

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

167th Legislative Day

July 1, 1992

Speaker McPike: "The House will come to order. The House will come to order. The Chaplain for today is Father John Ossola from the Cathedral of the Immaculate Conception in Springfield. Father Ossola is the guest of Representative Hasara. The guests in the balcony may wish to rise and join us for the invocation this morning."

Father Ossola: "Lord, God, You are a just and loving Father of us all. Be present with us today as we gather in Your name to work for the benefit of the people of the State of Illinois. Give us wisdom to see Your law, courage to defend Your truth and humility to accept Your will. May we always look to You for guidance and inspiration ever mindful that we are here to do Your will and to serve our fellow human beings. Bless these men and women who have the burden of ensuring justice and peace for the people of Illinois. Amen."

Speaker McPike: "We'll be led in the Pledge of Allegiance this morning by Representative Hartke and Representative Deering."

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

Speaker McPike: "Roll Call for Attendance. Thank you, Representative Hartke. Representative Kubik."

Kubik: "Well, good morning, Mr. Speaker. It's good to see you this morning."

Speaker McPike: "Good morning."

Kubik: "There are no excused absences on the Republican side."

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

Matijevich: "Yes, the excused absence on this side of the aisle is Andy McGann due to the passing of his wife."

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Speaker McPike: "Mr. Clerk, take the record. 117 Members answered the Roll Call, a quorum is present. On page 2 of the Calendar, there's a Motion by Representative Lang on House Bill 2485. Representative McGann. The Gentleman is the excused absentee this morning. The Motion is to extend the deadline on House Bill 2485 until January 13th, 1993. You heard the Gentleman's Motion. There are no objections. The Attendance Roll Call will be used and the Motion carries."

Speaker Satterthwaite: "Representative Satterthwaite in the Chair. We are going to go to Agreed Resolutions but Members should be aware that this not sign of adjournment in the near future, this is because we did not get to the Order of Agreed Resolutions last night. Mr. Clerk, read the Resolutions."

Clerk O'Brien: "House Resolution 2280, offered by Representative Giorgi; House Resolution 2282, offered by Representative Weller; House Resolution 2285, offered by Representative Walsh; House Resolution 2286, offered by Representative White; House Resolution 2287, offered by Representative Jay Hoffman; House Resolution 2289, offered by Representative Weller; House Resolution 2291, offered by Representative McAfee; House Resolution 2292, offered by Representative McAfee; House Resolution 2293, offered by Representative McAfee; House Resolution 2294, offered by Representative Lang; House Resolution 2295, offered by Representative Black; House Resolution 2296, offered by Representative Bugielski; House Resolution 2297, offered by Representative DeJaegher; House Resolution 2298, offered by Representative DeJaegher; House Resolution 2299, offered by Representative DeJaegher; House Resolution 2300, offered by Representative DeJaegher; House Resolution 2301, offered by Representative

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DeJaegher; House Resolution 2302, offered by Representative DeJaegher; House Resolution 2303, offered by Representative DeJaegher." House Resolution 2304, offered by Representative DeJaegher; House Resolution 2305, offered by Representative Wyvetter Younge, And House Joint Resolution 158, offered by Representative Noland."

Speaker Satterthwaite: "Representative Matijevich."

Matijevich: "Madam Speaker, I move the adoption of the Agreed Resolutions."

Speaker Satterthwaite: "You've heard the Gentleman's Motion. All in favor say 'aye', opposed, 'nay'. The 'ayes' have it and the Agreed Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 2283, offered by Representative Johnson, with respect to the memory of Robert Lee Zimmer. House Resolution 2288, offered by Representative Morrow, with respect to the memory of Dottie Lucille Leak. House Resolution 2290, offered by Speaker Madigan, with respect to the memory of Vanessa Green, daughter of Judge L. Green."

Speaker Satterthwaite: "Representative Matijevich moves the adoption of the Death Resolutions. All in favor say 'aye', opposed, 'nay'. The 'ayes' have it and the Death Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 2281, offered by Representative Parcels. And House Resolution 2284, offered by Representative Giorgi."

Speaker Satterthwaite: "Committee on Assignments."

Speaker Keane: "Mr. Clerk."

Clerk O'Brien: "Supplemental Calendar announcement. Supplemental Calendar #1 has been distributed. Supplemental Calendar #2 is now being distributed."

Speaker Keane: "On the Supplemental Calendar #1, appears Senate

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Bill 2233, Representative Lang. Senate Bill 2233. Out of the record. On the Order of...On the Supplemental Calendar #2, appears House Bill 2767, Representative Homer. Representative Homer."

Homer: "Thank you, Mr. Speaker. We...We heard this Bill yesterday. The First Conference Committee Report had a provision that was objected to by the new car dealers and the Illinois Retail Merchants and, as a consequence opposition there and here, the First Conference Report failed. We then asked for a second report and it is now virtually identical to the first except that it excludes that language that...that was the subject of debate and caused the Bill to fail. I believe the other provisions to be relatively if not totally noncontroversial. I would attempt to answer any questions that you may have about the Bill. The report has already flown through the Senate, I think with 50 some votes. So, I would urge that we support this Second Conference Committee."

Speaker Keane: "Representative Young."

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

Speaker Keane: "He indicates he will."

Young: "Representative, for purposes of legislative intent there's a section dealing with a new criminal offense, I believe sexual exploitation of a minor. Could you talk about how you view that section?"

Homer: "Yes, Representative Young. The...This provision was advocated by the Coalition Against Sexual Assault in their attempt to promote protection for children who may be subjected to an individual that exploits them by...by exposing his or her sex organs, anus or breasts, or engages in sexual acts in front of that child for the purpose of sexual arousal or gratification of the person or the child."

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Now the question that you raised to me privately, and I think you're asking now for purpose of legislative intent, is whether the intent of this provision is to...to prohibit sexual relationships between two people who may be under the age of 17 years and the Bill is obviously not, and I say for express legislative intent, directed toward that situation. The purpose of this Bill is to protect victims under the age of 17 from those who are above that age who engage in this conduct without the...without any reasonable belief that the victim is a consensual party to these acts."

Young: "So for purposes of legislative intent, the way you would read the statute even though it says any person who commits the acts you mentioned is really intended that be any person over the age of 17 who commits those acts with someone under the age of 17. Is that correct?"

Homer: "I think it could be theoretically possibly, Representative Young, that the person who committed these acts could be under the age of 17 but only if committed with a person younger than that and in a scenario where there was no reasonable expectation by the defendant that the person that's the other...that's the victim of this offense would be a consensual party. And so in most cases I would agree with your scenario, although I can conceive that there may be a 16 year old defendant and say a 11 or 10 year old girl involved where the situation may apply also."

Young: "Thank you very much, Representative."

Speaker Keane: "The question is, 'Shall this Conference Committee Report be adopted?' All those in favor vote 'aye', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Mr. Clerk, take the record. Mautino 'aye'. On this Bill, there are 106...there are 106 voting 'aye', none voting 'no', none voting 'present'. And this Bill, having received the required Three-Fifths Majority, is hereby declared passed. House Bill 3261, Representative Currie. Out of the record. House Bill 3266, Representative Matijevich. Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3266 is a Bill proposed by the Legal Assistance Foundation of Chicago. It was worked in total agreement with the Department of Children and Family Services and supported by the Voices for Illinois Children. The Bill changes the definition of neglect. The current statutory definition of neglect is so broad and so vague that potentially every child in Illinois could be considered a neglected child and this has caused overloaded courts and the overloaded work of the DCFS case workers. House Bill 3266 addresses the problem by clarifying that neglected children are those who parents fail to take reasonable precautions to protect them from reasonably foreseeable risks to their life, health and well-being. The changes also reflect a concern that a state's attorney in Champaign County had in the phrase, 'environment injurious' has been restored to the statute in the context of the changes for the small number of situations where a parent has been placed at serious risk of harm and the situation is not otherwise covered by the Act. I would move for the adoption of the Conference Committee Report on House Bill 3266."

Speaker Keane: "Is there any discussion? Representative Wennlund."

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

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Speaker Keane: "He indicates he will."

Wennlund: "Now, Representative Matijevich, does this expand the definition of abused child or does it narrow it?"

Matijevich: "It would narrow it."

Wennlund: "Who would it...Who would it exclude from that definition?"

Matijevich: "No, it would expand the category of potential child abusers to include any person with custody of a minor at the time of the incident at issue and includes as child abuse extreme or repeated cruelty, unreasonable and excessive confinement or unreasonable and excessive deprivation of movement or sleep. What it would do, Representative Wennlund, with regards to the matter of neglected child that the present law is so broad and so vague with that."

Wennlund: "Thank you very much."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 110 voting 'aye', 1 voting 'no', none voting 'present'. And this Bill, having received the required Constitutional Majority, is...Representative Parke votes 'aye'. Representative Black votes 'aye'. Representative McCracken votes 'aye'. On this Bill, there are 113 voting 'aye', none voting 'no' and none voting 'present'. And this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 3315, Representative Giorgi. Representative Giorgi."

Giorgi: "Mr. Speaker..."

Speaker Keane: "Representative Giorgi."

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Giorgi: "Conference Committee Report House Bill 3315. I think the only change in it is that because of the costs, they were afraid of the costs associated with the court appointed special advocates. They decided that with an Amendment to allow counties to opt in or to opt out and that's the only change that I know of of any significance. It's a good Bill and it's in practice throughout the counties of Illinois."

Speaker Keane: "Representative Wennlund."

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

Speaker Keane: "He indicates he will."

Wennlund: "Representative Giorgi, with the noise level on the House floor, I did not hear your explanation. If you could tell us what this Conference Committee Report..."

Giorgi: "The only change is to allow counties to opt in or to opt out. So that if they don't want to incur the cost associated with a court appointed special advocate they don't have to join the...CARA...CASA group."

Wennlund: "The what group?"

Giorgi: "CASA, Court Appointed Special Advocates."

Wennlund: "Oh, so it...So if a county...If a county has a program that has the Court Appointed Special Advocates..."

Giorgi: "They're going to decide to pay for it. If they want to be out of the program they don't join the program, all permissive."

Wennlund: "Are there any parts of the original Bill that still would remain in effect?"

Giorgi: "Yes, some of the court appointed special advocate...the court appointed special advocate but he does not stand in the place of a...He doesn't get paid. He's a volunteer. He wants to help with these abused children and wants to help the court system along. It's a volunteer group that's

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been receiving accolades all over this state. I don't understand the reluctance of your party not to accept this benevolent group."

Wennlund: "I don't understand it either that's why I was asking the questions. The answer to the question is that they weren't asked. So there is no reluctance on our side of the aisle and the conferees on our side of the aisle just simply weren't asked. But I think it's probably a good program. They shouldn't have to do it if they don't want to pay for it. Thank you."

Giorgi: "Thank you very much, Representative Wennlund. Urge the adoption of the Conference Committee Report."

Speaker Keane: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Mautino votes 'aye'. Morrow votes 'aye'. Mautino, we got you. On this Bill, there are 111 voting 'aye', none voting 'no', 1 voting 'present'. And this Bill, having received the required Three-Fifths Vote, is hereby declared passed. House Bill 3568, Representative Flinn. Out of the record. House Bill 3882, Representative McDonough. Out of the record. House...Senate Bill 969, Representative Curran. Representative Curran. Take it out of the record. We'll come back. Senate Bill 1662, Representative Steczo. Out of the record. Senate Bill 1667, Representative Curran. Out of the record. Representative...I'm sorry...Senate Bill 1769, Representative Steczo. Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I would move that the House adopt the First Conference Committee Report on Senate Bill 1769. The report that's before us has a number of items in it that deal with the Department of Professional

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Regulation...Professional Regulation Acts. Many of the items that we have asked to concur with were originally passed by the House as part of Senate Bill 1769, Third Reading. There was one section that, I guess, caused some controversy regarding engineering, the engineering school at S.I.U. that language has been deleted. The rest of the Bill contains just a few new provisions. Among those is changes to the Pharmacy Practice Act that reflect...make Illinois law reflect the changes that were brought about in the Federal OBRA of 1990. This language has been agreed to by the pharmacists, the Illinois State Medical Society and the Retail Merchants Association. In addition, Mr. Speaker, there's a provision regarding a window in the Clinical Psychologists Licensing Act. That too has been agreed to by the clinical psychologists. There is a change in the Interior Design Act regarding the Department's ability to give examinations from one...than more than one examination company. And I believe, Mr. Speaker, Members of the House, that's what the report contains. I would be happy to answer any questions, if not would urge your approval."

Speaker Keane: "Representative Black. The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there 116 voting 'aye', none voting 'no' and none voting 'present'. And this Bill, having received the required Three-Fifths Majority, is hereby declared passed. Go back to Senate Bill 969, Representative Curran. Representative Curran."

Curran: "Thank you, Mr. Speaker. I move to adopt the...Is this the First? Conference Committee Report on Senate Bill 969.

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What we've done is we took out language sponsored by Representative Hicks and Senator Berman because that had already passed. The same thing with language on test administration which had already passed. I think it was Representative Cowlshaw possibly. Then we also took out language proposed by Representative Hoffman because it could not pass the Senate. Put in some language for Representative Mautino dealing with the supplemental...to a couple of school districts. I don't think it's controversial. Be glad to answer any questions. Ask for a favorable Roll Call."

Speaker Keane: "Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Keane: "He indicates he will."

Hultgren: "Representative, on page 7 of the Conference Committee Report, it would appear that we're changing some dates with regard to supplementary state aid for new and annexing districts. I don't think I'm opposed but I don't understand why we're doing that. Could you just give a brief explanation as to why we're doing that and what problem that is intended to address?"

Curran: "This report adds language proposed by Senator Welch and Representative Mautino dealing with supplemental state aid to school districts, school districts awarded a \$4000 grant per teacher of the school district annexed, one or more other school districts, or if the division of a unit school district or districts into two or more parts which are included in two or more other community unit school districts. I'm just reading you the explanation that I've got, Representative. I think we're doing this, although there's no money for it, we're sitting up the potential of an appropriation some time in the future. And I think we

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changed the date to be able...to be able to do that. I think with the districts that we're talking about is Dwight, Seneca, Ottawa and LaSalle Peru."

