

STATE OF ILLINOIS  
88th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

60th Legislative Day

May 18, 1993

Speaker McPike: "The House will come to order. The Chaplain for today is Reverend Robert Smith of the Free Methodist Church, in Decatur, Illinois. Reverend Smith is the guest of Representative Noland. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Robert Smith: "Oh Lord, our Lord, how majestic is Your name in all the earth. You've set Your glory above the heavens. With the solemnness of all, we humbly ask what is man that You're mindful of him, the Son of man that You visit him and yet You care for us. You crowned us, Your creation, with glory and honor. You've made us in Your divine image and placed us in position of leadership and authority to rule over the work of Your hands. As we look within, we become aware of the great potential that You put within each of us; and we praise You for Your vast genius and creative power. We're grateful for the power and the potential of this great Body of state government to plant and to build. We're grateful for the ability of the mind, to think, to reason, to resolve. For the ability of hands to construct, to work, to write, to mold, to soothe. For the ability of the heart to feel, to trust, to believe in the ultimate triumph of right and righteousness. Give liberally of Your wisdom, Your vision, Your compassion. Oh God, we pray to these that are given the tremendous task of leading and governing us; and may these our leaders be free from the arrogance of power and the blindness of provincial prejudices. May they be able to find ways to administer justly, to love mercy, and to walk humbly before You, oh God. We pray this day for faith. Faith in the untapped possibilities and potential of our fellowman, faith in Your great power to do what seems impossible at times, and faith to detect Your footprints,

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in the sands of history. And as we look to the future, Gracious Father help this Body, we pray, to be an instrument in Your hand, for fulfilling Your great plan and purpose for this day's agenda. Now, oh Lord, let the words of our mouths and the meditations of our hearts be pleasing in Your sight, oh Lord, our Rock and our Redeemer, through Christ, our Saviour. Amen."

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

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

Speaker McPike: "Roll Call for Attendance. Mr. Jack Kubik. Mr. Kubik, I met your mother and father last week. You have wonderful parents."

Kubik: "Oh, thank you and...and congratulations on your..."

Speaker McPike: "Thank you."

Kubik: "Your honor."

Speaker McPike: "Excused absences."

Kubik: "Representative Bernie Pedersen and Representative Tom Johnson are excused today."

Speaker McPike: "Thank you. Representative Currie."

Currie: "No excused absences among the House Democrats."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Speaker. There are no excused absences among House Democrats."

Speaker McPike: "Thank you Representative Frederick, for what reason do you rise?"

Frederick: "Yes. Mr. Speaker, it is my pleasure to welcome back today a former colleague, Representative...former Representative Don Hensel."

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Speaker McPike: "Mr. Clerk, take the record. One-hundred-sixteen Members answering the roll call, a quorum is present. Messages from the Senate."

Clerk Rossi: "A Message from the Senate by Mr. Harry, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of the Bill to the following title, to wit, together with the attached Amendments thereto in the adoption of which I am instructed to ask the concurrence of the House, to wit: House Bills 1145, 1305, 1347, 1392, 1733, 1792, 1927, 1974, 2077, 2117, 2158, 2400, passed the Senate as amended, May 13, 1993. Jim Harry, Secretary of the Senate'. A Message from the Senate by Mr. Harry, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of the Bills of the following title, to wit, together with the attached Amendments thereto in the adoption to which I am instructed to ask the concurrence of the House, to wit: House Bills 73, 775, 1212, 1320, 1410, 1553, 1761, 1852, 1915, 1933 and 2130; passed the Senate as amended, May 14, 1993 Jim Harry, Secretary of the Senate'. A Message from the Senate by Mr. Harry, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of the Bills of the following title, to wit, together with the attached Amendments thereto in the adoption of which I am instructed to ask the concurrence of the House, to wit: House Bill 69, 113, 300, 391, 392, 468, 532, 797, 1037, 1155, 1218, 1302, 1319, 1331, 1426, 1476, 1729, 1922, 1935, and 2043; passed the Senate as amended, May 17, 1993. Jim Harry, Secretary

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of the Senate'."

Speaker McPike: "Agreed Resolutions."

Clerk Rossi: "House Resolution 796, offered by Representative Frederick; House Resolution 797, offered by Representative Frederick; House Resolution 798, offered by Representative Black; House Resolution 799, offered by Representative Saviano; House Resolution 800, offered by Representative Ostenburg; House Resolution 801, offered by Representative Mulligan; House Resolution 803, offered by Representative Hassert; House Resolution 804, offered by Representative Stephens; House Resolution 806, offered by Representative Roskam; House Resolution 807, offered by Representative Roskam; House Resolution 808, offered by Representative Balthis; House Resolution 809, offered by Representative Weller; House Resolution 810, offered by Representative Tim Johnson; House Resolution 811, offered by Representative Ryder; House Resolution 812, offered by Representative McAfee; House Resolution 813, offered by Representative Lawfer; House Resolution 814, offered by Representative Lawfer; House Resolution 815, offered by Representative Lawfer; House Resolution 816, offered by Representative Tim Johnson; House Resolution 817, offered by Representative Stephens; House Resolution 818, offered by Representative Phelan; House Resolution 819, offered by Representative Phelan; House Resolution 820, offered by Representative Balanoff; House Resolution 821, offered by Representative Gash; House Resolution 822, offered by Representative McPike; House Resolution 823, offered by Representative Kubik; House Resolution 824, offered by Representative Stephens; House Resolution 825, offered by Representative Stroger; House Joint Resolution 40, offered by Representative Mike Weaver."

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Speaker McPike: "Representative Currie moves for the adoption of the Agreed Resolutions. Representative Currie moves for the adoption of the Agreed Resolutions. All in favor, say 'aye'; opposed, 'no'. The 'ayes' have it and the Agreed Resolutions are adopted. Death Resolutions."

Clerk Rossi: "House Resolution 802, offered by Representative Tom Johnson, with respect to the memory of Robert Horlock. House Resolution 805, offered by Representative Novak, with respect to the memory of Jerry Jaffe."

Speaker McPike: "Representative Currie moves for the adoption of Death Resolutions. All in favor, say 'aye'; opposed, 'no'. The 'ayes' have it. The Death Resolutions are adopted."

Speaker Giglio: "House will come to order. On the Special Order Calendar, Third Reading, appears Constitutional Officers, Senate Bill 579, Representative Deering. Is Representative Deering in the chamber? Would you like to call this Bill, Sir, 579? Out of the record. Edu...Education, Third Reading, appears Senate Bill 127, Representative Lang. Representative Lang in the chamber? Out of the record. House Bill...Senate Bill 132, Representative DeJaegher. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 132, a Bill for an Act relating to children with disabilities. Third Reading of this Bill."

Speaker Giglio: "Representative DeJaegher."

DeJaegher: "Thank you, Mr. Speaker, Members of the General Assembly. There has been an additional Amendment put on House (sic-Senate) Bill 132 that you are quite familiar with. What House Bill 132 makes reference to a language change. People from time to time are rather offensive when the word 'handicapped' is used. Instead of 'handicapped' being usage, we will now use the word 'disabled' and this is usually...this is what the entire intent of the Bill is

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to correct that particular deficiency from going from 'handicapped' to 'disabled'; and with that, I ask for your support on this legislation."

Speaker Giglio: "Representative DeJaegher."

DeJaegher: "Take it out of the record for a minute."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. On the Order of Senate Bills, Education, appears Senate Bill 389, Representative Brunsvold. Brunsvold, 389? Out of the record. Representative Gash, Elections and State Government, appears Senate Bill 160. The Lady from Cook, Representative Gash. (Senate Bill) 160. Do you wish to call this Bill? The Lady from Cook, Lake, oh, I'm sorry. Energy and Environment, Third Reading, appears Senate Bill 85, Representative Hartke. You wish to call this Bill, Sir? Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 85, a Bill for an Act amending the Illinois Pesticide Act. Third Reading of this Bill."

Speaker Giglio: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. Senate Bill 85 is a Bill that...defines that the regulation of pesticides in any political subdivision should be the...sole responsibility of the State of Illinois. I'd be happy to answer any questions."

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

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

Speaker Giglio: "Indicates he will."

Weaver: "Why do we want to override local control of pesticide regulation?"

Hartke: "It is the feeling of many individuals and organizations in the State of Illinois that if we allowed all units of

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local government to regulate pesticides, we will have a complete...and patchwork of rules and regulations in the State of Illinois, and it would be so confusing that no one would really know how to follow which...which rules. Many...units of local government will lap over...lap over county lines and it would...it would be very...very confusing."

Weaver: "I understand that...that intent, at least, but I am told that this Bill would still allow local units to have more stringent pesticide control regulations than the state. Is that true?"

Hartke: "I...possibly, but I don't think so."

