McPike: "Representative Hultgren withdraws Amendment #6. Further Amendments?"

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

Speaker McPike: "Representative Hicks. Mr. Hicks. Amendment #7, to Mr. Steczo's Bill."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #7 amends the Professional Engineering Practice Act. Allows for a person who has an degree in engineering technology to meet the educational requirements under the Act. Be happy to answer any questions."

Speaker McPike: "Question is, 'Shall Amendment #7 be adopted?' All...Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to Amendment #7. Would

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

160th Legislative Day

June 24, 1992

ask for a Roll Call Vote on this Amendment. This Amendment provides that the education of an engineering technologist is equal to the educational requirements for an engineer in determining educational requirements for licensing. I mean, come on here. This is like saying a lab technician's education is equal to the educational requirements of a physician. I don't know what the underlying purpose of the Amendment is. I think it's dangerous. Request a Roll Call Vote and urge you to vote 'no'."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker. In closing, Representative, I don't think that was a question from Representative Black, but let me simply address a little bit about the Amendment. We have a very specific problem in this state in the fact that for a number of years Southern Illinois University has offered a educational program under the engineering technology program of which we've graduated many, many engineering technologists in this state. Some 37 states in this country allow this engineering technology degree to be accepted and to be licensed throughout this country. Thirty-seven states accept this. People leave Illinois, go somewhere else to work, they're licensed in that state. I have one gentleman that's (sic - who's) been licensed for 20 years in other states, has all the engineering background, comes back into Illinois, and, you know what? He can't work in Illinois, the state in which he got his license. Can't work in Illinois - the state that he went to school in, can't work here. He can't work in a mine right down in Wabash County where they want to bring him back and put him to work because he can't be licensed to do so. I think it's absolutely ridiculous that we have a degree program in



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

160th Legislative Day

June 24, 1992

this state that's offered and, yet, we don't allow those people to be licensed and, yet, they can go somewhere else to work. I'd ask for its adoption."

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

Clerk O'Brien: "Floor Amendment #8, offered by Representative Steczo."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. This Amendment contains some language that amends the Illinois Food, Drug and Cosmetic Act. It was asked for by the pharmacists which is noncontroversial and is..."

Speaker McPike: "Question is, 'Shall Amendment #8 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. Amendment #8 is adopted. Further Amendments."

Clerk O'Brien: "Floor Amendment #9, offered by Representative Homer."

Speaker McPike: "Representative Homer. Mr. Homer. Mr. Homer. Mr. Lang. Mr. Hicks. Mr. Steczo. Mr. Steczo."

Steczko: "Thank you, Mr. Speaker. For Representative Homer, I move for the adoption of the Amendment. It takes care of a problem of a lady with a real estate license who fell between the cracks."

Speaker McPike: "Question is, 'Shall Amendment #9 be adopted?' All those 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) 1655, Representative Cowlshaw. Read the Bill, Mr. Clerk."

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

160th Legislative Day

June 24, 1992

Clerk O'Brien: "Senate Bill 1655, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Cowlshaw. Representative Cowlshaw. Mr. Black, would you like to handle this Amendment for Representative Cowlshaw?"

Black: "Absolutely. Yes. Floor Amendment #1 provides that limitations relevant to Board of Education membership do not apply to a unit district that was formed prior to January 1, '75. It also provides that districts that currently elect their school board members from districts by referendum can choose to elect their members in the future at-large. I'd ask your favorable consideration of Floor Amendment #1."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Cowlshaw just got here. Senate Bill 1526, Mr. Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1526, a Bill for an Act relating to school conservation. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

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

160th Legislative Day

June 24, 1992

Speaker McPike: "Representative Steczo withdraws Amendment #3.  
Further Amendments?"

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

Speaker McPike: "Mr. Steczo withdraws Amendment #4. Further  
Amendments?"

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

Speaker McPike: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker. This Amendment is agreed  
language on this Act. It takes out the bonding authority  
and it provides a language that's acceptable to everybody."

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

Clerk O'Brien: "Floor Amendment #6, offered by Representative  
Steczko."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker. Please withdraw #6 and hold the  
Bill on Second Reading, please."

Speaker McPike: "The Gentleman withdraws Amendment #6. The Bill  
will stay on Second Reading. All the Bills remaining on  
Second Reading will be read a second time by the Clerk in  
Perfunctory Session. Agreed Resolutions."