Hultgren: "Thank you."

Speaker Keane: "Representative Pullen."

Pullen: "I'd like to ask the Sponsor a question, please?"

Speaker Keane: "He indicates he will."

Pullen: "Sir, you told us a great deal about what was taken out but you haven't told us what's in the Bill. Would you mind presenting to us what it is you're asking us to enact?"

Curran: "Sure. There was clarifying language that made it clear that the school districts which elect their Board of Education Members under any of the forums of congressional townships do have the right to vote to change the election of the Board of Members by subdistrict. Also, Representative Rotello's language establishing the Occupational Skill Standards Act, this Act is a result of the federal legislation, the Perkins Act, which requires the State Board of Education to develop a system of core standards and measures of performance for vocational education."

Pullen: "Is there language in the underlying Bill that is still here also or is it just what's in the report?"

Curran: "The...If you're talking about the underlying language that would be my Bill, 969, which makes it clear that the school districts which elect their Board of Education Members under any of the congressional townships do have the right to vote to change to the Election Board Members by subdistricts. So that original language would be in the Bill."

Pullen: "Thank you."

Speaker Keane: "Representative Burzynski."

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

Speaker Keane: "He indicates he will."

Burzynski: "Yes, just a couple of questions. First of all as I read this Conference Committee Report it says that a school board may on its own Motion subdivide into those districts. Is that correct?"

Curran: "That is correct. Rather than have us micromanage each school district we're giving them the option by this statute."

Burzynski: "But that also means that the voters that reside in that district may not have the opportunity to approve that change. Is that correct?"

Curran: "Well, they'd have an opportunity certainly to elect or not to elect their local members."

Burzynski: "Well, I just really have some concerns with that..."

Curran: "Excuse me. I'm getting a message that...Representative Burzynski."

Burzynski: "Yes."

Curran: "I think that there is some controversy on that point but I think that a lot more Members would find themselves in agreement with that option than not."

Burzynski: "Thank you very much."

Speaker Keane: "Representative Curran to close."

Curran: "I think this Bill has been explained. We've taken out the offensive language Representative Cowlshaw and the Senate also opposed. We took out language which had passed the Senate already. I think what we have here is a fairly harmless but reasonably important piece of legislation. I ask for a favorable Roll Call."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all those opposed vote 'no'."

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hultgren wants to vote 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 100 voting 'aye', 9 voting 'no', 4 voting 'present'. And this Bill, having received the required Three-Fifths Majority, is hereby declared passed. Representative Steczo or Representative Curran, do you wish to call...Okay. Out of the record. Representative Steczo. Oh, Representative...We'll go to Representative Flinn on House Bill 3568. Representative Flinn."

Flinn: "Thank you, Mr. Speaker. House Bill 3568, Conference Committee Report, deals with three different things. First, I should say it's supported by the banking institutions of the state. I really don't know of any opposition and I don't mean to offend Representative Black when I say that. But I will describe it. It'll take me about 30 minutes. The Public Funds Investment Act authorizes any public agency to invest in public funds in several manners. And in the subsection of this Act it allows any public agency to invest public funds in a managed, operated and administered bank. This report also expands the investment authority to a subsidiary of a bank or a holding company. It amends the Illinois Banking Act to the extent that allows financial institutions to invest in marketable investments, heretofore they could not be, such as revenue bonds that are not rated as a top four rating. And lastly, it clarifies that the Commissioner of Banks and Trust shall have the authority to act as guardian for the Illinois institution requesting the disclosed financial records of the court proceedings. This report actually strengthens the Commissioner's authority to issue

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productive order on behalf of the institution and to protect the confidentiality of the financial report. I would move for the adoption."

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

Black: "Thank you very much, Mr. Speaker. I was in doubt as to how I was going to vote on this Bill but after I heard the Gentleman's explanation I have no questions whatsoever. It's I think pretty much an agreed Bill. There isn't anything in here dealing with some farm credit restrictions. I've been told that all the banking groups and the Commissioner of Banks and Trusts, in fact, I think everybody's on board this Bill. So let's put it out of here with a lot of green votes."

Speaker Giglio: "Question is, 'Shall the House accept the First Conference Committee Report to House Bill 3568?' And on that question, 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, 113 voting 'yes', none voting 'no'. And the House does accept the First Conference Committee Report to House Bill 3568. And this Bill, having received the required Three-Fifths Constitutional Majority, is hereby declared passed. Representative Keane on House Bill 3739. The Gentleman from Cook, Mr. Keane."

Keane: "Thank you, Mr. Speaker. House Bill 3739 is the same...it has the same language as the Bill passed out of here with a big vote. And the only change was the Senate put on an Amendment, the Conference Committee, dealing with supernumeraries in the Chicago Board of Ed. The Conference Committee stripped that off and the only addition to the

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original Bill is that for community colleges it increases to 10,000 from 5,000 the threshold amount for contracts that must be let to the lowest responsible bidder on a sealed bid basis. And it increases to 15,000 from 10,000 the exception for certain single repair...project repair contracts. I know of no opposition and I move the adoption of the Conference Committee."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Levin."

Levin: "Yeah. I would urge support of this Conference Committee. I would indicate that the two Amendments that were put on in the Senate were very controversial. And as we called around we found out that they did not have the support of any of the local school councils or school groups that had been involved and appreciate them being taken off and urge support for this Conference Committee Report #1."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3739?' And on that question, 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. On this question, there are 104 voting 'yes', 8 voting 'no'. And the House does adopt the First Conference Committee Report to House Bill 3739. And this Bill, having received the required Three-Fifths Constitutional Majority, is hereby declared passed. Representative McDonough on House Bill 3882. Out of the record. Representative Curran. Representative Mike Curran. Representative Currie. Representative Steczo on Senate Bill 1662. The Gentleman from Cook, Representative Steczo."

Steczo: "Thank you, Mr. Speaker, Members of the House. I would

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move to adopt the First Conference Committee Report on Senate Bill 1662. This Conference Committee Report contains three items. Number one, it amends the Real Estate Practice Act to create the position of appraisal administrator and an appraisal subcommittee. This language also, some Members have asked, does not contain any fees. So there are no fees contained in this. In addition to that, Mr. Speaker, it contains just...cleanup language for the Professional Counselors Licensure Act that we passed and the NAPER Path Licensure Act that we passed. That's all that the Conference Committee does, Mr. Speaker. I would answer any questions for the Members, if not, would urge a 'yes' vote."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed, 'no'. The...Voting is open. Mulcahey 'aye'. Representative Marinaro, do you wish recognition? Have all voted who wish? Mautino 'aye', a roaming Representative. Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 115 voting 'aye', none voting 'no', none voting 'present'. And this Bill, having received the required Three-Fifths Majority, is hereby declared passed. On the Supplemental...Supplemental #1 on House Bill 180, Representative Farley. House Bill 180, Representative Farley, on Supplemental #1."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move for the adoption of House Bill 180 which is an unemployment insurance agreed Bill. This Bill is a four year agreement between business and labor from 1993 thru 1996. House Bill 180 would reduce employer taxes by a total of 215 million and increase benefits by a total of

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233 million. At the same time the Bill will keep a safe balance in the Illinois Unemployment Trust Fund. House Bill 180 is supported by the Illinois AFLCIO, the Illinois State Chamber of Commerce, the Illinois Manufacturers Association, the Illinois Retailers...Retail Merchants Association, the Management Association of Illinois, the Illinois Press Association and the Illinois Federation of Independent Business. And I would move, Mr. Speaker, that we adopt the Second Conference Committee Report which is House Bill 180."

Speaker Keane: "Representative Saltsman. Representative Saltsman. Proceed. Proceed."

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

Speaker Keane: "He indicates he will."

Saltsman: "Yes. Representative Farley, the intent of the language in Section 2103-1, is the purpose of this program is to provide training, retraining and upgrade training to the employed individuals as well as unemployed individuals in order to help Illinois employers establish and maintain a work force capable of competing internationally. The history of employment training programs is demonstrated time and time again that the most effective training is training provided on the job. The on the job training in turn most effective when both the employer and employee are involved in planning and implementing the training. This program, if this is correct, will make grants to individual business, labor organizations or joint labor-management entities. The program will concentrate training on a newly emerging high skill, high wage jobs which accompany the switch of the new technologies and new methods of organizing work. Is that the intent of Section 2103-1?"

Farley: "That is correct, Representative Saltsman."

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Saltsman: "Thank you, Representative Farley."

Speaker Keane: "Representative Klemm."

Klemm: "Well, thank you, Mr. Speaker. I really don't have to many problems with the agreement. However, I am disappointed and that's the reason I didn't sign the Conference Committee Report. And I'm disappointed that we didn't and weren't able to address more fully some of the independent contractors problems that we're having in the State of Illinois particularly some of the small trucking companies, some of the small home builders, some of the small independent business people that are having some problems with the unemployment insurance. That's the reason I am not pleased that we can't address it again later on because we do have this four year close out. But it would seem to me that we would have been better served to at least to have maybe addressed some of those genuine concerns more than we have. But I don't oppose the Bill but I did want to put on the record that concern."

Speaker Keane: "Representative Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is the product of the agreed Bill process between labor and management, labor and business. It normally comes to this floor and goes out of here with universal and complete support of the Body. But I too am concerned about the independent contractor versus employee issue. Let me give you some examples. Perhaps you're building a new home and you hire a contractor and the contractor when it comes time to save plaster. He calls on a man who calls himself an independent contractor and asks that this gentleman and his crew come in and plaster your home. Now it's quite possible that this housing contractor gives this person the bulk of his business, his plastering

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business. And it becomes questionable then whether that plasterer is an independent contractor or whether he is an employee and I have no argument with that. But it's possible also that that plasterer may work for four or five or a half dozen contractors over the year. The house is built and it comes time for carpeting and your spouse and yourself go to buy a carpet. And you go to the local store and local carpeting store and buy a carpet and you talk about when it's going to be installed. He says, 'I'll have to call my installer, my carpet installer.' Let's say we're in Central Illinois and you're living where I live in Lincoln. The place that we would buy the carpet may call on an installer out of Decatur or Springfield. It can be a different installer every time it comes in, someone comes in to install carpet. Is that person an independent contractor because he may be in Champaign one day, Lincoln in one day, Taylorville on another day installing carpets for different sales organizations or is he an employee of those organizations? I feel that he is an independent contractor. But perhaps the one that bothers me most is the independent contractor trucker. An entity, a corporation may have a business large or small and they put out a product that could be prefabricated housing, it could be computers, it could be produce. And they need to transport that material. Let's say that it's your...I have in my district a fabricator of buildings. When they have a building sold and it's ready to be shipped that may be going to Kansas City or New York or Florida. But let's say they're going to, oh let's choose North Carolina. The Gentleman that backs his truck in to load that load he owns that truck, maybe an investment of \$180,000 or \$100,000. He buys the fuel. He buys the insurance. It's his vehicle

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and he loads it and he travels to North Carolina. He has paid a fee per mile. I think that it's traditional in industry that it's like \$1.00 a loaded mile. When he gets to Carolina while his truck is being unloaded he will call up a load broker in the trucking industry. And he will try to find a load to come back to his home base in Illinois and he may get as close as St. Louis with the load. And in St. Louis he may call another load broker and see if he can't sign something back to northern or central Illinois. That man is an independent contractor. It's also trucking companies that may own 40 or 50 or 100 trucks and tractors and they hire drivers and those are employees. I feel that five years ago and again in the last few weeks, these representatives of labor and industry when they met to discuss this agreed Bill did not take fine enough line in the consideration. I'm not finding fault with the fine Sponsor of this Bill. I'm not finding fault with the agreed Bill process. But I am finding fault that those individuals around that table seem to be thinking of the big guys, the big guys on both sides of the issue - labor and management. I have...This Bill..."

Speaker Keane: "Mr...Representative Olson, please bring your remarks to a close."

Olson: "Okay. I had the opportunity to be in the Senate the other day when they voted this Bill and I heard the remarks afterwards, 'How did it go?' And the other person said, 'Did they take care of the truckers?' And the first individual said, 'No, we took care of the big guys and that's what we need to do.' I'm asking you and I'd like for you all to listen to this, if you're concerned about an independent contractor, an employee issue, I'm asking you all to vote 'no' or 'present' on this Bill. Not to defeat

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the Bill necessarily but send a message, through the Sponsor to those people who set around the table, that they did not address this issue. I'm asking the Sponsor if this would be a significant amount to consider putting this Bill up for an extended deadline. And ask those Gentlemen and Ladies to come back around the table and let's resolve this issue. I'm not saying vote against the Bill. I'm saying give an indication by your 'no' vote that you feel that they have not resolved the problem. It's been with us for five years. It's going to drive trucks out of Illinois. And it's going to be here another four years now. I would refer you...and I'm not..."

Speaker Keane: "Representative, Representative, you've taken up enough..."

Olson: "Okay, thank you very much."

Speaker Keane: "Representative Farley to close."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Fortunately or unfortunately not everything is taken care of in this Bill but it is a compromise Bill. And it's an agreed Bill. And more importantly it's what we have in front of us that will continue this program for the next several years. I appreciate and...want those that spoke on the Bill to know that when we attend these meetings we do listen to those concerns of those individuals that have those problems. But, right now, Mr. Speaker, I would move for the passage and the adoption of the Second Conference Committee Report of House Bill 180."

Speaker Keane: "Question is, 'Shall the House adopt Conference Committee Report #2?' All in favor vote 'aye', all opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Lang 'aye'. Have all voted

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who wish? Mr. Clerk, take the record. On this Bill, there are 104 voting 'aye', 7 voting 'no', 4 voting 'present'. And this Bill, having received the required Three-Fifths Majority, is hereby declared passed. Representative Flowers, for what purpose...Representative Flowers. Representative Lang on Senate Bill 1939. Representative Lang. We're on Supplemental Calendar 2."

Lang: "Thank you, Mr. Speaker. I move that the House adopt the First Conference Committee Report to Senate Bill 1939. I think there are just a couple of provisions left in the Bill. The main one would require agencies supported by nonstate treasury funds to transfer necessary funds for audits. And I would move adoption of the report."

Speaker Keane: "Is there any discussion? Representative Black."