Weaver: "Well if that, in fact, is true, then we could still, even with passage of this Bill, find ourselves with a patchwork quilt of county by county, or town by town, or township by township regulation to pesticides that tend to be more stringent than the state...state level."

Hartke: "Representative Weaver, it is the intent of this legislation is to restore sole authority to the State of Illinois to regulate pesticides and their storage, distribution, and use."

Weaver: "Thank you."

Speaker Giglio: "Representative Currie, are you seeking recognition?"

Currie: "Thank you, Speaker and Members of the House. I rise in opposition to this Bill. We currently have opportunities at the local level to regulate pesticide use. I would argue that there are very different needs and...problems in various parts of the state that make it legitimate for home...for home rule communities to retain their power to regulate in this area. What goes on in a suburb heavy with weed killer may be very different from what goes on in

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agricultural parts of the states, and I would urge this Legislature to retain for our local governments, the opportunity to continue regulation, whether those regulations just mean posting signs when certain kinds of weed killers are used, which is frequent in our suburban areas. Let me, also, mention to the Members of this chamber that this measure is opposed by the Sierra Club, by the League of Women Voters, by the Illinois Environmental Council, and by the PTA, for the very reason that sensitivities to certain kinds of pesticide usage can create real problems in some areas, whereas it might not in some other. I don't think it makes sense to say that there is one standard that will work in Elmhurst the way it works in Effingham; and I think that our current program which permits local controls in this area is one that has served us well. It would be a mistake for us to undercut home rule powers and adopt this measure."

Speaker Giglio: "The Gentleman from McHenry, Representative Skinner."

Skinner: "Mr. Speaker, this is certainly the best time to call a Bill like this. It's a time when nobody's paying any attention whatsoever. This is a Bill that will quite simply preempt home rule power over the control of the pesticide industry. What this Bill does, it says that if you are in a local home rule city, your local city council may not pass a...pass an ordinance which says that there have to be warning signs up when...Chem-Lawn has sprayed a lawn. Now, why should you care about this? These...these chemicals have all been approved by the federal Environmental Protection Agency and by the Illinois Agricultural Association, or excuse me, the Illinois Agriculture Department. I would suggest you might want to



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care about it, if you've met two of my constituents: Lorens Tronet and Elyse Roberts, who have been down here for the last two weeks lobbying on this Bill. They are sort of like the canaries in the coal mine of old. When they drive down from the Chicago metropolitan area, they have a toxic reaction to the Chicago metropolitan area because there are so many lawns that are sprayed. When they get to farmland, amazingly enough, they don't have a problem. And the reason they don't have a problem is because farmers know how to spray pesticides and herbicides. When they get to that little subdivision in Bloomington (the one by the golf course on Route 55), their toxic reactions start again. When they leave Bloomington (between Bloomington and Springfield), they have no problem whatsoever, until they reach Springfield. Now, these are atypical people that...there will not be many of in your constituencies, but they definitely do have a toxic reaction. And what they are suggesting is that in the largest of our cities (those that are over 25,000 people) that city councils oughta have a right to warn people like themselves when they're about to have toxic elements put down in their neighborhoods. I hope that you'll vote 'no' on this issue. I note that there are an awful lot of people involved in this issue that have no legitimate interest. For example: I note on the...the brochure (and I don't mean to be picking this group out except it's the one I remember) the Illinois Corn Growers are in favor of this legislation. How many fields of corn do you think are in home rule cities? I mean, I can think of one or two in the City of Crystal Lake, and yet they want to take away the home rule power of my city council. I do not know why they're involved in the issue; however, they are involved

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in the issue. Again, to summarize; we are talking about taking away home rule powers of cities and villages to...to provide reasonable public health controls over the spreading of herbicides and...and other toxic chemicals. I hope that you'll vote 'no' or 'present'. Thank you."

Speaker Giglio: "There's a lot of noise in the chamber and there's a lot of people that don't belong on the House floor without proper credentials. The Chair would ask that all those who are not entitled to the House floor, please remove yourselves so we can conduct our business in an orderly manner. Representative Hughes."

Hughes: "Thank you, Mr. Speaker. To the Bill. I rise in support of House Bill 85. There's a lot of confusion over this Bill. First of all, it does not preclude the option of local government to address their concerns for regulation to the Department of Agriculture. It does not stop the posting of signs when lawns are sprayed. That is by state regulation that it is being done currently. It does clarify the issue of having conflicting rules and regulations in neighboring jurisdictions, which is now an area in limbo as far as people's knowledge and understanding of the law goes. This Bill would go a long way towards putting to rest the concerns about fragmenting markets, the concerns about irregularities in rules and regulations, the concerns about people in a small isolated area without the expertise of...of scientists and medical people passing legislation which is perhaps not in the best interest of health and safety. These are areas of concern which are properly regulated at the state and federal level. That's where the regulation ought to be and ought to remain; not unlike drug regulation, and I would urge your favorable consideration of this Bill."

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Speaker Giglio: "Representative Ostenburg."

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill, and I do so for a variety of reasons, but not the least of which is the fact that I'm a former local official. In the village of Park Forest, back in 1985 to 1990, we had a number of problems with pesticides and individuals who lived in the community not even knowing what kinds of pesticides were being placed on lawns next door to where they resided. It caused a major problem. We were able, as a result of our home rule power, to pass tracking legislation that says that any commercial application of pesticides has to first be registered with the village and the types of chemicals that are going to be used have to be listed on that registration form. It's simply a tracking ordinance. But it says to the residents who are negatively affected by these pesticides that they can, in fact, go to village hall, look at the records and see what kinds of pesticides have been applied in their neighborhoods so that then they can take the proper action to protect themselves. This legislation removes from the municipality the power to do that. I urge you not to deny local officials the opportunity to take action in areas where the state has not, and this is one of those areas. State laws regarding pesticides are very loose. In some areas, we need tighter restrictions, particularly in the suburban areas of Chicago. I urge a 'no' vote on this legislation."

Speaker Giglio: "Representative Olson."

Olson: "Thank you, Mr. Speaker. First, Mr. Speaker, I believe the noise level is very high in here. I don't know if we're all after the four-day holiday that we're all glad to see each other and we're...having bringing tales from home

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back, but I think it could be a little quieter. I, personally, have not heard a word that's been said in this debate."

Speaker Giglio: "Well, your point's well-taken, Representative. I asked all those not entitled to the House floor to please leave, and if they don't leave, I would ask the...Doorkeeper to...rise up and ask those that are not entitled to the House floor to leave. So, before the last speaker, you heard me rap the gavel, asking that we give a little more attention to the speaker. I don't know what...we'd have to do next except take maybe a recess and come back after lunch. Proceed, Representative."

Olson: "Thank you, Mr. Speaker. This Bill is being portrayed as a rural versus urban piece of legislation, and perhaps that is in there. But I want to point out to you that if every municipality were exempt so that they could put up their own rules and regs relative to the use of pesticides, we could quite literally have 200, 400, 1000 different sets of rules in the State of Illinois. That is not a workable solution. It is not a workable solution. This regulation of pesticides should be under one agency of the State of Illinois. If a municipality does, indeed, have a problem (and that may exist), then I think the state should go to that agency and try to modify the rules so whatever...whatever pesticide was doing harm in that municipality was taken out of all municipalities in the state. I think this should be done under the...under the framework of one agency doing the regulation. If we use this scatter-gun approach to many other regulations in the state, think what confusion would there...there would be. I wish you'd consider very carefully, and I would recommend a 'yes' vote on this Bill. Thank you."

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

Balthis: "Thank you, Mr. Speaker. I'd like to get a ruling from the Chair as to how many votes this...this would take to pass since it is a preemption of home rule, and I would refer you to the Illinois Supreme Court case in the challenge of the Wauconda Ordinance. And the Supreme Court said that only home rule communities could pass an ordinances that implement pesticides. And I would ask for a ruling as to how many votes this would take to pass since it will be a preemption of home rule."

Speaker Giglio: "Representative Balthis, the Parliamentarian is looking at the Bill, so just stand at ease for a few moments, please. The Parliamentarian informs the Chair, Representative, that this Bill will require 60 votes."

Balthis: "Does that mean that the Parliamentarian...disagrees with the United...or the Supreme Court of Illinois in that only home rule communities could pass ordinances on pesticides?"

Speaker Giglio: "The Parliamentarian agrees with the Constitution of the State of Illinois, which provides that the General Assembly may provide specifically by law for the executive exercise of the state of any power or function of a home rule unit other than a taxing power or power or function specified in Subdistrict I of this section, which requires 60 votes."

Balthis: "Thank you, Mr. Speaker."

Speaker Giglio: "All right. The Lady from Whiteside, Representative von Bergen-Wessels."

von Bergen-Wessels: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Giglio: "Indicates he will."

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von Bergen-Wessels: "There has been a lot of confusion about this Bill, and I wonder if the Sponsor could tell us, in his opinion, are home rule units the only units of government that can pass pesticide legislation currently?"