Clerk O'Brien: "House Resolution 2227, offered by Representative  
Black; House Resolution 2228, offered by Representative  
Frederick; House Resolution 2231, offered by Representative  
McDonough; House Resolution 2232, offered by Representative  
White."

Speaker McPike: "Representative Matijevec."

Matijevec: "Speaker, I move the adoption of the Agreed  
Resolutions."

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

160th Legislative Day

June 24, 1992

Speaker McPike: "The Gentleman moves the adoption of Agreed Resolutions. All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Agreed Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 2229, offered by Representative LeFlore, with respect to the memory of Lola M. LeFlore. House Resolution 2230, offered by Representative McDonough, with respect to the memory of George W. Schnook, II."

Speaker McPike: "Representative Matijevich moves the adoption of the Death Resolutions. All those in favor... All those in favor say 'aye', opposed, 'no'. The 'ayes' have it. The Death Resolutions are adopted. All right. Allowing the Clerk Perfunctory Time for Second Readings, Representative Trotter moves that the House stands adjourned until tomorrow at the hour of 10:00 a.m. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. The House stand adjourned, allowing Perfunctory Time for the Clerk for Introduc...for Second Readings."

Clerk McLennand: "Senate Bill 132, a Bill for an Act to amend the Child Care Act of 1969. Senate Bill 1526, a Bill for an Act relating to school energy conservation. Senate Bill 1570, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 1590, a Bill for an Act to add Sec. 12-11 to the Illinois Enterprise Zone Act. Senate Bill 1625, a Bill for an Act to amend the Illinois Municipal Code. Senate Bill 1645, a Bill for an Act to amend the Civil Administrative Code of Illinois. Senate Bill 1692, a Bill for an Act to amend the Hospital Licensing Act. Senate Bill 1787, a Bill for an Act to amend the Unemployment Insurance Act. Senate Bill 1806, a Bill for an Act to amend the State Prompt Payment Act. Senate Bill 1825, a Bill for an Act to amend the Revenue Act of 1939. Senate

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

160th Legislative Day

June 24, 1992

Bill 1848, a Bill for an Act to amend the School Code. Senate Bill 1909, a Bill for an Act to create the Producer Controlled Insurer Act and to amend the Illinois Insurance Code. Senate Bill 1910, a Bill for an Act concerning the population in State operated facilities. Senate Bill 1912, a Bill for an Act in relation to real estate appraisers. Senate Bill 1931, a Bill for an Act to amend the Environmental Protection Act. Senate Bill 1983, a Bill for an Act to create the Education for Employment Board and to define its powers and duties relative to education for employment programs and services. Senate Bill 1986, a Bill for an Act to amend the Illinois Wage Payment and Collection Act. Senate Bill 2088, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 2118, a Bill for an Act in relation to school conference and activity leave. Senate Bill 2183, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of these Bills. Bills will be held on Second Reading. Being no further business, the House stands adjourned until 10:00 a.m."

STATE OF ILLINOIS  
87TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE IND=X