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

Speaker Keane: "He indicates he will."

Black: "There's something that sticks in my mind as to why the Department of Public Health had a position. The Department of Public Health had some problems with this. Was it with the underlying Bill on the taking of monies from the Asbestos Abatement Fund and has that then been cleared up in the Conference Committee?"

Speaker Keane: "Representative Lang, would you take this Bill out of the record? Out of the record. Representative Curran, do you wish to proceed on Senate Bill 1667? Out of the record. Representative Lang, on Supplemental #1 is Senate Bill 2233. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 2233, a Bill for an Act to amend the Code of Civil Procedure. First Conference Committee Report."

Speaker Keane: "Representative Lang."

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Lang: "Thank you, Mr. Speaker. I move that the House adopt the First Conference Committee Report to Senate Bill 2233. This does a number of things and I should add that this has already been adopted by the Senate by an extraordinary majority. First it deals with refiling cases when they are dismissed by the U. S. District Court and the local circuit court. It adds important provisions regarding the bank garnishment laws. A federal district court has held the bank garnishment laws of the State of Illinois unconstitutional and so we added provisions in. These are agreed provisions by all sides dealing with how that notice should be giving so that we resolve the problem noted by the federal district court. We did this last year for wage deduction garnishments and this language basically mirrors that language. Unless we pass this creditors will not be able to file bank garnishments against debtors and collect their money. So unless this section of the Bill is passed business is going to have a problem collecting money due and owing to it. Another provision regarding allowing the Clerk of the Circuit Court of Cook County to deposit child support collected into interest bearing accounts. Some miscellaneous provisions regarding quick take and some language regarding posting notices in eviction cases and that section is agreed by all sides as well. And I would move adoption of this report."

Speaker Keane: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's one provision in this Conference Committee Report that really wasn't dealt with in any length and that you really ought to know about before you vote on this Bill, this Conference Committee Report. And that is that what it does is it gives counties and cities in counties,

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that have adopted a Storm Water Management Plan, quick take powers for two years. Now most people don't understand what quick take powers are. So let me explain to you what a quick take power is. It would allow municipalities in this instance, I know one for sure is DuPage County and other counties that have adopted a Storm Water Management Plan, it would allow them to go in instantly on a petition in court and take a person's private property. Take his home. Take his residence or take his farm land instantly. And then two or three years down the road, when a case comes to trial, decide how much you're going to pay him for it. Now, what it does is it immediately takes the person's property and title will vest in the city that's condemning that property without their consent. It will be taking private property and then the final amount of just compensation will be determined two or three years down the road when the case gets to trial. Now quick take powers are a dangerous, dangerous power in Illinois and they're also subject to abuse. Because if the municipalities in these counties decides they're going to take your property it's gone. And I mean they can do it in a week. I know because I did it for seven years as an assistant A.G. in this state. They can take your property in one week. Your home is gone. Your farmland is gone. Your real estate is gone and then down the road two or three years when the case gets to trial the final compensation will be determined. But the property owner has no input in it whatsoever. And I'll tell you what, you got to be real careful about what you're doing with quick take powers in this state and expanding them. And you know how the Association of Realtors feels about the expansion of quick take powers, they definitely oppose it. The Farm Bureau

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definitely opposes the expansion of quick take powers. You have to be very careful about this Bill. You ought to know what's in it. And a 'no' vote is the proper vote. This language doesn't belong in a Conference Committee Report. The other language, as Representative Lang said, is noncontroversial. But this is controversial and it ought to come out of the report and a Second Conference Committee Report appointed. A 'no' vote is the proper vote."

Speaker Keane: "Representative McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have tried to accommodate an area across from St. Louis, a very depressed area across from St. Louis. Many of you have been to the Arch in St. Louis and for a number of years we have tried to get the Federal Government to expand to the St. Louis Arch on to the Illinois side of the river. Congressman Durbin and Senator Simon and Senator Dixon have worked on this. In order to create this park we have to have quick take powers to take some lands along the river. These lands are vacant and have been vacant for up to 20 years. The realtors in our area do not object to this. They do not object to this. We have accumulated now I believe 80 acres and we have nearly about 150 or 200 acres to go. And we will begin to develop...We will begin to expand the Jefferson National Memorial in St. Louis which is a number one tourist attraction in the United States. We will expand that to the Illinois side of the river and begin to create an atmosphere for economic development in Illinois. These quick take powers are not that expansive. They are for one authority in the Metro-East area. They are supported by all of the Legislators in the Metro-East area, Democrats and Republicans, both sides of the aisle. Frank Watson would

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Sponsor this Bill in the Senate and I would Sponsor it in the House. It's nothing you haven't seen before. It's nothing that does not belong in a Conference Committee Report. It is not that abusive. It is very limited in scope and it's limited to two years. Every time we move ahead on this we are very cautious to say, let's do it for this purpose only, let's do it for two years, let's see if we can get this park approved by the Federal Government and let's bring some tourism to our side of the river. We would appreciate, not for my district, not for the district south of me, but for a very depressed area that affects the economy of the entire Metro-East. We have been trying to assist this area now for years and this is one thing that doesn't cost the state a penny! Doesn't cost you one nickel! It's a request that the Legislators from the Metro-East have to this General Assembly. Fully supported by our realtors to help us develop the Metro-East side of the Mississippi River and I would appreciate your help."

Speaker Keane: "Representative McCracken."

McCracken: "I have a question. Will the Sponsor yield?"

Speaker Keane: "He indicates he will."

McCracken: "I looked at the language. Is what is described there fulfilled only by one district or area in the state the way it's drawn, the language, that Representative McPike refers to?"

Lang: "There are two sections of the Bill dealing with quick take. Representative McPike is concerned with the one that he discussed. There's another section that deals with quick take...areas that have flood control plans and apparently the proponent of that believes that it's necessary in order to provide flood control in certain areas, that certain minimal quick take be available. I

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would add that, just as the section that Representative McPike discussed, this other section is also for two years. It's a 24 month plan. It's not quick take forever. It's to address a certain situation in that area."

McCracken: "What is that situation and what is the area?"

Lang: "I can't tell you either the situation or the area."

McCracken: "Well, that's not very helpful. Who is the Sponsor?"

Lang: "Well, I'll tell you honestly Pate Philip has asked me to put this in the Bill."

McCracken: "Uh-oh. I spoke to soon."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Representative Hoffman."

Hoffman: "Because of a potential conflict I am voting 'present'."

Speaker Keane: "Have all voted who wish? Have all voted who wish? Schoenberg, 'aye'. Mr. Clerk...Have all voted who wish? Representative Black. Representative Kubik."

Kubik: "Yes, Mr. Speaker. To explain my vote. I would like to support this particular Conference Committee and I think Representative McPike was very forthright in indicating his concern regarding quick take and the reason for that quick take. I guess I'm a little more concerned about the other provision regarding quick take and I would encourage somebody on...who has knowledge with the Bill to explain their vote or try to explain why it is we need this quick take in areas that have flood plans in effect. It might ease some concern that I have regarding this Bill. At present I'm going to vote 'aye'."

Speaker Keane: "Representative Lang, did you want to answer Representative Kubik's concerns?"

Lang: "I'm sorry, can he repeat them?"

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Speaker Keane: "Representative Kubik, would you repeat your concerns?"

Kubik: "Representative Lang, as I indicated in explaining my vote, I think Representative McPike was very forthright in explaining exactly what he needed the quick take powers for. If there's somebody on your side of the aisle that can explain the other provision and why we need that provision and what the instance is. Coming from an area that might be affected I'd like to know why we're doing this. I think that's only fair so that we can...I'd like to support the..."

Lang: "I...I understand your concerns and if I don't get 71 we'll see what we can do about answering you."

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

Cronin: "To explain my vote, Mr. Speaker. I'm voting 'no' on this and I know there's a lot going on in this Bill. May I suggest to the Sponsor, perhaps he would consider making a Motion for a Second Conference Committee Report and maybe some of the objectionable language, broad language, sweeping powers that are being granted in this could be some how or another paired down and limited, and until then I have to be a 'no'."

Speaker Keane: "Take the Bill out of the record. House Bill or Senate Bill 1667, Representative Curran. We took the Bill out of the record. We now have Senate Bill 1667. Representative Curran."

Curran: "Thank you, Mr. Speaker. This report contains..."

Speaker Keane: "One second, Representative. Dump the Roll Call. Put up...Mr. Clerk, put up Senate Bill 1667."

Curran: "Thank you, Mr. Speaker. I move the adoption of the Conference Committee...Conference Committee Report #1 on

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Senate Bill 1667. This report contains the same language that passed the House 106 to 5. The provision that created the Personal Revolving Fund for CMS is not in the Bill. What is in the Bill is House Amendment #3 which is Representative Black's Amendment. And this authorizes CMS to pay back wage claims for the personal services appropriation of other state agencies and it further allows a nontransferable accrued vacation, overtime or sick leave to be paid to state employees from the agency he or she is departing. I don't think there's any controversy. I'd be glad to answer any questions. Move the adoption of the Amendment."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 104 voting 'aye', 3 voting 'no', 2 voting 'present'. And this Bill, having received the required Three-Fifths Majority, is hereby declared passed. Senate Bill 1939, Representative Lang. Representative Lang."

Lang: "Thank you, Mr. Speaker. I move we adopt the First Conference Committee Report. Representative Black had some questions earlier which have been resolved and I would move for the adoption."

Speaker Keane: "Representative Wennlund. The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 112 voting 'aye', 3 voting 'no', 1 voting 'present'. And this Bill, having received the required Three-Fifths

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Constitutional Majority, is hereby declared passed. On House Bill 3882, Representative McDonough. Representative McDonough requests leave to...Requests the Second Conference Committee Report be appointed. All those in favor say 'aye', opposed, 'no'. The 'ayes' have it and the House requests a Second Conference Committee. On House Bill 3261, Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I move the House adopt the First Conference Committee Report on House Bill 3261. Much of this we've seen before. There are several Amendments to the Marriage and Dissolution of Marriage Act in relation to disclosure when temporarily moving a child from the state. We also created a Domestic Violence Training and Curriculum Task Force within the Illinois Local Government Law Enforcement Training Board. We make some technical changes in the notice provisions for child custody modification. Make some changes to the Domestic Violence Act so that advocates can accompany and confer with victims in circuit and criminal court proceedings; permit people of age 12 and over to have counseling if they are rape victims without additional notification; and...provides the courts with the discretion to prohibit a conciliation or mediation in the event (in the dissolution of marriage case) that there is reason to think that the...parties without advice of counsel would not be well served by that program. I'd be happy to answer your questions and would appreciate your support for this report."

Speaker Keane: "Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The provision on this Conference Committee Report that deals with rape counselling of minors is the same

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provision that was on Senate Bill 1892 that I think probably some of you have heard about. It would prohibit rape counselors from notifying the parents of a minor, age 12 to 18, if that minor seeks counselling services...after being raped. This provision is very much anti-family and not in the best interest of those minor children who are, after all, victims of violent crime. It seeks to put in the place of the family some stranger who is a rape counselor who might see that young person once or twice but does not live with them, does not have the love that a family has, does not have the responsibility or the care for that young person who has been violated in one of the most violent crimes we know. It is difficult to understand the kind of motivation that comes before us in this type of legislation. That doesn't even say that the parents need not be notified but says the parents shall not be notified unless the minor who is, after all, of immature judgment (that's what a minor is), consents to the notification. It's really a very poor piece of legislation. It undermines the family. It is of great concern to the pro-family movement in Illinois, and I urge rejection of this First Conference Committee Report. Thank you."

Speaker Keane: "Representative Williams."

Williams: "Thank you. I rise to support this legislation which by the way, just passed the Senate by 58 to 0. I think that it's...and I understand and I'm a parent and I have two young girls and I would be extremely upset if that particular tragedy were to occur. However, you know, you gotta think about not just my knowledge or my ability to know. The question is the availability of counseling for the child. If the child, for whatever reason, is afraid or the child, for whatever reason, is embarrassed or ashamed

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to say something, I would still want that child to have the availability of having someone help them. I think that that child should have that, you know, right to seek that help. And if they were to get that help and if, in fact, I would hope to have a certain relationship with my child where they would tell me, but there's situations that are out of our control. I mean, just as in other instances, what if the child is raped by their parent? What if the child is raped by the parent? Does the child have the right to seek counseling without the counselor having the duty to tell the parent who might have just raped that particular child. That would be a tragedy in and of itself because then you would put a tragedy on top of a tragedy. I understand the concerns and I know I would hope that I develop the type of relationship with my children where they will come to me and tell me of things of this nature, of things of this sort of tragedy that might occur in their lives, but I would hate to think that in some way or another that I cut off that child from seeking the help that they need. I think that this is an important piece of legislation, and I think that we should pass this now."

Speaker Keane: "Representative Petka."

Petka: "Thank you very much, Mr. Speaker, Members of the House. As so often happens at the end of our legislative year, we have a Conference Committee Report that has a hodgepodge of basically non-related subject matter with something written on the board that talks about child custody and visitations and many people whose minds and thoughts are far away. Unfortunately, there is a very important piece of legislation which we're currently debating. It deals with whether or not the State of Illinois and its agents shall, under certain circumstances, be precluded from telling

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parents something that parents really should know. The...the state will become the parent for minors who are involved or of the victims of sexual assault. I can totally understand why it would not be perhaps in the best interest of all concerned if a minor is raped by her father and that information would not be disclosed to him, that his daughter has basically blown the whistle on him. But I can't for the life of me understand a situation where a daughter goes out perhaps on the sly, on the sneak, against the best...judgment and best interests of her parents who have detected early on that the male that that daughter may be going out with, may be an individual who will cause her harm and, in fact, that happens, and when it happens the child who was fearful that she may have...think that she's done something wrong, will ask, 'Please, don't tell my dad; please, don't tell my mom,' because she thinks that she might get in trouble with them. So what happens under those circumstances, Members of the House, is we have parents who are kept in the dark about something they should know that they could correct very, very easily all because we're gonna pass some silly law that basically entail...that basically will invade the province of what God placed on this earth for parents to do and that is to protect their children until they reach the age of majority. So, yes, it's a well-intentioned piece of legislation if we're just dealing with the situation where a parent participates in a sexual assault of their own child, but what about the situation where a child goes out against her parent's wishes and is sexually assaulted by a bum who her parents did not want her to go out with? For that reason and that reason alone, I resent any attempt by the state to preclude me from knowing that information and

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I think for that reason alone this legislation should be voted down."