Hartke: "Currently I think any...any unit of local government can pass a pesticide regulation ordinance of some type or other, and this is what we're trying to avoid."

von Bergen-Wessels: "Thank you."

Speaker Giglio: "Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. Two points: First of all, certainly it doesn't make any sense to have a variety of regulations in this industry or certain other industries, like the industry that I'm involved in the real world, which is pharmacy. It would be absolutely ludicrous to have one pharmacy law in Cook County and another in Sangamon County and another in Madison County. And, furthermore, for those of you who are trying to make this an urban versus rural issue or suburban versus rural issue, that is absolutely wrong. If you ever shop at a grocery store, this Bill has an effect on you. If you ever eat, this Bill has an effect on you. And you should be in favor of Senate Bill 85, if you either go to a grocery store or you eat, and I suggest that probably we do both of those. And you should rise in support of this common sense, yes, pro-agriculture Bill, but what who are the consumers of agricultural products? It's you and I when we eat or when we go to the grocery store. You should rise in support and gladly do so."

Speaker Giglio: "Representative Black."

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

Speaker Giglio: "Indicates he will."

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Black: "Representative, I heard early in the debate that this would have an adverse impact on the City of Chicago's ability to regulate said pesticides. It's my understanding that Chicago and Cook County are not included in this legislation. Is that correct?"

Hartke: "That is correct, Representative. If you read the piece of legislation, it exempts counties over two million or with populations of over two million in municipalities. That would be Cook County and the City of Chicago and its suburbs."

Black: "Well, for a number of reasons I won't elaborate, I rise to support your Bill. The enforcement would be a nightmare in rural Illinois, particularly if you were involved in business that overlapped townships or even city boundary lines. This would be a nightmare to comply with. It's something the state needs to regulate, not the thousands of local units of government. I rise to support your Bill."

Hartke: "Absolutely. That's the reason for this legislation. It would make enforcement and compliance virtually impossible in the State of Illinois, if we had this patchworks of regulations out there. Right now in the State of Illinois you can go to any Wal-Mart or K-Mart and buy any kind of chemicals you would like and spray it on your lawn without any kind of...of licensing and so forth. What we're saying is that the intent of this legislation is to restore the sole authority to the State of Illinois to regulate pesticides and the storage and the distribution and use."

Speaker Giglio: "Representative Novak."

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

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor, signify by saying 'aye'; opposed, 'no'. In the opinion of the Chair, the previous question has been moved."

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Representative Hartke, to close."

Hartke: "Thank you very much, Mr. Speaker. We...we heard before from a couple of speakers who was supporting this and who was not. I'd like to read a list to you of those individuals and organizations who are in support of this legislation: the Illinois Department of Agriculture, of course, the Illinois Department of Transportation, the Environmental Protection Agency of the State of Illinois, the Illinois Nurserymen's Association, Fertilizer and Chemicals, CIPS, the Illinois Retail Merchant's Association, the National Federation of Independent Businesses, the Illinois Farm Bureau, the Illinois Manufacturing Association, the Management Association of Illinois, Chemical Industry Council, and the Illinois State Chamber of Commerce, just to mention a few of the more prominent organizations who are in support of this legislation. And I ask for your 'aye' vote and support for this Bill."

Speaker Giglio: "Question is, 'Shall Senate Bill 85 pass?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. This is final action. Representative Balanoff, one minute to explain your vote."

Balanoff: "Yes. Should this receive the requisite number of votes, I would seek a verification."

Speaker Giglio: "Lady from Cook, Representative Schakowsky, one minute to explain your vote."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. When the list of those who are supporting this Bill was read, you noticed there was not a single environmental group on that list. This is an anti-environment vote. Those of you who care about your record on environmental issues are going to vote 'no' against this very dangerous



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piece of legislation that not only preempts the ability of local governments to make decisions but can put our constituents in danger. I urge a 'no' vote."

Speaker Giglio: "The Gentleman from Cook, Representative Levin, one minute to explain your vote, Sir."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is, also, an anti-public health vote. You don't preempt local action unless there's a good reason; and, in this particular case, we don't know enough about the effects of these pesticides. We do know that some of these pesticides have a particular effect on women, but because of the lack of research on women's health, we don't know how much. There is no great bit of knowledge at the state level over the federal government on this issue at this point; and, therefore, there's no reason to preempt local action to protect the health of our men and women. I urge a 'no' vote."

Speaker Giglio: "Representative Leitch, one minute to explain your vote."

Leitch: "Thank you, Mr. Speaker. I rise for a point of personal privilege to introduce my wife and her class from Holy Family School in Peoria which is in the gallery. Thank you."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 52 voting 'yes' and 56 voting 'no'. Representative Hartke."

Hartke: "I'd like to request Postponed Consideration."

Speaker Giglio: "Postponed Consideration. Representative Art Turner in his Chair and Representative Mary Flowers. Representative Flowers and Representative Turner."

Turner: "If we could have your attention for purposes of an

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introduction. We are very pleased today to have with us Members of the Kenyan Parliament. Some of you may know that the past December, Kenya held its first multi-party elections. And with us here in the chamber and visiting us in our country today are 14 members of the Kenyan Parliament and their Chaperones and Hosts, here in this state, They are visiting the Capitol of Springfield for the next two days taking a look at our democratic process to try to compare with their new multi-party elections that have just recently taken place in their country. I'm going to introduce Mr. Kora, who is the Head...was a Member of Parliament, who will then introduce the other Members of the delegation. As you know, Mary Flowers and I will be walking these individuals around all day and I'm certain that they'd like to be able to talk to some of you regarding your feelings about what happens here in Springfield and we will be talking to Members on both sides of the aisle. Mr. Kora."

Kora: "Thank you so much, Honorable Turner. We are the Kenya Delegation with our Team Members of Parliament. Thank you so much, Honorable Turner and Honorable Mary Flower. Here is the Kenyan Delegation with our Team Members of Parliament, which is a product of multi-party election that we had last year on the 29th of December. ...introducing Members and they are representing five different parties in our Republic, but we are here as a group from our National Assembly. I'll start right here with Honorable Agnes Ndetei, she's one of the six ladies, Members of Parliament, she's a Member of...Democratic Party of Kenya. Next to her is Honorable Mwangi Gichuki, a Member of Parliament and also a Member of the Democratic Party of Kenya. Next to him is Anthony Gitau, Member of Parliament representing

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Ford...one of the opposition parties. Next to him is Honorable Robert Kochalle, Member of Parliament representing the ruling party...Next to Honorable Robert Kochalle is Honorable Samuel Rai, Member of Parliament representing the ruling party... Next to him is Honorable Adbullahi Ahmed, a Member of Parliament, is the only Member from his party, Party for Independent Candidates of Kenya. Just before you is Honorable Phoebe Asiyo, Member of Parliament representing Fort Kenya. Before you is Honorable Mutinda Ndambuki, Member of Parliament representing the ruling party... Here is another Member of the ruling party Honorable Sammy Leshore. Honorable Musikari Kombo, is a Member of the Fort Kenya, Member of Parliament. Honorable Abu Mohamed, is a Member of the ruling party of Kenya. Honorable John Mutere, is a Member of Parliament, representing for the...and is the secretary of one of the corporate societies. Mr. Patrick Gichohi, is black assistant of our national assembly is our secretary. Thank you very much."

Speaker Flowers: "Thank you again, and as Representative Turner so stated, we'll be coming around on both sides of the aisle. So, after lunch, Representative Turner said after lunch. Okay, thank you all very much. Representative Giglio back in the Chair."

Speaker Giglio: "On the Order of Environment and Energy, Third Reading, appears Senate Bill 406, Representative Deering. Representative Deering in the chamber? Out of the record. Financial Institutions, Third Reading, Representative Flinn, Senate Bill 490. Representative Flinn, do you wish to call this Bill, Sir? Out of the record. Representative Bugielski, Senate Bill 550. Do you wish to call this Bill, Sir? Mr. Clerk, read 550."

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Clerk Rossi: "Senate Bill 550..."

Speaker Giglio: "Mr. Clerk, what's the status of this Bill?"

Clerk Rossi: "Senate Bill 550..."

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

Clerk Rossi: "The Bill's been read a third time previously and is on Consideration Postponed."

Speaker Giglio: "Representative Bugielski?"

Bugielski: "Thank you, Mr. Speaker, Members of the House. Senate Bill 550 amends the Illinois Financial Development Act. Makes various technical changes. One of the things that it does, it makes six rather than eight members of the authority a quorum for meetings which other members may participate. It also amends the Illinois Ownership Act by expanding the Act's scope to include other types of businesses other than just manufacturing. It requires that when ownership loans are made, they must be paid in full if the ownership should decide to leave the state. And I ask for a favorable roll call."