JUNE 24, 1992

SB-0132	SECOND READING	PAGE	172
SB-0626	RECALLED	PAGE	144
SB-0626	THIRD READING	PAGE	149
SB-0689	THIRD READING	PAGE	27
SB-0744	THIRD READING	PAGE	95
SB-0963	RECALLED	PAGE	140
SB-0969	RECALLED	PAGE	124
SB-0969	THIRD READING	PAGE	64
SB-1486	THIRD READING	PAGE	52
SB-1490	THIRD READING	PAGE	30
SB-1516	RECALLED	PAGE	161
SB-1518	THIRD READING	PAGE	32
SB-1526	SECOND READING	PAGE	170
SB-1526	SECOND READING	PAGE	172
SB-1529	SECOND READING	PAGE	138
SB-1529	THIRD READING	PAGE	138
SB-1556	THIRD READING	PAGE	35
SB-1565	THIRD READING	PAGE	110
SB-1570	SECOND READING	PAGE	172
SB-1590	SECOND READING	PAGE	172
SB-1590	RECALLED	PAGE	154
SB-1606	RECALLED	PAGE	123
SB-1625	SECOND READING	PAGE	172
SB-1638	THIRD READING	PAGE	14
SB-1638	THIRD READING	PAGE	70
SB-1638	OUT OF RECORD	PAGE	15
SB-1638	OUT OF RECORD	PAGE	70
SB-1640	THIRD READING	PAGE	88
SB-1643	THIRD READING	PAGE	43
SB-1645	SECOND READING	PAGE	172
SB-1650	THIRD READING	PAGE	3
SB-1655	SECOND READING	PAGE	170
SB-1657	RECALLED	PAGE	144
SB-1662	THIRD READING	PAGE	23
SB-1662	POSTPONED CONSIDERATION	PAGE	27
SB-1692	SECOND READING	PAGE	172
SB-1693	THIRD READING	PAGE	102
SB-1717	THIRD READING	PAGE	67
SB-1722	RECALLED	PAGE	139
SB-1736	RECALLED	PAGE	153
SB-1749	RECALLED	PAGE	161
SB-1763	THIRD READING	PAGE	18
SB-1768	THIRD READING	PAGE	62
SB-1769	SECOND READING	PAGE	165
SB-1770	THIRD READING	PAGE	65
SB-1772	RECALLED	PAGE	148
SB-1772	THIRD READING	PAGE	65
SB-1772	OUT OF RECORD	PAGE	65
SB-1773	THIRD READING	PAGE	21
SB-1787	SECOND READING	PAGE	173
SB-1803	THIRD READING	PAGE	15
SB-1806	SECOND READING	PAGE	172
SB-1825	SECOND READING	PAGE	172
SB-1848	SECOND READING	PAGE	173
SB-1892	RECALLED	PAGE	150
SB-1909	SECOND READING	PAGE	173
SB-1910	SECOND READING	PAGE	173
SB-1912	SECOND READING	PAGE	173
SB-1931	SECOND READING	PAGE	173
SB-1934	THIRD READING	PAGE	51
SB-1935	THIRD READING	PAGE	43
SB-1956	THIRD READING	PAGE	47
SB-1965	THIRD READING	PAGE	69
SB-1983	SECOND READING	PAGE	173

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

JUNE 24, 1992

SB-1986	SECOND READING	PAGE	173
SB-1988	RECALLED	PAGE	154
SB-1992	THIRD READING	PAGE	116
SB-2039	SECOND READING	PAGE	163
SB-2051	THIRD READING	PAGE	49
SB-2057	THIRD READING	PAGE	28
SB-2075	THIRD READING	PAGE	53
SB-2076	THIRD READING	PAGE	70
SB-2076	POSTPONED CONSIDERATION	PAGE	87
SB-2088	SECOND READING	PAGE	173
SB-2091	THIRD READING	PAGE	4
SB-2093	THIRD READING	PAGE	61
SB-2097	THIRD READING	PAGE	62
SB-2100	THIRD READING	PAGE	50
SB-2118	SECOND READING	PAGE	173
SB-2131	RECALLED	PAGE	146
SB-2163	SECOND READING	PAGE	163
SB-2169	THIRD READING	PAGE	19
SB-2170	THIRD READING	PAGE	6
SB-2177	RECALLED	PAGE	143
SB-2183	SECOND READING	PAGE	173

SUBJECT MATTER

HOUSE TO ORDER - SPEAKER MCPIKE	PAGE	1
PRAYER - REVEREND WILLIS SIMPSON	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	2
ROLL CALL FOR ATTENDANCE	PAGE	2
REPRESENTATIVE GIGLIO IN THE CHAIR	PAGE	15
INTRODUCE MACARTHUR HIGH SCHOOL TRACK TEAM	PAGE	41
REPRESENTATIVE SATTERTHWAITTE IN THE CHAIR	PAGE	52
REPRESENTATIVE LAURIND IN THE CHAIR	PAGE	78
INTRODUCE MONICA SCHASHULSKA - FROM POLAND	PAGE	94
REPRESENTATIVE KEANE IN THE CHAIR	PAGE	103
REPRESENTATIVE MCPIKE IN THE CHAIR	PAGE	123
AGREED RESOLUTIONS	PAGE	171
DEATH RESOLUTIONS	PAGE	172
ADJOURNED	PAGE	172
PERFUNCTORY SESSION	PAGE	172
PERFUNCTORY SESSION - ADJOURNED	PAGE	173