Speaker Keane: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I...I...From everything I'm hearing on this Conference Committee Report, I think there are people on the other side of the aisle, perhaps, completely don't understand what the language here is. We're not saying that parents should not know or cannot know or will not know. We're only saying that one person will not be the person to tell any secret that a child may share with that individual and that's the rape counselor. Other law enforcement authorities, other people, other individuals may well see...see fit to tell the parent of a child that's been affected. But this gives a child who has been traumatized and additionally traumatized because that child doesn't for whatever right reason or wrong reason feel comfortable in sharing this information even with her own family. She may want to unburden herself of guilt feelings, of fears, asking advice, what should I do, and she wants one person to talk to that she feels she will rat on her. This isn't saying you won't be notified. It's just saying only the rape counselor will not be the person doing that notification. Now, if you really love your child, you want your child, who may be affected where wrongly, again, wrongly, may feel she can't share this information with you to have nobody that she can share this information with. To have no one that she can unburden herself of her fears, of her...her...the aggravation, the anxiety that she's been living through. She shouldn't even have that ability; is that what you want for your child? Well, if it is, it's unfortunate, and I think that it, in

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fact, is not. This is just saying that a child has the right to talk to somebody when that child feels they can't talk to...to a family member. And I can tell you something - since we're all talking this great new term - family values. Dan Quayle - a wonderful man. Family values. He invented them and thank God he did. I'd like all those who are not the product dysfunctional families to raise your hand...I'd like to see..."

Speaker Keane: "Please...please bring your remarks to a close."

Preston: "...all these non-dysfunctional family members here. This is good for children. It's time to pass this Conference Committee Report."

Speaker Keane: "Representative Shirley Jones."

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

Speaker Keane: "He indicates he will...Or she indicates she will."

Jones: "If I have...Barbara, if I have a...a child and she can...she's going to counselling and she's 12 years old, the teacher had notified this agency that she's coming to counseling. Now, the parent don't (sic-doesn't) know what then is...the...five visits...that she's going to this counselling. Now, I'm gonna be worried about my child. She hasn't came (sic-come) home. I'm gonna call the police. What do...I mean, how...how do (sic-does) a parent...You know, what do (sic-does) a parent do in that...that situation?"

Currie: "Well, currently the law provides that the minor can get mental health counselling, alcohol and drug abuse counselling..."

Jones: "No, I'm not talking about the counselling part of it. I'm saying if my child's supposed to be home at 3:15...3:30 when she get (sic-gets) out of school, but she don't

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(sic-doesn't) come straight home from school."

Currie: "Yeah."

Jones: "She's going to this counselling program that you have. And then I'm calling the police wondering, where's my child? She's 12 years old. I'm thinking she's kidnapped. So, finally she...How do I know...I mean, who's gonna let me know where my child are (sic is) within these five visits?"

Currie: "I...I think your child ordinarily tells you where your child is, and if the child has gone off to hang out with the gang bangers..."

Jones: "But the child is scared to tell me."

Currie: "Just where she is?"

Jones: "Yes. This is why she...Okay, she was raped. She's scared to tell her parents."

Currie: "Right."

Jones: "But the teacher tells the agency that this child was raped and she's...you know, she's got a contact. This child is going to counselling. Why the parents cannot be notified before she goes to the counselling? That's the only problem I have with it."

Currie: "I think the problem, Representative, is that if the child tells you, that's fine. If the child is afraid to tell you, then it is my understanding that the people who do rape crisis counselling, one of the first things they work toward is helping that child tell you."

Jones: "Okay, but..."

Currie: "And if we want you to find out what happened, the best bet is to make sure that that youngster knows that if she goes to this counselor, that counselor is not gonna turn around and be required to tell you, because she'll never get to the counselor, and she'll never tell you if she

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thinks..."

Jones: "That's what I'm saying by this Bill. But I'm saying is...What I'm saying, Barbara, is that my child is not coming home from school for these five visits and I don't know where she is. I'm calling the police. Fine, the counselor knows where she is, but her parents don't."

Currie: "Well, I guess if your kid goes off and hangs out in the street corner you don't know where she is either."

Jones: "But my child's 12 years old, do not hang out on no streets, do not do none of this. Somebody in school raped her. Okay? The teacher finds out about the rape. She calls the agency. The agency takes care, but the child is scared to tell her parents. Now her parents is (sic-are) upset because she's not coming home. What do you do in a case like that?"

Currie: "Well, I think it's you've the same problem if the kid is going for alcohol and drug abuse counselling, if the child goes to the hos..."

Jones: "At 12 years old, I think...that's a minor."

Currie: "Under the current law..."

Jones: "It seems like the agency itself ought to teach itself. I mean, I'm not saying it could be a lawsuit, but I would try to put a lawsuit on them, because they do not have the right to take my child at 12 years old to any counselling..."

Currie: "Yeah, and you're right. They can't."

Jones: "And they...and don't let the parents know anything about it. That's wrong."

Currie: "And they can't;and they don't. The teacher can't be in charge of sending this child to counselling. The teacher isn't in charge. The child is making that decision."

Jones: "Right. Right. That's wrong."

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Currie: "But that, this Bill doesn't say the teacher sends the child to counselling. It doesn't say that."

Jones: "But it states in the Bill that that 12-year-old child can go to counselling without her parents knowing about it."

Currie: "I'm just telling you that we currently say that if she wants drug counselling, the counselor doesn't have to tell you. If she wants to go to the hospital because she's been raped, the hospital doesn't tell you."

Jones: "At 12 years old? My child?"

Currie: "That's right. That's right. That's the state...that's the state..."

Jones: "I want my name off of this Bill, please. Take my name down off this Bill."

Speaker Keane: "Okay."

Jones: "Thank you."

Speaker Keane: "The record will so indicate. Representative Kulas, for what purpose do you rise?"

Kulas: "I move the previous question."

Speaker Keane: "The Gentleman has moved the previous question. The question is, 'Shall the previous question be put?' All those in favor say 'aye', all opposed, 'no'. The 'ayes' have it and the previous question is put. Representative Currie, to close."

Currie: "Thank you, Mr. Speaker and Members of the House. I think we've had a pretty good debate on this issue. I'd point out to you that this is a strong proposal from the Illinois Coalition against Sexual Assault. The point of this kind of counselling is to encourage the victim to tell her family what's happened. If counselors are going to have to do the notification at the first moment the child turns up, the answer is the kids won't turn up at all. I think that we all...everyone who has spoken on this issue,

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cares about family relationships, cares about parents caring for their children, cares about making sure that families function as well as they are able. The reason the counselors have come to us with this measure is that they know that the youngsters, the victims are fearful of talking to anyone, let alone mom and dad. What do you think happens in that counselling session? The counselor is encouraging the child to be able to be clear enough about what happened that she can make the report to the parents back at home. So, if you want to make sure that kids are up front with their moms and dads, you have a better chance of doing so if you vote 'yes' then if you vote 'no' on this measure. I would remind you that in the Senate, where this Bill was debated, there were 58 affirmative votes for a proposal that matters a lot to women and to victims of rape in this state. I encourage your 'aye' votes."

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

Davis: "Thank you, Mr. Speaker. The questions that I had for the Sponsor are: #1 Who selects the counselor for this 12 or 13 year old? #2 Who can decide if this counselling is being effective? #3 Suppose it's a priest that has done this rape in a Catholic church and his buddy is the counselor, my question is, who protects this child, who protects this child to make certain that they have a good counselor? Because we didn't get to ask those questions, I'll have to vote 'no'."

Speaker Keane: "Representative Schakowsky. Explain your vote, one minute."

Schakowsky: "Thank you. I have two daughters and I believe for

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their sake that it's important to vote 'yes' on this legislation. Many of us have teenagers, and how many times have their friends come to you with problems that they haven't been able to share with their parents? And what's the first thing that we do? We try and encourage that child to go to their parents, to seek the help that they need. This Bill was brought to us by people who are on the front lines working with teenagers everyday. That's what they do. They try and encourage those kids to go to their parents and to seek the help that they need. There are times when that's not a useful thing. All this Bill does is say that when it's not appropriate that these kids can still get the help that they need. All of you that have children, all of you that know kids, I urge you to vote 'aye'."

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

Young: "Thank you, Mr. Speaker. To explain my vote, and as everyone knows I also have a daughter, and this Bill doesn't tell me that it encourages children to go tell their parents. It tells me that the parent doesn't know, won't know unless the child consents. So, if my 12 year old gets raped and is probably a basket case and doesn't know what to do, I don't think the decision whether or not I should know, should be left up to her."

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

Cronin: "Yes, to explain my 'no' vote. I know that this is well intentioned, but I believe that this can be very, very harmful to the victim and the family. When you're talking about the counselor, what if the counselor himself or herself determines after examining the emotional trauma

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that the victim has gone through, what if the counselor determines that the best thing for this victim is to talk to her parents or his parents. What if that's the determination that the child is prohibited from talking to their parents? They can't do it because they aren't under the proper state of mind to make that decision, even if the counselor thinks it's the right decision to make. We're talking about a minor here. We're talking about a traumatic situation. I think most parents are going to want to know. I don't want to have that prohibition nailed into law. I urge a 'no' vote."

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

Rice: "I think if the situation occurs around a school, it's a mandate of the principal's, Mr. Speaker, that they notify the local police authority. They themselves have their own situation to deal with...teen to deal with juveniles. The average counselor in a school setting or average one of these community project folks do not have people with Master degrees or psychologists or whatnot to deal with these youngsters. This is a bad piece of legislation. It should be reworked and thought about, and therefore I suggest that you all vote 'no' on it."

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

Jones: "Thank you, Mr. Speaker, Members of the House. As someone who works with rape victims while they're at the hospital and have been brought to the hospital, Barbara, I have very deep concerns about putting this kind of drama on a 12 year old. Also, I would like to know, and which you did not explain and the Bill does not explain, who selects the counselor and I don't think I would want any 12 year old to

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hold that kind of information away from their parent. I understand your intentions, but I think it's a bad piece of legislation as it is."

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

McNamara: "Thank you, Mr. Speaker. The reason to vote 'no' on this Bill is very simple. This is another incidence of the state interfering in the family life and taking over the family responsibilities that should be with the parent. There's another thing that was mentioned also in the debate, and that is that if it were a parent or a family rape situation, all counselors in a family or rape situation are required to record that immediately to DCFS, so it has nothing to do with the notification of the parent. The notification of the parent is a very very important. Perhaps the counselor is the one that should notify the parent because they understand and they are the ones that can help counsel the parents who may need counselling themselves at this troubled time. I think that 'no' vote is a proper vote, and I like the way the board looks. Thank you."

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

Currie: "Thank you, Mr. Speaker, Members of the House. Just to clear up on the record. A prior comment suggested that this Bill prohibits children from telling their parents if they've been victims of rape. Not true. What the Bill provides is that their can be more than 5 counselling sessions with a rape counselor for people who are 12 and older. You should all know that we have already passed legislation that entitles that minor to medical care following a rape, without a requirement that the medical

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authority notify the parents. Drug and alcohol treatment without the requirement that the counselor notify the parent. The point of this measure is to try to help the victim and help the victim in the context of her family. These counselling sessions are not at schools. These are the...the sexual assault shelter places where we have trained counselors whose point is to help somebody whose been violated in the worst possible way, who's the victim of rape. I want that child to be able to tell her parents, but I want her to be able to tell somebody."

Speaker Keane: "Your time is up."

Currie: "And..."

Speaker Keane: "Your time is up. Your time is up. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 35 voting 'aye', 61 'no', 17 voting 'present', and this Bill, having failed to receive the Constitutional Majority is hereby declared lost. Representative Currie."

Currie: "I'd ask leave for a Second Conference Committee, so that we can leave this rape counselling issue out of the Bill and go back to the Bill as it originally passed the House."

Speaker Keane: "The Lady has requested leave for second call for a Second Conference Committee. All those in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the...we request a Second Conference Committee. Representative LeFlore, for what purpose do you arise? Representative LeFlore would like to have been recorded as voting 'no' on that Bill. On the Order of Senate Bills, Second Reading, appears Senate Bill 1983. Mr. Clerk, read the Bill. On the regular Calendar."

Clerk O'Brien: "Senate Bill 1983, a Bill for an Act to create the Education for Employment Board and to define its powers and

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duties. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Satterthwaite: "Representative Satterthwaite withdraws Amendment #2. Any further Amendments?"

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

Speaker Keane: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, Members may recall that Senate Bill 1983 was previously a shell Bill which I had indicated was waiting for any agreements that would come out of the work force preparation task force. This Amendment is a...establishes a planning committee that will work on the adult education issues to try to come up with recommendations for how we will proceed with the issues of state administration of the program, access for students, evaluation and...accountability by the agencies under which the programs are controlled, and a funding mechanism that we hope will be able to provide both an adequate and equitable amount of money for the students involved in adult education. As many of you know, the real issue of whether or not the governance of the adult education program will stay in the State Board of Education or whether it will go to the Community College Board has been highly controversial. This Bill does not make any change in governance, but we hope this planning committee can resolve some of the issues and determine what the future of this program will be. It also sunsets the

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current funding formula that is available through the State Board of Education as of a year from now, and so, it forces both this committee into coming up with some solid recommendations and it also forces the Legislature to come back and take some action in resolution of this issue before this time next year. I'd be happy to answer questions and otherwise ask for the adoption of the Amendment."

Speaker Keane: "Representative Weaver."

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

Speaker Keane: "She indicates she will."

Weaver: "Representative, you mentioned a sunset provision in the Amendment, Senate Amendment. Does that apply to both the Community College Board, or does that apply simply only to the State Board?"