Speaker Giglio: "Any discussion? Representative Black."

Black: "Thank you very much, Mr....Yield?"

Speaker Giglio: "Yes."

Black: "Thank you. Representative, it's my understanding that...a portion of the Bill would require the statute...would do away with the statutory fee limits. It's... Further, it's been called to my attention that this section was in the Bill or in this Act even pre-dating the Illinois Development Finance Authority. Is that your understanding?"

Bugielski: "I believe so."

Black: "The Section 13."

Bugielski: "The second page of the Amendment?"

Black: "Right."

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Bugielski: "Yes. All right, right now the fee language is where...it's set up where it's one rate."

Black: "All right and all, all you're really doing is you will allow the Board to set fees by rule, rather than follow outdated statutory requirements. Is that correct?"

Bugielski: "Correct."

Black: "And any, any rule that they might promulgate, would, of course, be subject to the Joint Committee on Administrative Rules. Correct?"

Bugielski: "Yes."

Black: "Now, it's further my understanding that by...by repealing this obsolete language that was set many years ago, we can actually clean up the yearly service fees, and in the long run probably save some of these entities money. Would that be a correct assumption?"

Bugielski: "That is correct."

Black: "Thank you very much, Representative. I rise in support of...of your Bill."

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

Bugielski: "Well, we've heard enough on this already and I just ask for a favorable roll call. Thank you."

Speaker Giglio: "The question is, 'Shall Senate Bill 550 pass?' All in favor signify by voting 'aye'; opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 92 voting 'yes', 19 voting 'no'. Senate Bill 5...550, having received the required Constitutional Majority, is hereby declared passed. On the Special Order of Call, under Health Care and Human Services, Third Reading, appears Senate Bill 118, Representative Levin. Representative

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Levin in the chamber? Out of the... Representative Brunsvold, Senate Bill 411, homeless family placement. Out of the record. Representative Salvi, Health Finance Data Confidential. Do you wish to call this Bill, Sir? Out of the record. On the Order of Insurance, Third Reading, appears Senate Bill 756, Representative Olson. Representative Olson? Out of the record. On the Special Order Call, under Law, Third Reading, appears Senate Bill 142, Representative Brady. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 142, a Bill for an Act amending the Freedom of Information Act. Third Reading of this Bill."

Speaker Giglio: "Representative McLean...or excuse me, Representative Brady, from the County of McLean."

Brady: "Thank you...thank you, Mr. Speaker. Could the Clerk tell me if there's been any Amendments adopted to this Bill?"

Speaker Giglio: "What's the status of this Bill, Mr. Clerk?"

Clerk Rossi: "Amendment #1 was adopted in Committee. Floor Amendment #2 has been filed to the Bill."

Brady: "I'm sorry, Mr. Speaker, could you repeat that clearly?"

Clerk Rossi: "Amendment #1 was adopted in committee. Floor Amendment #2 is pending."

Brady: "Are you...are you sure, Amendment #1 was adopted in committee...or just adopted?"

Speaker Giglio: "Representative Granberg?"

Granberg: "Thank you. If the...Representative Brady would want to take this Bill out of the record this time, maybe we could work on these two Amendments. I know there's one pending. We're not sure if #1 was adopted, and we can discuss this with a little more time."

Brady: "Okay, that's fine. I do need to take it back to Second Reading for at least Amendment #2, so..."

Speaker Giglio: "We'll come...we'll come back to that Order,

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Representative. For now, take the Bill out of the record, Mr. Clerk. On the Order of Law, Third Reading, appears Senate Bill 246, Representative Lindner. Out of the record. Representative Erwin, on Senate Bill 273. Representative Erwin, do you wish to call this Bill? Erwin?"

Erwin: "Mr. Speaker, I'd like to bring this Bill back to Second Reading for purposes of an Amendment."

Speaker Giglio: "Okay, we'll make a note of that. We're not going to do that right now. We'll come back to that. I inadvertently skipped over one Bill on Financial Institution, Representative Monroe Flinn on Senate Bill 490. Representative Flinn."

Clerk Rossi: "Senate Bill 490, a Bill for an Act amending the Credit Card Issuance Act. Third Reading of the Bill."

Speaker Giglio: "Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. House Bill...Senate Bill 490, rather, amends the Credit Card Issuance Act. It prohibits credit card issuers from issuing credit card or debit card any person under the age of 18. Amendment #1, in the Senate, changed that to allow those under 18 to have them providing it was attached to another credit card for a person that was of age; and I would ask for adoption of the Bill."

Speaker Giglio: "Any discussion? Representative Black?"

Black: "Thank you very much, Mr. Speaker. I simply have an inquiry of the Chair? We show Floor Amendment #2 being adopted, but we show no action to Floor Amendment #3?"

Speaker Giglio: "Mr. Clerk, what's the status of the Bill?"

Clerk Rossi: "That's... The Bill's on Third Reading. Amendment #3 has not been considered."

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Black: "Has not been adopted?"

Clerk Rossi: "Correct."

Black: "All right. I...I don't know whether it's an Agreed Amendment or not? I have no idea. I just want to know what is the status?"

Speaker Giglio: "Representative Flinn."

Flinn: "Well in answer to the Gent...in answer to the Gentleman, #3 was Representative David Leitch's Amendment and we had a problem with the Sponsor, the other Sponsor, and after discussion, Representative Leitch said go ahead and run the Bill, he'll find another vehicle for his."

Black: "All right, so Amendment #3 then, will not be on this Bill?"

Flinn: "No, it will not. It's not going to be offered."

Black: "Thank you very much."

Speaker Giglio: "Representative Flinn, to close. Representative Flinn do you wish to close?"

Flinn: "No, I just ask for a favorable vote."

Speaker Giglio: "The question is, 'Shall Senate Bill 490 pass?' All those in favor, vote 'aye'; opposed, 'no'. The voting is open. This is final action. Representative Johnson, 'aye'. Tim Johnson. Representative Novak, are you seeking recognition, Sir? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. Record Representative Stephens as voting 'no', Mr. Clerk. Representative Noland, 'no'. Wirsing, 'no'. Representative McGuire, 'yes'. Have all voted who wish? Take the record. On this question there are 104 voting 'yes', 9 voting 'no'. Senate Bill 490, having received the required Constitutional Majority, is hereby declared passed. Representative Black, for what purpose do you rise, Sir?"



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Black: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. A point of personal privilege. This is a momentous day in this Body. My colleague and friend, Representative Tom Ryder, celebrates his birthday today. He's well into his fourth decade, I might add. Well...well into his fourth decade. We have a cake over here, but the Fire Marshall won't let us light the candles, so you'll just have to come over and get a piece of cake because the Fire Marshall absolutely will not let us light the candles. And there are some people who say it's a fifth decade, Mr. Speaker. I don't know, we're gonna check his drivers license."

Speaker Giglio: "Thank you, Representative Black. The Chair would also like to remind the Members that in the Speaker's Conference Room today until 3:30, is Mr. Rudy, the Gentleman from the General Assembly Retirement System. Those wishing to converse with Mr. Kink, with regard to the retirement for the General Assembly Members are free to go back into the Speaker's Conference Room. May we have your attention please? Representative Kubik in the Chair."

Speaker Kubik: "Ladies and Gentlemen, if I could have your attention for one moment? We have a guest today and if we could have your attention for a moment? Today we have with us not only former Representative Manny Hoffman, who is joining us, and he brings with us...(it's always good to have Manny back in the House). He brings with us a visitor...who is the Vice Chairman of the Legislative Commission from the Supreme Counsel of the Republic of Latvia, which is one of the fledgling republics in Asia, and with us today is Andreas Plotniks, who is the Vice Chairman of the Legislative Commission. If we could please give him our attention and welcome him to this House; and I

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think he would like to say a few words. And so, if you'd give a warm welcome to Andreas Plotniks, from the Republic of Latvia. Mr. Plotniks."

Mr. Plotniks: "Ladies and Gentlemen, it is an honor for me to be here. I represent the Latvia Parliament that are present and the Republican platform as political division in Latvia. We prepared for Laustia model of free economic territory and if we can realize it idea, I think that relations between Latvia and the United States will be more closely and we can establish very profitable and active relations with State of Illinois. I congratulate you and ask for your support in our fight for democracy and freedom. Thank you very much."

Speaker Giglio: "On Special Order of Call, under Law, Third Reading, appears Senate Bill 460. Representative McAuliffe, do you wish to call this Bill, Sir, 460? Read the Bill."

Clerk Rossi: "Senate Bill 460, a Bill for an Act amending the Illinois Domestic Violence Act of 1986. Third Reading of this Bill."

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

McAuliffe: "Mr. Speaker, has this got Representative Homer's Amendment on it?"

Speaker Giglio: "What's the status of the Bill, Mr. Clerk?"

Clerk Rossi: "Amendments 1 and 2 have been...Amendment #1 has been adopted to the Bill."

McAuliffe: "Is Representative Homer on the floor?"

Speaker Giglio: "I don't believe he's here, Representative."

Clerk Rossi: "Amendment #1 is Homer's Amendment."

McAuliffe: "Okay. Yes, this is the Bill that we passed 115 to 0 last week and I moved...I moved it back for Representative

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Homer to put an Agreed Amendment on and I just ask for a favorable roll call again."

Speaker Giglio: "Any discussion? Representative Dart."

Dart: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Dart: "Representative...there was at some point, the Illinois Coalition against Domestic Violence had made some representations that they are opposed to this. And they...on board now, or are they still opposed?"

McAuliffe: "Well, they are in favor of it now because we put that Amendment on for them."

Dart: "Oh, with the Amendment, they are fine? Great. Thanks."

McAuliffe: "That's what I am told by Representative Homer, who is not here."

Speaker Giglio: "The question is, 'Shall Senate Bill 460 pass?' All those in favor, signify by voting 'aye'; opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 115 voting 'yes', 0 voting 'no'; and Senate Bill 460, having received the required Constitutional Majority, is hereby declared passed. Representative Frias on Senate Bill 576. Read the Bill."

Clerk Rossi: "Senate Bill 576, a Bill for an Act amending the Illinois Uniform Conviction Information Act. Third Reading of this Bill."

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

Frias: "Mr. Speaker. Thank you, Mr. Speaker. Senate Bill 576 is an initiative of the Illinois Association of Chiefs of Police in cooperation with the Illinois State Police and the Criminal Justice Information Authority to permit the development of online access to conviction of information.

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What this Bill does, it clarifies the definition of request for such information. It is not limited to written requests and provides that the Department of State Police must conduct a formal update inquiry and review to make certain that the conviction information disseminated is complete. The Amendment is the request from the Gaming Board to clarify that the annual fingerprinting of all employees of a riverboat casino is not necessary. Under House Amendment #1, the Board will only need to fingerprint applicants once and those fingerprint cards would then be maintained by the state police. The Amendment is supported by all parties. There are no known opponents. This Bill got out of the Senate unanimously, out of the House Committee unanimously; and I ask for a favorable vote. Thank you."

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

Saviano: "Yes, Mr. Speaker. If I may indulge. This is not relating to the Bill, but I'd like to introduce the Sheriff of Cook County, Michael Sheahan."

Speaker Giglio: "The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Representative Frias, would you mind just taking this Bill out of the record for one moment."

Frias: "Sure."

Granberg: "Thank you."

Speaker Giglio: "Out of the record. Representative Santiago. Miguel Santiago, Senate Bill 614. Read the Bill."

Clerk Rossi: "Senate Bill 614, a Bill for an Act amending the Crime Victims Compensation Act. Third Reading of the Bill."

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Speaker Giglio: "Representative Santiago."

Santiago: "Thank you, Mr. Speaker, and Members of the House. I would like to have leave to bring the Bill back to Second for an Amendment."

Speaker Giglio: "We're not...we're not...do these Bills that are going to come back. We're gonna do that on a Special Order, Representative, when we run through these Bills, so we'll come back to that. All...let the Chair make an announcement the Members would come up to the well and let the Clerk know the Bills that have to be brought back for the purposes of Amendment. We can put that on...on one Order and we'll go right down the line and we'll have the Amendments voted up or down. So, if you have any Bills that you want to put Amendments on, please notify the Clerk. The Lady from Cook, Representative Erwin, on Senate Bill 273. Got that Bill? Which Bill? (Senate Bill) 442. (Senate Bill) 442, Mr. Clerk. Read the Bill."

Clerk Rossi: "Senate Bill 442, a Bill for an Act concerning condominiums. Third Reading of the Bill."

Speaker Giglio: "Representative Erwin."

Erwin: "Thank you, Speaker. Senate Bill 442 is nearly identical to House Bill 1575, which was approved by the House 106 to 1. This is the Chicago Bar Association's rewrite and improvements, I believe, of the Condominium Property Act. ...As I said, this is identical to 1575, which was nearly unanimously approved by the House, with one exception, in the Judiciary Committee. We did accept an Amendment from Representative Levin. So, I would urge your favorable roll call."

Speaker Giglio: "Any discussion? Representative Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House. First of all, I would like to, for the record, state that I do

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represent the Condominium Association Unit Owners. I rise in opposition to this Bill for one very simple reason. We're talking about governmental entities here, created by statute, that have the authority by statutes to tax. And what this legislation does is to get rid of the referendum prior to the levying of large taxes, large special assessments. The Governor has indicated he would not sign any Bill that increases taxes on the taxpayers. This legislation gets rid of the protections and the right of referendum that currently exists, and have existed, for the last 15 years. For this reason, I oppose Senate Bill 442."

Speaker Giglio: "Representative Wennlund."

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

Speaker Giglio: "She indicates she will."

Wennlund: "Yes, is... After Representative Levin spoke...is it... It is my understanding that...this Bill removes the requirement that there be a referendum before there's an increase in the annual levy?"

Erwin: "That is not my understanding."

Wennlund: "Can you tell us exactly what this Bill does do, then?"

Erwin: "Representative, there are about five key sections of this Act that the Chicago Bar Association worked on for the past year to try and clean up some inconsistencies in the Act and where for instance...certain requirements do not simply work in condominium boards, for instance, and since where a quorum might constitute three people, so there are several provisions which I can assure you, the Judiciary Committee examined quite well that none of which, I believe, removes rights and privileges of any member. I serve on a Condominium Board or have myself, although I am not currently. I think that you will find that it will discourage litigation that is currently clogging up the

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Cook County court system, that is unnecessary, and frankly, people that live in condominiums, like the rest of us, need to learn to live together a little easier, as opposed to filing lawsuits every time a neighbor has a barking dog or something. So, I would urge..."

Wennlund: "Well, I guess the base question is, 'does this eliminate any rights with respect to voting rights that condominium unit owners have currently?' Does it eliminate any of those rights?"

Erwin: "I think I will defer to the House Sponsor in response to that. It is not my understanding, Representative Wennlund, that this takes away any rights and privileges. It... What the Act is trying to do is to make the Condominium Act more applicable to this...to particularly situations where you have very small boards; and there are protections in this for assessments and I think there are no rights and privileges that will be denied."

Wennlund: "Have...have the title companies signed off on this piece of legislation, that you are aware of?"

Erwin: "It does not...I am assured, by the Chicago Bar Association, that this Bill does not eliminate any voting rights currently in the Act."

Wennlund: "Thank you very much."

Speaker Giglio: "Representative Lang. Representative Lang, are you seeking recognition?"

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As the Bill Sponsor said, this is almost exactly the same Bill as House Bill 1575, which went out of here on a vote of 116 to 1. It's almost an exactly same position. The Bill has been stalled in the Senate. It's the same good Bill. It will rewrite the condo laws to make it satisfactory for all unit owners, etc. and it's a good

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Bill; and I urge your 'aye' votes."

Speaker Giglio: "Representative Erwin to close."

Erwin: "Thank you, Speaker. I think that whether you live in a large urban area or a small rural community or you happen to live in a condominium, we need to learn to live together more easily with less litigation, with Acts that make sense, that are not contradictory; and I believe that the Chicago Bar Association has done a good job on this rewrite. And I would urge, as we did on Senate...on House Bill 1575, urge your unanimous support."

Speaker Giglio: "The question is, 'Shall Senate Bill 442 pass?' All those in favor, signify by voting 'aye'; opposed, 'no'. The voting is open; and this is final action. Have all...have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Weller, 'no'. Have all voted who wish? Take the record. On this question, there are 80 voting 'yes' and 31 voting 'no'. Senate Bill 442, having received the required Constitutional Majority, is hereby declared passed. Representative Frias on Senate Bill 576. Read the Bill."

Clerk Rossi: "Senate Bill 576, a Bill for an Act amending the Illinois Uniform Conviction Information Act. Third Reading of the Bill."

Speaker Giglio: "Representative Frias."

Frias: "Thank you, Mr. Speaker. I believe that this Bill was read once before. I gave a good explanation. I ask for a favorable vote. There are no known opponents. Thank you."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall Senate Bill 576 pass?' All those in favor, signify by voting 'aye'; opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Representative Black."



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Black: "Thank you very much, Mr. Speaker. The noise level in the House, is such that I didn't hear one word that the Sponsor said. There's 110 'yes' votes up there, and there probably isn't 10 people in this chamber that knows exactly what this Bill does. I would appreciate it if the Gentleman would explain the Bill in a manner that we can listen to what it is before we throw 111 automatic green votes up there. I have a hunch that there's a couple of things in this Bill that we're not aware of."