Satterthwaite: "It applies only to the State Board. I know that some people would have preferred that we also sunset the Community College grant provisions; however, those grant provisions go far beyond...what we would term adult education in the sense of these programs, and so we've not gone that far, but I think that one of the issues that the planning committee needs to work with is the accountability within the community college system. Part of the problem is that the community colleges do get paid through the grant line items for a portion of their costs for these programs, and yet there is no designation that those dollars necessarily have to follow and apply to the adult education program. And so I would assume that part of that is what this planning committee is going to work with and come back for recommendations for next year."

Weaver: "But simply by sunseting it from one direction after the

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year passes, the formula does now pro...prohibit money from going to the State Board for adult education. However, the money going to Community College Board system for adult education continues on and on. Is that correct?"

Satterthwaite: "Well, the portion of money that gets into the community colleges through their grant line items, that's true, but there are quite a few dollars that are currently under the control of the State Board of Education that are the ones we are most concerned about the distribution, how those moneys are applied to the various...provider systems. I understand your question. I...I perhaps...should have pushed for that as well, but this is something that the provider groups have all agreed to now, as well as...the Governor's Office."

Weaver: "Mr. Speaker, Ladies and Gentlemen of the House, to the Bill. And to the Motion. The transference of adult education from State Board of Education to the Community College System is an issue that has been debated very hotly on this floor, and we thought there was a reasonable agreement reached. However, in the efforts to force this...this study group, this task force, into making a decision and to making a recommendation for how adult education shall be governed, puts pressure, I think disproportionately, on the State Board side of that equation and puts virtually no pressure on the Community College Board side of that equation, and I think if the effort - and...and I...I applaud the Sponsor and all those who have worked for hours and hours to try and fashion an agreement...but I still think that there is virtually no pressure on the Community College Board side of the equation to get them back to the table after this year. All they would essentially have to do is sit on their hands

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for a year, let this funding mechanism phase out for the State Board and just watch the program drop into their laps. I think we need to send them back to the table for a little bit more leverage on both sides of this issue, so that we don't have disproportionate advantage gained by what we have here. I...I think we need to take a harder look at this."

Speaker Keane: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Senate Bill has caused me a lot of grief on...since it came through my committee on Economic Development and is dealing with higher education for adults. I just ask the Sponsor to, if she would be willing, to address some of the concerns that Representative Weaver mentioned, which would be to put the junior colleges or the community colleges on the same playing level. Until that concern has been addressed, I'm gonna ask the Members on this side of the aisle to vote 'no' on Floor Amendment #3 to Senate Bill 1983. Once that has been resolved then I don't have any problem...trying to create a task force to address the issue dealing with...funding mechanisms, but until that issue is addressed, I reluctantly rise to oppose Floor Amendment #3 to House Bill 1983."

Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I simply rise to support the Sponsor's Motion, and, you know, before anything happens on this issue it has to come back to this Body for action. This study commission isn't gonna change anything. I would further point out that the funding for both will end next June 30th. So all parties have to come to the table and an

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agreement will have to be worked out and that agreement has to be ratified by the General Assembly. Ladies and Gentlemen of the House, the Lady has done yeomen work trying to come to some agreement on an issue that has been discussed in the State of Illinois for at least 15 years. Now I think it's time that we get off the dime, that we try to make education in the buzz word that's so fashionable today, 'accountable', so that we begin major progress and hold people responsible for the public money they spend doing what they're supposed to do. This is not a revolutionary idea in this Amendment. It simply sets up a task force or a study commission, but it gives that commission some incentive to reach an agreement to bring to this Body. So all of your concerns will be addressed. You have the final say on the ultimate reorganization. The committee structure is not going to act external from the advice and consent of the General Assembly. Everyone will have a...a point of view that they will bring to the table and hopefully by June 30th of 1993, we will have some kind of agreement on who will be responsible for adult education in the State of Illinois. If we reach no agreement, or we reach an agreement not satisfactory to a majority of this House and our colleagues across the rotunda, then it will be up to you to determine what is done. The Lady has worked most diligently on a very reasonable compromise on an issue that will not go away. You're not gonna be able to wave a magic wand and stop this. It has been raging for 15 years. I urge an 'aye' vote. Let's get on with the study and then let's get on with who shall be responsible for adult education in the State of Illinois. I urge an 'aye' vote."

Speaker Keane: "Representative Matijevich."

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Matijevich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, my reluctance in rising to oppose this Amendment is only because of the work that Helen Satterthwaite has done. She has been a stalwart in opposition to the transfer of governance, and she, believe me, has received a...a lot of pressure. I've seen Mike Bellatiro over by her desk countless times, and she stood up to that pressure. Now, first of all, I think when we sunset the...funding under the State Board, we tip the balance in favor of the transfer of governance, and I think that that would be irresponsible. Also, let me tell you, I talked to the IEA. The IEA opposes this Amendment because of the sunset provision. I also say that what is happening is that there is a movement underground to transfer governance, and they evidently feel that we Legislators...can't make a decision and a planning committee's gotta make that decision for us. I take offense to that. The fact of the matter is that in Illinois we have had a...an adult education program that has been a model throughout the whole country. We oughta be proud of it. We ought not to even be thinking of shifting governance of adult education. I urge the Members of the...General Assembly, the House, to oppose this Amendment. This issue should not be addressed by a planning committee. Foremost, also, we should not be sunsetting the formula that would then favor the transfer of governments...governance. I urge a 'no' vote."

Speaker Keane: "The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. I have spoken in debate, but I have also been re-educated and re-informed. There's a section of law that this Amendment deals with that refers back to an area that we previously thought was not covered. The opposition to this...Amendment has been

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removed, and I stand in support of the Lady's Motion."

Speaker Keane: "Representative...Representative Levin."

Levin: "Thank you, Mr. Speaker. While I wanna compliment the Sponsor of this Amendment for her hard work, my concern is I do not believe that this...study commission...is fair in the way it is constituted. This is a very controversial issue. It is an issue that the Governor strongly advocated making the change this year, and it's also well known that there were six new appointees to the State Board of Education by the Governor, and that they voted to support the change, and yet this commission that's being set up would not have an even number of proponents and opponents. It would have three appointees from the Community College Board, who one would expect would be in favor of the change; it would have three from the State Board, who normally, one would think, would be against the change; but given what just happened this past spring, they are in favor of the change. So, at most, you have three additional appointees that the Governor would make from the professionals in the field, but the Governor would still be making even those appointees. So one cannot rely on the objectivity of this nine-member commission to come back with their inequitable (sic-equitable) recommendations. So, I would urge the defeat of this particular Amendment for those reasons."

Speaker Keane: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. I stand in support of the Lady's proposal, and I think for legislative intent, what we need to address is the fact, in part, what some of the previous speakers have mentioned, that the State Board of Education did go on record in supporting the transfer. However, it is my understanding that they have

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given some reconsideration on this issue and I think one of the primary concerns that has occurred over the years is that adult education people have, for all practical purposes, been pretty much left out of this decision process. I think this particular proposal at least brings them into the discussion process, which, in fact, will provide the kind of at least one third balance that they have lacked for a number of years. And it is my understanding, and I sincerely hope that the Governor's appointments will be clearly equally representative, as well as the State Board taking a greater appreciation of the need for adult education and bringing it higher on their priority lists. As I understand, they have given that a higher priority consideration as a result of this discussion, and so I think the fact that they do have representation is a plus. The concern that I also have is that in this particular proposal they have a study for a year, but the initial report is to come up by February 1, and I question whether or not that time frame is timely. However, that is prior to, let's say, Bill introductions that may occur in April or May and I think maybe that would be acceptable, but I do wanna commend the Lady in...in her efforts, and I am...finally pleased that adult education...people are a part of the discussion process, something that they have been somewhat voided of in the last several years. Thank you."

Speaker Keane: "The Lady from Cook, Representative Monique Davis."

Davis: "Thank you, Mr. Chairman, Ladies and Gentlemen. You know, in our Education Appropriation Committee we had a great deal of testimony on this legislation, and there could...there was no reason given for the change of adult

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education from the State Board of Education. A number of people in my district have written asking that this not occur, and I really think we need to have an opportunity to go to our districts and explain that this is something desired and perhaps try and get an explanation as to why. Recently in Chicago, Ronald Gidwitz, who is the Chairman of the Board of City Colleges in Chicago, has cancelled over 700 classes arbitrarily. Our concern is that the City College appears to be overwhelmed at this point with what its current responsibilities are, and I'm not sure they're ready to accept totally this new responsibility. I have found the adult education department to be a very responsible area and I have found them to be very successful. So, I, too, with my honorable colleague Matijevich, I am opposed to this legislation. Thank you."

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

Keane: "Thank you, Mr. Speaker. I rise in support of the Lady's Amendment. I've attended a number of meetings on this subject. The Illinois Office of Education indicated that this is a very low priority on their list of priorities and is, in fact, they have many, many more pressing matters. The Illinois Community College Board indicated that this was a very high priority for them. I think that there are people who are resisting change simply because they don't know how it's going to affect their apple cart. I would urge that we do...start this procedure where we begin to listen on a rational and reasoned basis so that we can make a decision, and therefore I would urge all my colleagues to support the Lady's Amendment."

Speaker Giglio: "The Lady from Champaign, Representative Satterthwaite, to close."

Satterthwaite: "Mr. Speaker and Members of the House, I urgently

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ask for your attention. There is a great deal of misunderstanding and confusion about this Amendment. This Amendment does not transfer anything to anybody. This Amendment only sets up a planning committee to deal with the controversial issues that we've all been hammered with this spring dealing with adult education. There was a recommendation for a change of governance. This Amendment does not change the governance. This Amendment is agreed to by the CTU, by the IEA, by the Adult and Continuing Education people. They are...they have told me that they are not in opposition to this Amendment. It doesn't go as far as all of those groups would like. It certainly doesn't go as far as the Governor's Office would like. This is a compromise only to put in place a planning committee that brings together members of the State Board of Education, members of the Community College Board, members of the professionals in the adult education field, a labor and a business representative to deal with the controversial issues that have to be resolved. The fact that they are to report in February is in order for their recommendations to come on line in time for budget preparation. It requires us to act by June 30th of next year to set up a funding mechanism. That funding mechanism as recommended by this committee will include both Community College and SBE funding, and it is as fair a deal as we can get. It assures that the providers will be a part of the planning process. If this Amendment is not successful, there will be no on going impetus to solve these problems. I urgently ask for your support for this Amendment. It is a way to solve some very controversial issues that keep coming back to us, time and time again."

Speaker Giglio: "All those in favor of the Amendment signify by

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saying 'aye', opposed, 'nay'. Mr. Clerk...Mr. Clerk, put the Amendment on roll call. All those in favor of the Amendment signify by voting 'aye', those opposed, 'no'. The voting is open. Representative Matijevich, one minute to explain your vote."

Matijevich: "I spoke in debate, but I would like to clarify. I was just called out about 15 minutes ago by Paula Perdue. The IEA does oppose this Amendment. They are not in support of this Amendment."

Speaker Giglio: "Have all voted who wish? 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 40 voting 'yes' and 58 voting 'no', and the Amendment fails. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Calendar Announcement."

Clerk O'Brien: "Supplemental Calendar #3 has been distributed, and Supplemental Calendar #4 is being distributed."

Speaker Giglio: "Representative Currie, on House Bill 2758? Do you want to run with this Bill? Out of the record. Lang? Senate Bill 2233? Supplemental Calendar #1."

Lang: "Thank you, Mr. Speaker. This is the Conference Committee Report that had a series of things regarding the Code of Civil Procedure and a couple of matters relative to quick-take. There were some questions relative to the quick take provisions that related to Senator Phillip and I have discussed with some of the Members on the other side of the aisle what he's looking for. There's apparently three lots in Bensenville that have not been able to be taken by the...through the regular eminent domain proceedings. They have a serious storm water problem there and they wanna build a storm water reservoir. This...Bill

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would allow them to do that and the quick-take for that area would last only 24 months. The rest of the Bill appears to be noncontroversial, and I move for the adoption of the report."

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

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Through extensive study and after conferring with Representative McPike and Representative Lang and having spent numerous minutes in deep concentration, I find that this is a good Bill and we should all support it, and we should support those areas of the state that need this necessary power and I encourage all Members to vote 'aye'."

Speaker Giglio: "Representative Kubik."

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

Speaker Giglio: "Okay."

Kubik: "Representative, with regard to the provision with Senator Phillip, is my understanding that this quick take only effects DuPage county?"

Lang: "Representative, when I spoke to you about this, I was referring to a Second Report that I thought was forthcoming. This is still the First Conference Committee Report that we already voted on."

Speaker Giglio: "Representative Klemm."

Kubik: "So,...so"

Speaker Giglio: "Oh. Sorry."

Kubik: "So it would still contain any county which has a storm water management plan in effect?"

Lang: "That's correct. For a period of 24 months only."

Kubik: "Well, Representative, again, I'm not trying to be argumentative, but when you...we're talking counties here."

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To me, when you're talking quick take, counties, that's a big chunk of land, and that's a pretty wide open...open piece of property. Perhaps it would be best if we did go to a Second Conference Committee, narrow this to DuPage county where Senator Phillips wants this. I think this is still a rather broad provision which says that if you live in Cook County or Lake County, which both have...which both have storm water management plans, quick take is available. I understand the intentions of Senator Phillip, but I think this still is awful broad. I would 'no' or 'present' vote on it."

Speaker Giglio: "Representative Klemm."

Klemm: "Thank you, Mr. Speaker. I, too, have some concerns about the language being so broad. I look at my particular county, one of the collar counties and I know that's true of all the collar counties who have a storm water management plan. This would allow any municipality to simply by ordinance give themselves a two year quick take provision. It's too broad a description, and as much as we would wish to accommodate our minority leader in the Senate, I think Representative Kubik's idea of resolving this to narrow the definition would certainly serve better. Otherwise, we certainly have opened up an opportunity for quick take which should be used very carefully. So I would suggest we send this back for a Second Conference Committee Report to at least clarify that issue."

Speaker Giglio: "The Gentleman from Madison, Representative Wolf."