Speaker Giglio: "Representative Black...the Bill was called before. The Gentleman did explain what was in the Bill and he took the Bill out of the record and somebody asked from your side of the aisle that they talked to him. They did. The Gentleman now just asks for a favorable roll call."

Black: "All right. Just let me ask you a question then. Does this Bill have an Amendment on it?"

Speaker Giglio: "Representative Frias, would you like to answer that question? Mr. Clerk, is there an Amendment filed?"

Clerk Rossi: "Amendment #1 has been adopted to the Bill."

Black: "All right. Can I ask a question of the Sponsor, Mr. Speaker?"

Speaker Giglio: "Proceed."

Black: "Is this the Amendment that the Riverboat Gaming Board wants to put on the Bill?"

Frias: "Yes, it is. Yes, it is."

Black: "Is this the one that eliminates the onerous provision of having to fingerprint somebody every single, solitary year, even though their employment status never changes?"

Frias: "Yes, it is."

Black: "Well, in that case, I'm glad to be among the 111 to vote 'aye'. It's a good Bill."

Speaker Giglio: "Further discussion? Hearing none, all those in

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favor, vote 'aye'; opposed vote 'no'. The voting is open. Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 0 voting 'no'; and Senate Bill 576, having received the required Constitutional Majority, is hereby declared passed. Representative Zickus on Senate Bill 652. Representative Zickus, do you wish to call this Bill? Read the Bill. The Clerk...take the Bill out of the record. Representative Zickus, we have to take the Bill out. The Clerk informs the Chair there is something wrong with the Bill. Take the Bill out. Representative Saviano, on 678. Representative Saviano, do you wish to call this Bill, Sir, 678? All right, put this Bill on the lists of Bills that have to be brought back, Mr. Clerk. Representative McAuliffe, on 714. Back on...okay, out of the record. Representative Murphy. Maurice...Maureen Murphy, 773. Read the Bill."

Clerk Rossi: "Senate Bill 773, a Bill for an Act amending the Unified Code of Corrections. Third Reading of the Bill."

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

Murphy, M: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. This Senate Bill would merely state that if a Death Row inmate was fit enough to stand trial, they were also fit enough to be executed. I move approval on this. I ask for a favorable vote. If there are any questions, I'll answer them."

Speaker Giglio: "Any discussion? The Gentleman from Clinton, Representative Granberg."

Granberg: "Will the...will the Lady yield?"

Speaker Giglio: "She indicates that she will."

Granberg: "Representative, just for a clarification. Does this Bill provide that a person can be executed, if that person is legally insane?"

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Murphy, M.: "If a person is legally insane, they would be able to stall or get clemency from the Governor in order to not be executed."

Granberg: "So...but the question is, 'would this allow a person who is legally insane to be executed?'"

Murphy, M.: "Not to my knowledge."

Granberg: "Not your knowledge? We're looking at the case of...the case of 'Ford versus Wainright', and this is in contradiction of that case. At least, that was our assumption. If a... Your interpretation is, that a person is not insane, he or she could be executed, but if a person is insane, they can not be executed under the provisions of your Bill?"

Murphy, M: "As I stated, there is provisions that if a prisoner is insane, he need not be executed."

Granberg: "Now, it's our understanding that this would repeal the provisions of existing law, which permits an offender to file a Motion that he or she is unfit to be executed, because of insanity. This would repeal that provision."

Murphy, M: "At this...we...this does not go...we have nothing against mentally ill people. There would be a provision, the timing of this is that sanity of the inmates should be at the genesis of the trial. If someone is insane, they should not be tried. There are provisions for that."

Granberg: "But..."

Murphy, M: "The victims of the very people of Death Row inmates are not allowed a loophole to start the clock over again. There...there would be legal recourse of an inmate on Death Row to appeal his execution, for clemency by the Governor, and a sanity hearing could be held at that time."

Granberg: "So...so, if a person was...was sane at the beginning of the trial, but later was determined to be insane, that

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person could still be executed? This would repeal the provision that would allow that person to be decided if he or she was unfit for trial because of insanity?"

Murphy, M: "That would have to be proven."

Granberg: "Proven by whom?"

Murphy, M: "They could petition. That would be a legitimate petition and they could be found insane and..."

Granberg: "...can I see this Section?"

Murphy, M: "Ask for clemency and no Governor I know would, would execute an insane prisoner."

Granberg: "Representative, let me...your attention to Sub-Section 5-2-3. Your Bill rescinds that whole section, which determines the question of fitness about a person to be executed and what would happen to that person. Your Bill repeals that entire section."

Murphy, M: "That's correct."

Granberg: "So, Section 5-2-3 states: 'a person is unfit to be executed if because of a mental condition, he is unable to understand the nature and purpose of such sentence.' Your Bill repeals that section. So, if a person is deemed unfit, he can be executed."

Murphy, M: "Do you want a response at this time, Representative? This merely forecloses beginning the clock that the inmates on death row did not give their victims. The last execution in Illinois was in 1990. The last execution before that was 1962. What this would do is foreclose the possibility of starting the clock anew, going through the full trial process on the question of sanity. I believe mentally ill people should not be tried. The point of questioning sanity should be at the beginning of the trial. If indeed, an inmate becomes insane, prior to execution, there is a system to apply for clemency citing insanity at

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that time."

Granberg: "Now, you're talking about 'clemency'. You're not talking about suspension of the death sentence. You just said 'clemency', so if a person is sane and is tried for murder..."

Murphy, M: "No, the Governor..."

Granberg: "Becomes...becomes..."

Murphy, M: "Would have whatever array of ability, it's not just clemency if he wanted discharge, the Governor has the Constitutional Authority that you are aware of that he can do with any of these last-minute appeals, so he would still have the same array of tools with which to deal with this serious matter."

Granberg: "So, is the Governor...is the Governor in favor of this legislation?"

Murphy, M: "I don't know."

Granberg: "The Governor...the Governor, you're going to give a great deal more responsibilities to the Governor of this state whether he or that person can decide..."

Murphy, M: "I was thinking that our Treasurer, but I thought that the Governor still had that."

Granberg: "Well, if the Governor has that, don't you think it might be appropriate to ask the Governor if he would be in favor of this legislation?"

Murphy, M: "I know 'Pate' Phillip is in better ability to talk with the Governor, and he was the original Senate Sponsor of this Bill"

Granberg: "Well, you're repealing the whole Section on allowing a person to be declared insane and having the death penalty waived; at least held in abeyance, so a person, if he, if that person is insane, they can be put to death. Now you want to repeal those provisions and give that authority to

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the Governor, whether, in fact, he or she should do all the hearings, conduct the hearings on a person that is scheduled to be put to death. Now, I'm not sure if the Governor would want that responsibility."

Speaker Giglio: "Representative Granberg, are you finished?"

Granberg: "What options would the Governor of this state have if this Section is repealed? If a person becomes unfit, becomes...is insane, what would that person do? What procedure would he or she have to go through to avoid a death sentence?"

Murphy, M: "A public defender could draft his appeal for execution. It just would not start at the court entry."

Granberg: "When...when would the...now this person's gonna...when would the public defender be appointed, if this person is insane?"

Murphy, M: "I can't hear. I'm sorry, I'm not hearing."

Granberg: "When would a public defender be appointed, if this person is, in fact, insane?"

Murphy, M: "Do you mean during the trial?"

Granberg: "No, after the trial."

Murphy, M: "After conviction?"

Granberg: "Yes."

Murphy, M: "I have no idea. I don't understand the question."

Granberg: "If a person is insane, you said, a public defender can file something, so what...how this action initiated? How's a public defender going to initiate this action when this person is insane?"

Murphy, M: "The same as if he were sane. I..."

Granberg: "So, what happens when the Public Defender...what does the Public Defender file, what procedure does he or she have to go through after that person is convicted, if that person becomes insane?"

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Murphy, M: "I have no idea. The Public Defender's Office who was assigned, does it (that is, unless he had a private attorney). It depends on what we're talking about. In the worst-case scenario, a convicted murder felon, sane during trial, represented by the Public Defender's Office, is then incarcerated. The Public Defender's office could then, I expect, handle any appeal on the part of that inmate, whether we're questioning sanity or not."

Granberg: "What? You said 'you suspect.' Do you not know? I mean, we're talking about people's lives. I'm law and order 99%. I'm for, get rid of them; but we're talking about a person's life. If you 'suspect' this is going to be the case..."

Murphy, M: "We're talking about a convicted..."

Granberg: "Is it the case or is it not the case?"

Murphy, M: "Murderer who is given the death sentence."

Granberg: "What would happen to that person? We want to know exactly what's going to happen. We're talking about people's lives, I think a lot of people should be given the death penalty, but what's going to happen? You have a Bill that has..."

Murphy, M: "What are you afraid will happen, Representative?"

Granberg: "...A great effect on the person. What's gonna happen, if that person..."

Murphy, M: "Are you afraid? What is the worst-case scenar...scenario that you are afraid of?"

Granberg: "I...you have a Bill, Representative. We would like to know what's going to happen? You were saying that you..."

Murphy, M: "What will happen is that the door will be closed. I stipulate to that, the door will be closed."

Granberg: "What is the process, Representative..."

Murphy, M: "....the answer..."

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Granberg: "Because of the change in the law, in your Bill, what is the process that will occur, when a person is deemed to be unfit, how is that, if that person is convicted, what happens after that, that it goes to the Governor? That's all, we want to help the Governor, because the Governor, he's gonna get these additional responsibilities?"

Murphy, M: "This Bill is not to help the Governor. It is a...an attempt to foreclose a loophole, little used or not. We have last executed someone in Illinois in 1990. The victims of death row inmates are not given another chance at life."

Granberg: "Representative, we're just asking a question. Give us..."

Murphy, M: "I was not...."

Granberg: "What...what exactly happens after trial because?"

Murphy, Maureen: "They can sue on the Constitutional. They can sue to have a proper hearing to see if they are insane. And they can ask for executive order for clemency."

Granberg: "Okay. What can happen then? What can happen after your Bill is enacted into law?"

Murphy, Maureen: "What will happen, when it's enacted, is that the door will be closed on a loophole that allows convicted death row inmates to start the clock over again for another 16-18 to 24 months of life, claiming to be insane, going through the whole judicial process all the way up to the Supreme Court, to run, to extend the clock again; when their victims... Death row inmates are not there by chance. After every appellate procedure, they end up on death row. The last death row inmate in Illinois was executed in 1990. So what we are trying to do legislatively, if you want to go to legislative intent, is to close the loophole that allows convicted felons on death row to start the clock over again."



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Granberg: "For example... I'm not necessarily speaking against the Bill, we just want to know exactly what happens... What will happen if this process...if this whole section is deleted?"

Murphy, Maureen: "I think we've outlined that over again."

Granberg: "What... What... What exactly happens? Just... That's all we want to know, is just explain the procedure."

Murphy, Maureen: "Why don't you give us a scenario, Representative?"

Granberg: "Say a person is tried and convicted, what...what...then the public defender files...files what?"

Murphy, Maureen: "Was he represented by a public defender?"

Speaker Giglio: "Excuse me, Representative Skinner, for what purpose do you rise?"

Skinner: "I rise to a Point of Order, Mr. Speaker. Aren't people suppose to have five minutes to ask questions and such, and the clock's not running. We're not gonna know when ten minutes are up."

Speaker Giglio: "The point is well taken. Bring your remarks to a close, Representative."

Granberg: "I'll let Representative Dart to ask the question, but, Representative, we may be for the Bill, we're just curious about what process is going to take place, and you have not addressed that. Thank you."

Murphy, Maureen: "I... I would love to address the different scenarios. I'm sure we could think of a hundred different analogies, and I would rather speak to the specifics of your concerns. I am not trying to evade or avoid. I didn't understand your concern."

Speaker Giglio: "Representative Homer."

Homer: "Thank you, Mr. Speaker. A question for the Lady."

Speaker Giglio: "Proceed."

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Homer: "Representative Murphy, to my understanding, the purpose of your Bill is to cut down on the delays...that occur in these cases where someone is sentenced to death."

Murphy, Maureen: "Yes."

Homer: "Is that correct? I didn't hear your response."

Murphy, Maureen: "Yes. I said yes."

Homer: "Is... Is the Lady's microphone on?"

Murphy, Maureen: "Yes."

Homer: "Okay. Thank you."

Murphy, Maureen: "I said yes."

Homer: "Mr. Speaker, to the Bill. I share the Lady's desire that obviously, where someone receives the death penalty, these interminable appeals that go on for ten years is something that...that...that delays the punishment, and which makes, I think, a...a serious problem in the view of the public in terms of expeditious justice in these cases. The problem, however, with the Lady's Bill is this--is that although she would attempt to expedite the process by taking away the right of a convicted person to file a petition to determine fitness to be executed, the fact of the matter is, that the United States Supreme Court has ruled in a recent...case that an insane person cannot be executed, and that case is Ford v. Wainwright. Therefore, if we eliminate from our statute, the process by which it is determined whether a defendant is fit to be executed, it does not mean that that person will be executed even though he may be insane or unfit. What it means is you're handing another tool to the defense bar to take up another layer of appeal on this case. Clearly, if we have no procedure in the law to deal with the question in the resolution of whether a person is sane or fit to be executed, what will happen is, the defense lawyers for that individual will file appeals

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through the federal court system, ultimately to the United States Supreme Court, where as I mentioned, the precedent of Ford v. Wainwright already prohibits states from executing inmates who are deemed to be insane. So, while the Lady wants to shorten the process; in fact, it is my opinion and that of others that have studied this issue, that we would be, in fact, lengthening the process and putting more layers of appeal into the system. So, I would urge those who...who wish to have sentences carried out expeditiously, to take a careful look at this Bill, and to vote against it, because to vote for it, is, in fact, I believe, putting in another layer of appeals and delaying the execution of the death penalty. So, I...I would recommend a 'no' vote."

Speaker Giglio: "Representative Dart."

Dart: "Will the Sponsor yield?"

Speaker Giglio: "Indicates she...will."

Dart: "Representative, how many cases right now are insanity petitions, such as this, pending?"

Murphy, Maureen: "One. I was... I don't know. Currently, there was one that was the genesis of this Bill."

Dart: "There...there's one where this is pending now, holding up the execution?"

Murphy, Maureen: "Right. An inmate that has been on death row for 14 years."

Dart: "Would not a defendant be able to file a habeas corpus petition, or in some other way, attempt to stop the execution via the federal court system based on his Wainwright..."

Murphy, Maureen: "It's my understanding that one could."

Dart: "So, I... Are we, in effect, doing anything with this Bill?"

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Murphy, Maureen: "I'm sorry."

Dart: "Are... Are we gonna be doing anything then, if this is just yet another issue that the defense can bring up in the federal court system as another source of appeal in slowing this down."

Murphy, Maureen: "Theoretically. I do understand Representative...the former sp...Representative Homer's remarks. I did want to underscore, though, that there would still be the prohibition by the Constitution to execute someone insane. So, it's...it's your judgement whether it lengthens or shortens the process."

Dart: "Well, it's...one of my concerns is with this one, Representative, is the statute which we're repealing seems to set forth a rather quick and expeditious way for a defendant to have this issue resolved, because I, like some of the other speakers, am not opposed to the ultimate question here, but the thing that I'm concerned with is that in the statute that you're repealing, it provides for an expeditious way to deal with this argument because it requires the defendant to file his motion after the sentence is put down, and then he must... The burden is on the defendant at that point. He has to show that he's unfit, and he has to convince the court of that. And to me, that seems like it may be a quicker way to dispose of this issue as opposed to having to drag this through the federal court systems."

Murphy, Maureen: "Yes. I... The legislative intent is to not have this used just to delay the penalty of execution. If a person is really unfit, they should go...we should...we should...I (unintelligible) that and the process should be there at the beginning, during, and immediately after the trial."

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Dart: "Well, they...they...they do have those processes now for the beginning of the trial. Those are rather clear, but the problem does come up that sometimes after a trial, they are questions raised on fitness, and quite often, it's been my experience, it is used just as another delaying tactic. But once in a blue moon, it is not."

Murphy, Maureen: "Right."

Dart: "And, I just... My concern is just that we do want to make this move as expeditiously as possible, and we might further clogging and slowing us down by this. And that...that would be my concern with this legislation."

Murphy, Maureen: "Thank you."

Speaker Giglio: "Representative Murphy to close."

Murphy, Maureen: "Again, we struggle with these decisions, but again, we are talking about a death row inmate that were not given...did not give their victims the chance to restart the clock. We are trying the legislative intent speaks to closing the door on a loophole where they would simply use a ruse of an insanity plea to delay their just execution. I move for 'aye' vote. Thank you very much."

Speaker Giglio: "The question is, 'Shall Senate Bill 773 pass?' All those in favor, signify by voting 'aye'; opposed, 'no'. The voting is open, and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Davis, one minute to explain your vote."

Davis: "Thank you, Mr. Speaker. The reason I'm voting 'no' on this legislation is because I really believe it's going to increase the cost to the taxpayer through the appeals that this process is going to allow. I think this...a 'yes' vote is a very bad vote here, because it is gonna cost the taxpayer thousands and thousands more dollars, and it's not

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going to solve any of the problems that are affecting the criminal behavior today. That's all."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Representative Black. Take the record. On this...this question, there are 69 voting 'yes' and 35 voting 'no'. Senate Bill 773, having received the required Constitutional Majority, is hereby declared passed. Representative McAfee, you wish to call Senate Bill 778, Sir? Out of the record. Representative Mulligan, 899. Do you wish to call this Bill? Read the Bill."