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

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed, 'nay'. In the opinion of the Chair the 'ayes' have it. The previous

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question has been moved. Representative Lang to close. The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 2233?' And on that question, all those in favor signify by voting 'aye', opposed, 'no'. The voting is open. This is final action. Representative Parke, one minute to explain your vote."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If this is as the Sponsor says it is, therefore the Illinois Realtors Association is in strong opposition to this, and I would ask those that are concerned with their concern that this is too broad a power, that it's too dangerous, and that the real estate community should be adamantly opposed to this, and if it gets the required number, I would ask for a verification of Roll Call."

Speaker Giglio: "Representative Jay Hoffman."

Hoffman: "As previously stated, because of a possible conflict, I'm voting present."

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

Black: "Thank you very much, Mr. Speaker. I rise in support of the Gentleman's Conference Committee. He has explained the intent of the quick take in the area up north. I don't think I've ever voted for a quick take Bill, but there comes a time when people who are trying to do things to help their districts which in turn can help the State of Illinois, there are times you have to vote for certain things. You can't come down here and say, 'For the next 90 years, I'm never gonna vote for quick take.' To my colleagues on my side of the aisle, I remind you of what Everett McKinly Dirksen once said, 'I'd rather be right than consistent.' The right vote on this Bill is an 'aye' vote. The Gentleman has explained the intent. It's very

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narrow in scope, and it allows certain things to be done for areas of this state who need the help. I see no reason, no reason at all to vote 'aye', I mean vote 'no'. And I, slip of the tongue, slip of the tongue. In all seriousness, I...this Bill has been carefully explained. You can throw out all the red herrings on quick take you want to. The bottom line is if you want to help people of this state, sometimes you have to vote for things you'd rather not vote for. The State of Illinois can't help every area of this state. Here are two or three examples where they're trying to help themselves and we won't give them the authority to help themselves. That doesn't make any sense. Vote 'aye'."

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

Stern: "I just want to understand about the Lake county portion of this particular Bill. My understanding is that the Lake county portion was to be taken up, but this appears to be the same thing we voted on before. Okay. I will stay yellow. Thank you."

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 44 voting 'yes' and 52 voting 'no'. Representative Lang."

Lang: "Request a Second Conference Committee."

Speaker Giglio: "The Gentleman asks for a Second Conference Committee. The Motion, the Motion to accept the Conference Committee Report failed 44 'yes', 52 'no'. Representative Lang asks for a Second Conference Committee Report be appointed. Supplemental Calendar #4, Representative Steczo, House Bill 854. Supplemental Calendar #4. The Gentleman from Cook, Representative Steczo."

Steczo: "Thank you, Mr. Speaker. I would move that the House

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accept the First Conference Committee Report on House Bill 854. House Bill 54 is a local government omnibus Bill. It has a number of provisions in it, that addressed questions from various local governments. I would like to at this time, Mr. Speaker, go through those with you. Number one, the report contains clean up language from the Habitat Endowment Act that would allow the Controller's office to transfer funds from the Natural Heritage Endowment Trust Fund to the Natural Heritage Fund and from the Illinois Habitat Endowment Fund to the Illinois Habitat Fund. This also has language that's agreed to with the Illinois Municipal League regarding tenants who skip town not paying their delinquent surcharges without the owner's knowledge. It requires that the actual owner of the property be notified by the municipalities when those take place. In addition, it contains the provisions of House Bill 2921 that passed the House 116 to nothing relating to the Township Annexation Act. And when townships must be notified by City Clerks when annexations take place. Also, it contains the provisions of House Bill 2922, relating to municipal ordinances that are published with a printing error and how to correct those. It contains the provisions of House Bill 2847 regarding the residency requirements of village clerks or collectors. It adds the provisions of House Bill 4008, which passed the House 116 to nothing which allows the expansion of municipal recreation boards. It adds the provisions of Senate Bill 1606, which is Representative Hartke's Bill which passed the House unanimously, adds the provisions of Senate Bill 694, which relates to flood control and drainage systems downstate, adds the language of House Bill 3712 regarding the Illinois Meat and Poultry Act, and deals with monetary penalties

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that may be assessed in addition to or instead of suspensions of licenses, and adds language asked by DuPage county, Mr. Speaker, about the county board health...county health board budgets, and also contains provisions relating to the lottery that was requested by the lottery as a result of an agreement between the Controller's office and the Department of the Lottery to allow the Lottery to pay validated Lottery winners prizes of up to \$25,000 instantly, as all bordering states do. The language has been agreed to by the Controller, Treasurer, Auditor General and by the Lottery itself. Mr. Speaker, that is the report and I would be happy to answer any questions that the Members might have."

Speaker Giglio: "Representative Hultgren."

Hultgren: "If the Sponsor would yield..."

Speaker Giglio: "Yeah. He will."

Hultgren: "Representative Steczo, Senate Amendment #1 purports to require certain documents to be filed on a special kind of paper. I didn't understand what that was about."

Steczko: "Mr. Speaker...Mr. Speaker."

Speaker Giglio: "Representative Steczo."

Steczko: "Could the Gentleman repeat his question? I couldn't hear it."

Speaker Giglio: "Representative Hultgren."

Hultgren: "Yes. Representative Steczo, Senate Amendment#1, which we are concurring in purports to require documents to be filed on a certain type of paper, and I didn't understand the statutory reference. What documents, and what is this specification of the paper and why?"

Steczko: "Mr. Hultgren, in response to your question, the underlying Bill addresses the question of standardization in clerks of circuit court offices, and in order to make

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this standardization requirements complete, it was determined by the circuit court clerks of Illinois that the...the poundage of the paper, 20 pound paper had to be placed in the statute, so that was the purpose of the Senate Amendment."

Hultgren: "It comes from the Clerk's Association, is that right?"

Steczo: "Yes, it does."

Hultgren: "Thank you very much."

Speaker Giglio: "Further discussion. Representative Steczo to close."

Steczo: "Mr. Speaker, the items in this conference report have all been agreed to. I would just at this point urge its adoption."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 854?' and on that question, all those in favor signify by voting 'aye', opposed, 'no'. The voting is open. This is final action. Representative Klemm."

Klemm: "I was going to ask a question, but apparently it was too late. I do have some concerns about allowing city council members to buy property that's owned by a city without even going out and competitive bidding without anybody even know that a transaction can or cannot take place. I understand this is cynicism of our electorate out there, but I think provisions such as that that I found in 854 certainly adds to that. It would be different if we could allow a city council member for good purposes to buy it. That I could understand that, but I certainly think it should be under a open advertising for the highest price for that city rather than allowing them to buy it only at 100% or fair market value, as determined by it. So I'm sorry I didn't get chance to ask that question, and therefore I'd have to vote

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present on this."

Speaker Giglio: "Representative Hartke."

Hartke: "I could answer that question if you would like. That was my piece of legislation, Mr. Klemm. What the provision says that if it passes unanimously by the City Council minus the vote of the purchaser of the property then he could purchase that property at the full appraised value. In this specific instance it's gonna die with a sunset on this legislation. It applies to Altamont, Illinois for the purposes of expanding his manufacturing plant for another 30 jobs for that small community. The property was picked up from an abandoned railroad track that ran through the city."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Take the record. On this question there are 107 voting 'yes', none voting 'no', and the House does accept the First Conference Committee Report to House Bill 854, and this Bill, having received the required Three-Fifths Constitutional Majority, is hereby declared passed. Representative Noland on House Bill 2750. The Gentleman from Macon, Representative Noland."

Noland: "Thank you, Mr. Speaker. I move to adopt Conference Committee Report #1 for House Bill 2750. This Bill earlier passed the House 118 to nothing. We've...it essentially makes it unlawful to video tape or film someone without their consent in a nursing home...excuse me, in a rest room or a tanning bed. They had some concerns by Representative Lang and we've met those concerns. As far as I know there are no objections. I move for its adoption."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 2750?' and on that question, all those

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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? Take the record, Mr. Clerk. On this question there are 116 voting 'yes', none voting 'no', and the House does adopt the First Conference Committee Report to House Bill 2750, and this Bill, having received the required Three-Fifths Constitutional Majority, is hereby declared passed. Representative Burzynski, House Bill 3418. The Gentleman from DeKalb, Representative Burzynski."

Burzynski: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move that we accept the Conference Committee Report on House Bill 3418. It has two provisions in it. One, which passed this House quite a while ago, another one that has been agreed to between the Department of Revenue, the Supervisors of Assessments, and the Cook County Assessor's Office. I would move..."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the First Conference Committee Report to House Bill 3418?' and on that question, 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? Take the record, Mr. Clerk. On this question there are 111 voting 'yes', none voting 'no', and the House does accept the First Conference Committee Report to House Bill 3418, and this Bill, having received the required Three-Fifths Constitutional Majority, is hereby declared passed. House Bill 3598, Representative Hoffman. The Gentleman from Cook, Representative Manny Hoffman."

Hoffman: "Thank you, Mr. Speaker. I move to adopt House Bill #3598. Let me explain you that the original Bill, which

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authorizes the Secretary of State to increase from 5 to 15 dollars the fee to assess as a service charge to dishonored checks. There are a couple other additions to the Bill. One will allow the Secretary to...the dealers of insurance, 20 days rather than 15 days to complete the transfer of a vehicle title. Also, reduces the penalty from a Class A misdemeanor to a second on some convictions. There is another Amendment in here that amends the Illinois Controlled Substance Act. It's the drug free truck stop zones. One other Amendment here, the State Finance Act authorizes the Secretary of State to establish a \$2,000 petty cash fund in locations of Champaign, Decatur, Marion, Naperville, Peoria and Rockford. And finally, the last Amendment is the Secretary of State would be authorized to...for people in the city of Chicago only this would be provided the City of Chicago only, a mechanism that would force them to have a vehicle sticker. If they didn't have a vehicle sticker or registration, this will allow the Secretary of State to suspend the vehicle's registration."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Ronan."

Ronan: "Thank you, Mr. Speaker. I just rise in support of this Conference Committee Report. As Representative Hoffman says, its a bipartisan issue to help the Secretary of State's office, the city of Chicago, and the New Car and Truck Dealers, and there should be no opposition."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I, I rise in support of it because for the first time all year, there's a provision in here where we actually put money back into the road fund, rather than transfer money out of the road fund. So, if you can't find

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anything else to like about in the Bill, that's a darn good reason alone to vote 'yes'. Go home and tell your contractors and your county highway suits, 'By golly I made one vote that puts money back in the road fund.' It's about time. I vote 'aye'."

Speaker Giglio: "Representative Anthony Young."

Young: "Yes, Mr. Speaker. Will the Sponsor yield?"

Speaker Giglio: "Indicates he will."

Young: "Did you say there was a provision in here dealing with enhancement of criminal penalties at truck stops?"

Hoffman: "Yes. Yes."

Young: "And could you tell me how is a truck stop defined?"

Hoffman: "It's the truck free truck stop zone Bill and it deals with higher penalties for second offenses. The truck stop definition, Representative, it means any facility used to provide fuel or service or both to any commercial motor vehicles as defined in Section 118(b), 101 of the Illinois Vehicle Code."

Young: "Now, the reason I'm asking the question, Representative, because I recall when this Bill came through committee, it was pointed out that the definition of truck stop in the Bill would apply to every gas station in the city of Chicago. Now, is that the intent of the promoters of this Bill?"

Hoffman: "No, it is not, Representative."

Young: "So, for purpose of legislation intent, the enhancement penalties would not apply at a gas station. Is that correct?"

Hoffman: "Correct."

Young: "Could you tell me again, then, how we could tell where the penalties would apply and where they wouldn't, if it does not apply at a gas station."

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Hoffman: "This legislation was crafted by the Association of Truck Stop Owners, and it's mainly geared for highway located truck stops."

Young: "I understand what the intent of it is for, but I'm just saying looking at the language, I can't tell whether it would apply at every Standard AMOCO gas station or just truck stops on the highway and I'm wondering how we can distinguish as to where it would apply and where it wouldn't."

Hoffman: "This was the definition recommended by the State Police and the Truck Stop and IDOT, the Truck Stop Association. Representative, in the...page 3 it does say commercial motor vehicles in the section under truck stop. I don't think that the large trucks can pull into a service station, a local service station."

Speaker Giglio: "Representative Stepan."

Stepan: "Representative Hoffman, could you describe the last Amendment once more. I'm a little unclear about it."

Hoffman: "Certainly. It authorizes the Secretary of State to suspend the vehicle registration of a Chicagoan who does not pay the city of Chicago's vehicle tax. This provides Chicago with another mechanism to enforce its vehicle tax. We have people on the books that do not get a vehicle tax sticker from the City of Chicago, and this will allow the Secretary of State's office and the City of Chicago to have a mechanism to suspend their registration if they don't provide it. They will be sent three notices, certified notices, before this is done."

Stepan" "Thank you."

Speaker Giglio: "Representative Hoffman to close."

Hoffman: "Thank you very much, Mr. Speaker. This is a good Bill. It has a lot of items in it that are currently the

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Secretary of State has been promoting. I think it's a great Bill, and I certainly ask for your favorable vote. Thank you."

Speaker Giglio: "The question is, 'Shall the House accept the First Conference Committee Report to House Bill 3598?' And on that question, all those in favor signify by voting 'aye', opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 104 voting 'yes', 4 voting 'no', and the House does accept the First Conference Committee Report to House Bill 3598, and this Bill, having received the required Three-Fifths Constitutional Majority...Representative Shaw, 'no'. There are now 102 voting 'yes',...Levin 'aye', Rice 'aye', Kirkland, 'aye'. Anybody else? On this question there are 105 voting 'yes' and 5 voting 'no', and the House does accept the First Conference Committee Report to House Bill 3598, and this Bill, having received the Three-Fifths Constitutional Majority, is hereby declared passed. Representative Morrow on House Bill 3692. The Gentleman from Cook, Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Conference committee report 3692 basically has several provisions in the report. Part of the report deals with the Enterprize Zone Act. The EPA is also involved in this committee report, dealing with the Clean Air Act. Manufacturing surfaces network, which would allow DCCA to make grants to colleges, universities, trade associations for research, the international and promotional fund allows DCCA to receive federal funding for international business. The interagency service fund allows DCCA to collect

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recoveries from the federal government for Central Services. There's some language in the Act, in this Conference Committee Report dealing with minority female loan programs, and there's a provision for Community Development Sisters Program. I move to adopt the First Conference Committee Report to House Bill 3692."

Speaker Giglio: "Have...any discussion? Hearing none, the question is, 'Shall the House accept the First Conference Committee Report to House Bill 3692?' All those in favor vote 'aye', opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Morrow."

Morrow: "Thank you, Mr. Speaker. I'm glad to see the green votes up on board on this Conference Committee Report, but I would be remissed if I did not thank Representative Harris, Representative Rotello, DCCA, and Senator Severns for the fine work they've done on House Bill 3692. It took us two years to get this Conference Committee Report out."

Speaker Giglio: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 114 voting 'yes' and 1 voting 'no' and the House does accept the First Conference Committee Report to House Bill 3692, and this Bill, having received the required Three-Fifths Constitutional Majority, is hereby declared passed. Representative Steczo on Senate Bill 186. Out of the record. Representative Wennlund, Senate Bill 2048. The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This Conference Committee, the First Conference Committee passed out of here yesterday, and they had trouble over in the Senate with one provision. That controversial provision has been eliminated. What this

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does is it allows civic centers to enter into agreements with senior citizen organizations and charitable organizations on a percentage basis rather than on a fixed basis so they don't lose money when they conduct bingo on a bad night. And it also provides that Representative McGuire and I have worked on a provision to make sure that the Gaming Board and the Illinois Riverboat Gambling Act are the exclusive regulators and taxers of riverboat gambling and not, so that nobody else is entitled to the revenues, only the City of Joliet, the county of Will, and it also provides a mechanism for intertransfers through the McCormick Place taxes. I urge your adoption."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the First Conference Committee Report...Excuse me, Second Conference Committee Report to Senate Bill 2048?' And on that question, 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. On this question there are 92 voting 'yes', 16 voting 'no', and the House does accept the Second Conference Committee report, Senate Bill 2048. This Bill, having received the required Three-Fifths Constitutional Majority, is hereby declared passed. Representative Keane? Representative Barnes? House Bill 3037."

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to call for a Second Conference Committee Report to be appointed."

Speaker Giglio: "The Lady asks for a Second Conference Committee Report on House Bill 3037. All those in favor signify by saying 'aye', opposed, 'nay'. In the opinion of the Chair the 'ayes' have it, and a Second Conference

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Committee...adopted. Requested. Representative...Hello?
Hello? Hello? Hello, Hello? Hello, Hello? Hello?
Representative Steczo on Senate Bill 186. The Gentleman
from Cook, Representative Steczo. Supplemental Calendar
#4."

Steczko: "Thank you, Mr. Speaker. I would move that the House
adopt the First Conference Committee Report on Senate Bill
186. This report contains items related to the State Board
of Education and to the School Code, and it...at first the
House accepts or concurs in...the Senate I should say
concurr in House Amendment #1, which was language asked for
by Representative Klemm related to school consolidation.
In addition, Mr. Speaker, this conference report contains
language that changes the School Code with relationship to
the Farm Land Assessment Law, so eight Illinois school
districts downstate can capture more federal dollars than
they are now getting, because the U.S. Department of
Education is using the current Farm Land Assessment Law to
penalize those school districts. In addition, it provides
that the regional board of school trustees shall have no
authority or discretion to hear any evidence or consider
any issues, except those that may be necessary to determine
whether the limitations and conditions of annexation or
nonterminance territory from the elementary or high
school district have been met. It also relates to
vacancies in the committee of ten on issues that address
school consolidation and boundary changes. The state
Superintendent may appoint a hearing officer to hear
evidence and rule petitions submitted for boundary changes
that were asked for by the State Board of Education. A
dissolved school district may not assume the bond...shall
not assume the bonded indebtedness of an annexing school

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district. It was requested by the State Board and at the request of the Senate, the Senator Maitland in particular, there is a...for the purposes of a statute, the definition of adequate education. Those are the provisions of the report, Mr. Speaker. I would encourage an 'aye' vote."

Speaker Giglio: "Representative Black."

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

Speaker Giglio: "Indicates he will."

Black: "Representative, in the last I think it was section, the last section you mentioned, it said establishes the procedure for determining the definition of a 'adequate education'. How does it, how does it establish that procedure?"

Steczo: "Mr. Black, it specifies to the statute, and I indicated to you that Senator Maitland and was...was...I guess the prime mover behind providing this definition is to include the availability of subjects, the insurance of...assurance I should say, of sufficient instructional time, appropriate class sizes, the availability of education support programs, and the level of financial resources adequate to allow every K-12 student the opportunity to develop to their potential."

Black: "So, it's your understanding then that we would be putting the definition of adequate education in the School Code or statute. Correct?"

Steczo: "That is correct. That's correct."

Black: "Could that then once it was placed in the Code, could that then be used to, let me choose my words as carefully as possible, impact or be used as a guideline for any future change in a school aid formula?"

Steczo: "Mr. Black, I would use the second term that you...that

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you provided and that would be a guideline. In fact, I believe that it was probably Senator Maitland's idea. In order to determine sufficiency, you need guidelines to address and to deal with. And so, when you're talking about levels of instruction and...and programs of that type, class sizes, various types of things, those are things that we probably would consider as appropriate to adequate education."

Black: "All right. Well, I thank you very much for your answers, Representative. Mr. Speaker, Ladies and Gentlemen of the House, I...my vote is on the Amendment that we'll vote on this November, so my support for education shall stand. But one of my great concerns about that issue is assuming that we eventually come to some agreement that the state should indeed fund education as its primary obligation. Many of us throughout the state are then worried about how the formula may or may not be changed to reflect that...that 50% goal, which after next November may not be a goal, it may be something we have to do. I...we simply stand...I don't know if we're in absolute opposition or not, but we didn't get this until very late. We have some questions as to defining in Code an adequate education, and then how that might be used to change the school aid formula if and when that happens. So, I, given the questions that I have about this, I intend not to support this Conference Committee Report."

Speaker Giglio: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House. I would like to caution you about this so called definition of adequacy that is contained in this Conference Committee Report. The Sponsor has told you, and I think accurately that everything else in this

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Conference Committee Report is not at all controversial, but when this definition of adequacy was first presented to the task force on school finance, it created a great deal of dissatisfaction on the part of a lot of people, even some who believed we needed a definition of adequacy because they didn't believe this definition does what a definition is supposed to do, and that is, make something clear. I would read to you what this definition is. 'An adequate education includes the availability of subjects' How many subjects? 'The assurance of sufficient instructional time.' What is sufficient instructional time? 'Appropriate class sizes.' What are appropriate class sizes? 'Availability of educational support programs.' How many expensive support programs would this mean? 'And a level of financial resources adequate to allow every K-12 student the opportunity to develop to their potential.' If we are going to do something to more adequately fund our schools with state resources, at that point, and only at that point, should we be encouraging any definition of adequacy in the statutes. If we are not going to do that, and at this point we don't even know. We don't even know what's going to happen with the Constitutional Amendment this fall, if we're not going to do it, then we ought not to adopt this because it is a mandate on local schools that makes all the others look like nothing. A 'no' vote on this Conference Committee Report is the only appropriate vote."

Speaker Giglio: "Representative Parke."

Parke: "Yes, thank you. To the Sponsor of the Conference Committee Report. Representative, do you have any idea what the Illinois School Board Association's position is on the portion that Representative Cowlshaw was referring

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to?"

Steczo: "Representative Parke, no I don't. No one has expressed to me either any opposition or any support. I know we're all interested, however, in trying to determine what an adequate education is. I'm sure they are, too."

Parke: "And who's going to interpret, this in your opinion? Who interprets, if this passes and becomes the law, who interprets this?"

Steczo: "I think generally, Representative, we would be the interpreters. We establish the law. We're the ones in the State of Illinois that determine educational policy. Therefore, for the various kinds of questions that arise before the General Assembly, one of the critical questions, and one of the questions that comes before us constantly is adequate education. We have an opportunity here, at Senator Maitland's request, to say, 'This is at least the framework by which we can discuss what an adequate education is.'"

Parke: "Well then, it just seems to me that you...we're leaving this up to the interpretation of the school districts, by the State Board of Education, by the various teaching unions..."

Steczo: "We're leaving it up to our interpretation."

Parke: "Well, it's very nebulous and lately I'm not so sure some of the stuff coming from the Senate isn't self serving for the particular needs of those Senators that are addressing it, and I'm interested in serving the needs of all the children of this state as well as those Senators'. And I think that because it is so broad in perspective that the definition is not defined, I'm afraid that I must rise in opposition to this. Though it's well intended, I think it is a another way of hiring and employing lawyers throughout

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this state to try and come up with a definition that will apply to the various school districts. So I would ask the body to reject this Conference Committee Report with this part in it."

Speaker Giglio: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, the adequacy concept is one that the State Board of Education has been working with for some time. They have defined programs in certain school districts that they know are successful in giving a good quality education, not just a minimum education but a relatively high quality education. This is a term that we've been using extensively in the work on the task force on school finance to try to cost out what we think an adequate educational program is within our school systems and to try to assure that the resources for all school districts exist to come up to that guideline, that level called adequacy. We don't want to put a very distinct, so many minutes of this subject, so many minutes of that subject kind of thing in. There is some room for discretion, but there is also a means of assessing some staff to student ratios and other kinds of costs to try to look at the issue of adequacy and come forward with a standard or a yardstick by which we try to measure our educational programs. I believe that it is a good idea for us to begin to talk in terms of adequate programs. If we are to pass the Constitutional Amendment that will be before us in November, for instance, we don't expect that the state will have to fund a cadillac kind of educational program where we worry about whether you're swimming pool meets Olympic standards. What we're talking about is what happens in the academic program and academic preparation of

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students within our school system, and I would recommend that we adopt the Conference Committee Report. The fears that are expressed are unfounded."

Speaker Giglio: "The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. Ladies and Gentlemen, I've got the greatest respect for the Sponsor of this Conference Committee, however, I think we're looking at something that may be somewhat premature. Several of the previous speakers are also on the task force to rewrite the school aid formula, and that task force is not scheduled to present its findings or its recommendations until next year. As the previous speaker has also indicated, we may not even know whether or not the Constitutional Amendment passes until the next election. I think to tie ourselves down to a legal statutory definition of what adequacy in education is, is at best premature and at worst may get us into problems down the road. I think we can wait on this definition until either 1, we have a mandate from the people in terms of that Constitutional Amendment or #2, we have before us a new formula to consider. At this point, we need to delay action on this."

Speaker Giglio: "Representative Steczko to close."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would hazard a guess to say that among the members of the General Assembly, House and Senate, there probably are no two people who know the State Aid formula better than Senator Berman and Senator Maitland, and who get more involved with educational issues than those two. Senator Maitland's idea, when he offered this suggestion, is that whether or not the Constitutional Amendment passes or not, whether we have a new State Aid formula or not, we are still going to

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be discussing educational adequacy. We hear about appropriate education here every year. We try to define it. We try to understand it. It's a very nebulous thing as somebody had said. What this seeks to do is to put parameters in the Statute. It has nothing to do with the State Aid formula. It will do nothing to determine where more...where more or less money goes. It is strictly to be used as a guideline and a guidepost for us in our discussions. We talk about adequate education all the time now, and I would bet if I would ask 118 people in this House, I'd get 118 different answers. Some I may not get any answers at all because it's just maybe too nebulous of a concept to understand. This verbiage in Senate Bill 186 not only provides some discussion or points to...would point to some discussion of support programs and financial resources and things of that nature. But it's very specific when it addresses determination of costs for adequate education which is certainly something we are all concerned about. And what those discussions should include: levels of instruction, class sizes, staffing level per pupil, salary costs, ratios of certified salary cost to total cost. Those are things that are very beneficial to us as state policy makers regarding us defining what adequate education is. That's all this verbiage does. That's all this wording does is just gives us something to look at and something to help us determine whether or not adequate educational goals in this State are being met. That's all it does, Mr. Speaker. I would really encourage a 'yes' vote."

Speaker Giglio: "Question is, 'Shall the House accept the first Conference Committee report to Senate Bill 186?' And on that question, all those in favor signify by voting 'aye',

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opposed, 'no'. The voting is open. This is final action.

Representative Klemm, one minute to explain your vote."

Klemm: "Yes. I neglected to have time to ask the Sponsor. He mentioned a provision that was in there and I can't find it in 186, and I know the record's open and I'm not opposed to it. But we can't locate it in the Amendment."

Speaker Giglio: "Representative Steczo. Steczo."

Steczko: "Speaker, to answer Representative Klemm's question. You'll find, Mr. Klemm, on the first page of the report, line 11, that the Senate concurred in House Amendment #1. That's you."

Klemm: "Okay. I'm just trying to locate it here. Thank you."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 55 voting 'yes' and 44 voting 'no'. Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I would ask for the appointment of a Second Conference Committee, please."

Speaker Giglio: "On this question, the adoption of the First Conference Committee report fails. The Gentleman asked for a Second Conference Committee report. Representative Hick's for what purpose do you rise, Sir?"

Hicks: "Yes, Mr. Speaker. Seeing that the hour of 4:00 has arrived, I do have 4:15 in the Adjournment pool. And I'd like to know if I have any chance of winning that Adjournment pool? It may be 4:15 tomorrow, though. I need to check a little closer possibly."

Speaker Giglio: "Well, I would suggest that you might make it tomorrow or the next day. I doubt if it'll be today. Hicks."

Hicks: "Yes, Mr. Speaker. I was in error. I actually have 4:50. So I really have 47 minutes before the Adjournment pool

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time. Could you advise me, please? I have any chance at all?"

Speaker Giglio: "I can suggest that the...miracles do happen, Representative Hicks."

Hicks: "Thank you, Mr. Speaker."

Speaker Giglio: "Representative Granberg. Mr. Clerk, Supplemental Calendar 5, House Joint Resolution 160. Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Previously, we adopted a Resolution, proposing a House Joint Resolution Constitutional Amendment #28, the Crime Victim's Amendment to the voters of Illinois on the November ballot. We are required to prepare a brief explanation of the proposed Amendment. A brief argument in favor of the Amendment. A brief argument against the Amendment, and the form in which the Amendment will appear on the ballot in November. This also...It's also required that this information be published and distributed to the electorate. A...A committee was appointed to draft the language, and this is the language recommended for that proposed Constitutional Amendment and I'd be more than happy to answer any questions."

Speaker Giglio: "Representative Churchill, on House JR 160."

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

Speaker Giglio: "He indicates he will."

Churchill: "This House Joint Resolution is a result of a previous Resolution. What was the number of that Resolution?"

Granberg: "Representative, I believe that was House Joint Resolution 137."

Churchill: "And what did House Joint Resolution 137 do?"

Granberg: "That was the proposed Constitutional Amendment to be put on the ballot in November. The Crime Victim's

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Amendment."

Churchill: "And did House Joint Resolution 137 create a committee to adopt the proponents/opponents arguments and the ballot form?"

Granberg: "Yes, they did, Representative. That joint committee was appointed by the leadership of the respective Houses."

Churchill: "And was there a time limit for the filing of that report?"

Granberg: "House Joint Resolution provided that the report would be issued by June 26th of this year."

Churchill: "Was the report issued by this House by June 26th of this year?"

Granberg: "No, Representative. The report has just been issued because on June 29th, Representative Daniels appointed you to...and Representative Tim Johnson to the joint committee. So by themselves, Representative Daniels was three days late. So we have now issued the Committee Report."

Churchill: "Thank you. To the House Joint Resolution, at this point, I would question whether or not this Resolution can even be passed. It is not in conformance with House Joint Resolution 137 and is not timely."

Speaker Giglio: "Representative Granberg to close."

Granberg: "Mr. Speaker, it's my understanding there is no requirement that this had to be published by June 26th. We're talking about victims of crimes, and how important this is to you to be placed on the ballot in November. We're four days late. The committee was appointed. Unfortunately, some people were not appointed until June 29th. I respect Representative Churchill, but, we have to move forward. If you think it's important for crime victims to have this Constitutional Amendment on the ballot in November, you will vote in favor of this Resolution and

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I would urge its passage."

Speaker Giglio: "The question is, 'Shall House Joint Resolution 160 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. Voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On this, take the Roll Call, Mr. Clerk. On this question, there are 84 'ayes', 6 'nays', 20 voting 'present'. This Bill, having received the Constitutional Majority...or Resolution, having received the Constitutional Majority, is hereby declared passed. Representative Barnes, would you like to call House Bill 3037? Mr. Clerk, read House Bill 3037."

Clerk O'Brien: "House Bill 3037, a Bill for an Act to amend the Fire Protection District Act. Second Conference Committee Report."

Speaker Giglio: "Representative Barnes, on House Bill 3037."

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's just been a slight change. When the Bill went over to the Senate, they wanted me to insert 'upon the conviction' of the person who presented the fraudulent license or identification. I would ask for an 'aye' vote."

Speaker Giglio: "Representative Wennlund, on House Bill 3037. Wennlund, your light's on."

Wennlund: "Thank you, Mr. Speaker. I rise to call an immediate Republican conference in Room 118."

Barnes: "Not in the middle of my vote."

Speaker Giglio: "Let's allow her to pass her Bill. Is that all right? Representative Wennlund. Representative Wennlund, there's agreement among the leaders that we're both going to have a caucus, but, let's let Mrs. Barnes continue with her fight. Conclude, Mrs. Barnes."

Barnes: "I really appreciate, Mr. Speaker, your courtesy. I

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would appreciate an 'aye' vote to House Bill 3037 for the second Conference Committee report."

Speaker Giglio: "Question is, 'Shall House Bill 3037 Conference Committee report be adopted?' All those in favor will signify by voting 'aye' and those opposed by voting 'nay', this is final action. Voting's 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 109 'ayes', none (sic - no) 'nays', none voting 'present'. House Bill 3037 Conference Committee Report, having received the Constitutional Majority, is hereby declared passed. Representative Lang, do you want to call House Bill 3493? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3493, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Conference Committee report."

Speaker Giglio: "Representative Lang, on House Bill 3493."

Lang: "Thank you, Mr. Speaker. Would a Motion be in order relative to this Bill at this time?"

Speaker Giglio: "What's the Motion, Mr. Lang?"

Lang: "Motion would be to suspend Rule 79(e) relative to this Bill."

Speaker Giglio: "Hold one second. Representative Black, for what reason do you rise, sir?"

Black: "Well, I don't understand. The Gentleman is asking for an extension of the deadline."

Speaker Giglio: "Would you care to elaborate, Mr. Lang?"

Lang: "The answer to that, basically, is yes, Representative."

Black: "So, in other words, you don't wish to call the Second Conference Committee report?"

Lang: "We would like to do it during the Veto Session, and this Motion will enable us to do that without the Bill being

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tabled."

Speaker Giglio: "We'd like to call it in the Veto Session, Mr. Black."

Black: "All right."

Speaker Giglio: "All right? The Gentleman's motion is to, then, extend the deadline or...waive rule 79(e). All in favor signify by voting 'aye' and those opposed...can we...no objection to using the Attendance Roll Call? The Attendance Roll Call is used. So House Bill 3493 is...suspends rule 79(e) with regards to House Bill 3493. It's the intent of the speaker for both parties to go to caucus from now till 6:00 p.m. Return and do a few Bills. And if there is no breakthrough during the caucus time, we will adjourn shortly thereafter for the day. Everybody to their caucuses. Republicans 118. Democrats 114."

Black: "Thank you very much, Mr. Speaker. I don't think a lot of people were paying attention, but the Republicans will caucus immediately in 118. There will be a Republican caucus immediately in 118."

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

Madigan: "Mr. Speaker, Ladies and Gentlemen. You may recall that last night I indicated that we were very close to being able to adjourn for the conclusion of this Spring session. So today, the Senate approved a budget for the entire State of Illinois. That matter is on our Calendar as a Motion Concurrence. Yesterday, the Senate approved Governor Edgar's plan for hospital assessments to support the Medicaid Program for the State of Illinois. That matter is on our Calendar as a Motion for Concurrence. In a meeting this afternoon, Representative Daniels indicated to me that he's not prepared to support the budget until there's a

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reconciliation of his differences with Governor Edgar concerning the Hospital Assessment Program. I deeply regret that the Governor has this difference with his leader. Because, as I said last night in two floor speeches, the Governor's plan for hospital assessments to support the Medicaid Program, although it has its deficiencies, although it might be better in some respects, still is a workable plan that would provide an adequate level of financial support for the State Medicaid Program. It has been approved by the Senate, and it could be approved by the House."

Speaker McPike: "Are you going to have any decency and let the Gentleman finish his speech? And then I'll recognize you, Mr. Johnson. The House is in session. The House is in session, Mr. Johnson. If you would have a little bit of decency and courtesy, you would not interrupt the Speaker of this Body and allow him to finish. And then, I will recognize you. Mr. Speaker, continue. Continue, Mr. Speaker, please."

Madigan: "Thank you very much, Mr. Speaker. As I said, it is regrettable that Governor Edgar has this difference with Mr. Daniels on the question of hospital assessments. We are prepared to finalize the budget. We are prepared to approve the Hospital Assessment Plan. Governor Edgar has indicated that, although he is not real pleased with the budget which has been approved by the Senate, that he is prepared to accept that budget document for the next fiscal year and, to the best of his ability, manage the affairs of the State of Illinois at a time when state receipts, under our taxes and plans, simply provides that we are not able to provide the level of services that we would like to provide to the citizens of our State. I think we've worked

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through our differences on the budget, and we're prepared to move that to the Governor's desk. I have been supportive of Governor Edgar's plan for hospital assessments. I plan to continue to work with him and to work with Mr. Daniels so that we can finalize this question of hospital assessments to support the Medicaid Program. Our plan is to adjourn tonight, to return at 11:00 a.m. Our hope is that, overnight, Governor Edgar and his leader, Mr. Daniels, can resolve their differences concerning the question of hospital assessment so that when we return tomorrow at 11:00 a.m., hopefully, we would be prepared to approve the budget for the State of Illinois and to approve a plan for support of the Medicaid Program. If, when we arrive tomorrow, these differences still remain between the Governor and Mr. Daniels, then we will be prepared to return to our districts for a certain number of days standing ready to return to the Capitol when there has been a reconciliation of these differences between the Governor and Mr. Daniels. We would be thinking in terms of a target date somewhere in the week after the 4th of July, and, then, if necessary, another target date in the week following that. The general plan would be, that so long as these difference remain between Mr. Edgar and Mr. Daniels, that we will not waste the taxpayers money in terms of paying the per diem expenses for our members. Rather, we will return to our...rather, we will return to our home districts as is our custom during the month of July. At all times standing ready on quick notice to return to the Capitol so that we can finalize this question of a budget for the next fiscal year, and we can finalize, hopefully, a reconciliation of these differences between Mr. Edgar and Mr. Daniels. I do think it's regrettable that the Governor

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is having these problems. He had that same type of problem in the Senate on a major Public Works project for the State of Illinois which would have brought billions of dollars in public expenditures, and thousands and thousands of jobs, and millions of dollars of tax receipts. But because of the opposition to this leader in the Senate, that proposal failed. Now, Mr. Edgar's attempting to implement a program to support the Public Aid/Medicaid Program and he's having difficulty with his leaders again. I regret all of that most deeply. And as I said, Mr. Speaker, we're prepared to adjourn until 11:00 a.m., tomorrow morning."

Speaker McPike: "All right. The Speaker moves that the House stands adjourned. Representative Black."

Black: "Thank you very much, Mr. Speaker. With apologies to the chair for what, evidently, is our lateness in coming back. Had we received a call or a message we certainly would have joined you in a most expeditious fashion. I assume we are not conducting any business. I see nothing on the board. Obviously, we have missed what I'm sure was a profound statement by the Speaker of the HOuse. I would ask, do you have an intention of letting the Minority Leader respond to what little he probably was able to hear as he was besieged by the press when we came out of caucus? There's no attempt on any of us to dilatory and delay the action of this House. I regret that we were not here when you gavelled us to order. We would have certainly have been willing to do whatever necessary to join you on time had we but known that. I would...I don't know that Minority Leader Daniels even cares or desires to respond, but I would hope you would give him that courtesy before we adjourn."

Speaker McPike: "Well, Mr. Black, the Chair will recognize

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Minority Leader Daniels. And he's not here. So...Representative Johnson, I indicated that I would certainly recognize you earlier despite your outburst. Representative Johnson."

Johnson: "No outburst. I've been a member of this chamber as long as you have, Mr. Speaker."

Speaker McPike: "That's correct."

Johnson: "Sixteen years with Democratic control most of the time and Republican control a couple of years. And I don't ever remember in those 16 years we all know that both caucuses sometimes go over the time limit, including yours. And I don't ever remember in either chamber when either parties control calling this chamber to order with only one party present. You talk about courtesy and decency, and I apologize to the Speaker if I interrupted his comments, but I don't apologize to anybody for expecting that it's a reasonable form of decency and courtesy to all of us to expect that, given the nature of this day and any another day near the end of the session, that both political parties, I realize we're trying to run this State as a one party state, but at least we ought to have the opportunity for both parties to be here on the floor to hear these comments and either disagree or agree with them from the Speaker. And my only point was that it's a discourtesy to us - I just happened to come up and be here by accident - that we would not be given the courtesy of being here when we gavelled this chamber to order and when we had the business of the House conducted. That was my point then and that's my point now. And I appreciate your letting me express it."

Speaker McPike: "Representative Matijevich."

Matijevich: "Well, I guess I've been here longer than Tim because

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I've seen it done before. Because I recall one time when one of the parties was holding a caucus just to delay, and so a telephone call was made, 'You'd better get your butts up here. We're starting up business.' And that's what brought them up, and I think that's what was done today. A telephone call was made and you got your butts up here. No? No? Well, what I'm saying is that time we went into business and then the telephone call was made. Anyway you got your butts up here. Here. Here. So if you missed what the Speaker said, let me tell you what I think he was trying to tell you. I recall last year when we got into that overtime session and I think we were in our second or third day. I stayed at the Mansion View and I was walking out, and the Governor was walking to meet his wife and the dog, and he's got more dogs this year. But anyway, you know, I remember Governor Edgar when he was here as a Legislator. So we walked for a while until his wife met him and then we tailed off, and I said to the Governor, I said, 'Governor, the longer we stay here the more both of us in the Legislature and the Executive are going to get blamed for it' and he agreed with me, and we stayed there until the 19th of July. I told my radio people back home that I'm not staying in overtime session this year. That we got to get the hell out of here, because what happens is - I've heard everybody criticize Congress - that we don't want to act like Congress and not be able to do our work, and I mean that both sides of the aisle. The public has a very bad image of the legislature, the Legislators, and they very much put us in the same bag as Congress. The more we stay here, and I'm telling that to the Governor downstairs, and believe me, I screamed when Governor...when Governor Dan Walker was Governor. I screamed to him and

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told him, 'If you're on the second floor, hear me.' And I'm telling Governor Edgar. But it doesn't seem to me like it's his fault this time. The only fault that I can put on him is that in all of my years in the legislature, I have never seen a governor not be able to get the votes from his political party. That's the only criticism I can give towards him, but I don't think he's the one keeping us here too long. But I think all of us know who it is, and I want to tell you, it's not a Democrat. It's not a Democrat in the House, and it's not a Democrat in the Senate. And I want the public to know that the reason that we would be staying here and paying per diem to legislators is because a Republican leadership in the House is keeping us here, and I think that's wrong. I used to say to the Speaker...I used to say to the Speaker, 'Get us out of here.' Now, I'm saying...you know...you know, I said to some of my members when we were leaving out of caucus that I'm going to lay the blame where it's at, and by laying the blame, I'm going to unify the Democrats with their leader. But so be it. He's wrong. Unify with somebody that's (sic - who's) wrong. But we're not keeping you here. Your leader's keeping us here, and we are not going to accept per diem. We're going home and you can do whatever you want with the Governor. Call us when you're through. We're not going to waste any taxpayers' money."

Speaker McPike: "All right. The Speaker's moved that the House stands adjourned until tomorrow at the hour of 11:00 a.m. All in favor say 'aye', opposed, 'no'. The 'ayes' have it. The House stands adjourned until tomorrow at the hour of 11:00 a.m."

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