Clerk McLennand: "Senate Bill 899, a Bill for an Act to amend the Abused and Neglected Child Reporting Act. Third Reading of this Bill."

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

Mulligan: "Thank you... Thank you, Mr. Speaker. Senate Bill 899 amends the Abused Child Reporting and Neglecting Act to include clergy. The Bill has been amended twice, once in the Senate and once again now, in the House. It includes...a codification of the statute for privilege, and seems to address a combined coalition of clergy's concerns. I would ask for your favorable vote on Senate Bill 899."

Speaker Giglio: "The Gentleman from McHenry, Representative Skinner."

Mulligan: "Oh, here it comes."

Skinner: "Mr. Speaker, I have a letter that I would like to read into the record, and then I would like to ask the Sponsor a question as to whether the writer of a letter, who is anonymous, would be able to go to his protestant clergyman in confidence that the protestant clergyman would not turn his name into DCFS and completely destroy his family. It says, 'I'm writing on behalf of a Bill which you have introduced. I... I'm not a lobbyist or activist, and have

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never attempted to sway legislation. I must implore you to carefully consider your actions. The Bill which you have introduced is not in the best interest of the children which you are attempting to protect. I write from a position of knowledge. You see, I sexually abused two of my daughters. No outside agency came to the rescue of my children. I sought help on my own. I initially sought help from professionals and found that I could not engage in open dialogue considering my problems because the law required them to report any such cases to the authorities. That is, DCFS. Once I realized this, I was unwilling to put myself and my family into the scrutiny of the state, and risk losing my children and facing criminal penalties. Make sure that you fully understand what I just said. I wanted help. I sought help. I was denied help unless I was willing to place myself in jeopardy. When I found out the clergy was exempted from state law, I sought out a clergyman that I trusted and entered into counseling with him. My two daughters were also placed in similar positions. I...I knew they needed professional help...to overcome the trauma that I had inflicted upon them. They were initially unable to receive the counseling for the same reasons. They did not want to place the family in jeopardy. In spite of the sexual abuse, my daughters still loved me and considered me a good father in many respects. Daughter A was able to find professional counseling from a psychiatrist that felt the law was intrusive and counterproductive. He did not report the case. Daughter B... Daughter B had found counseling from a clergy also. There will always be some number of people which independently recognize the need for counseling and will seek help. The present law effectively prevents those individuals from reaching out for the help

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that they need. Senate Bill 899' and this is as it was in the Senate, 'would remove the list...the last available counseling that is available for such individuals.' Now, my question to the Sponsor is whether this individual would be able to go to his protestant clergyman with the full expectation that the protestant clergyman would not report him to the Department of Children and Family Services?"

Mulligan: "Representative, it is my understanding, and not being a judge, that if he is covered under the codification of privilege...if the protestant minister would be covered under that, then he certainly could, in that instance, go to his protestant minister and discuss this in the context of a private conversation as a counselor with his clergy. Being... Not being a judge, I could not tell you specifically, how a judge would rule on the codification. And, although this seems to be a very sad case, and obviously this man sought help, the bottom line here is we're talking about child abuse. We're not talking about...always the protection of the abuser, and what we are looking here by including the codification is to make sure that clergy are able to still function in their capacity as...a counselor and spiritual advisor."

Skinner: "Well, the Gentlelady, I think, does to to the crux of the question. The question is, 'Does the course of...does the codification talk to what Protestant do with their ministers?' And I don't think it does. Under Section... Under Paragraph 8-... Or is it Section? Section 8-803, it talks about what I would understand a catholic priest does. It talks about a spiritual advisor in the course of a discipline enjoined by the rules or practices of such religious body. I'm a methodist. We don't have rules of different disciplines. We don't have practices that are



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codified, as they do in the catholic church. This... This Bill, as it is, refers to the Section in line 13 of Amendment #1 to...to Senate Bill 899. I am afraid that some judge, who is not a protestant and does not know there are informal communications between members of a protestant church and the pastor of the protestant church will hold the minister to not have followed the law. The question seems to me that we have to answer here is whether we want end child abuse or take a stand against it. If you want to end child abuse, a 'yes' vote may not be the correct vote. What you will be doing... What you may be doing is eliminating the only steam valve that exists under current law to get help without the gendarmes from DCFS coming into your house, pulling your kids out for you maybe never to see them again."

Speaker Laurino: "Representative Laurino in the Chair. Representative Mulligan, do you wish to respond?"

Mulligan: "Yes, I'd like to respond to Representative Skinner. Although I'm sure he feels very impassioned by this, having had people come to him and discuss this, the basic problem they have maybe with the codification of privilege, and certainly not this Bill. And if there is a problem with that, then they ought to address that through the system and not at the Bill. Also, in the Amendment, we speak to pastoral care, which probably in all instances, would cover other things, and I don't think that the codification of privilege...speaks strictly to the catholic faith. Also, the Board of Rabbis, they aside from the Catholic Conference, the Board of Rabbis, the Jewish Federation, the Christian Scientists, have all signed off on this Bill. So, obviously, they don't look at the codification privilege as referring just to catholics. And I do think that word here

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that further on in the Amendment that would certainly address Representative...Skinner's concerns, or his constituents' concerns as they may be. It... Providing the religious counsel or pastoral care. Let's take it a step further and certainly pastoral care would make a reference to the protestant religion."

Speaker Laurino: "Further questions. Representative Granberg."

Granberg: "Will the Lady yield?"

Mulligan: "Yes."

Granberg: "Representative Mulligan, I was detracted...distracted for a moment. If I could just ask you a quick question for our Members. We just want to clarify one of the provisions. Amendment #2 was adopted to the Bill, I believe, and that Amendment's exemption provides that the suspected child abuse and neglect is not required to be reported if it's through a...the information's learned through a confidential communication as a spiritual advisor. So that would, in fact, exempt the reporting requirements, and I think that was put on the Bill to address some of the concerns of the Archdiocese of Chicago had, and some other groups."

Mulligan: "That's correct. It was the Board of Rabbis and the Archdiocese of Chicago."

Granberg: "Very good. Thank you. Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Bill. I applaud the Representative for...for working with all of the parties in trying to address this very serious problem."

Speaker Laurino: "For what reason does Representative Black rise?"

Black: "Thank you very much, Mr. Speaker. A very important inquiry of the Chair. Would the Clerk inform the Members of

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this Body what Amendments are on the Bill?"

Clerk McLennand: "Amendment #1 was adopted. Amendment #2 was withdrawn."

Black: "So Amendment #2 is not on the Bill, and Amendment #3 was never even considered?"

Clerk McLennand: "Correct."

Black: "I think that makes a...a big difference in the debate on this Bill. Thank you."

Speaker Laurino: "Representative Mulligan. In view of the light...and...the...the fact that the Amendments were withdrawn, and 3 wasn't even considered, would you wish to take this Bill out of the record at the time, or do you want to proceed with...getting the vote on this Bill?"

Mulligan: "No, I'd like to proceed with it. There were two Amendments, one in the Senate...with Amendment #1 on the Senate, and Amendment #1 in the House, which were...which was my Amendment to the Bill, which was from the coalition of different religious faiths. I'd like to proceed with the Bill. Why... Why... Who's asking that we take it out of the record?"

Speaker Laurino: "I just asked if you were...were considering it."

Mulligan: "Thank you."

Speaker Laurino: "Further discussion. Representative Flinn."

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

Speaker Laurino: "The Gentleman's moved for immediate consideration. All those in favor, indicate by saying 'aye'. Objection. Representative Parke, for what reason do you rise, Sir?"

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think this is such a bad Bill that we should not cut off debate. I would like the Body to understand exactly

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what this is, because they're gonna be held accountable when they vote for it. I think it's only fair that both sides understand what this means, because in a month or five months from now, when your pastor or your priest or your rabbi comes to you and says, 'how could have you voted for this legislation?' You better understand what it is. And I don't think we should cut off debate. I think we should explain this Bill so you all are casting a fair and intelligent and informed vote. So I object to the Motion to...to stop the discussion on this legislation."

Speaker Laurino: "There's a Motion on the floor to move the previous question. All those in favor, indicate by voting 'aye'; opposed vote 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Motion, having received 81 'ayes', 28 'nays', 2 voting 'present'; carries. The previous question has been put. Representative Mulligan to close."

Mulligan: "Thank you, Mr. Speaker. This Bill has proceeded out of State's Attorney O'Malley's office for ten months. In ten months, all the different faiths were asked to come forward to put forth their concerns, to work on Amendments, and to make the language palatable, so that they could support this Bill. For ten months, people have worked on the Bill. And when it finally came to the Senate, it was amended once. When it came to the House, it was amended once. We have worked with a number of groups. My honorable colleague...to my right...specifically stated other faiths. As far as I know...we have worked with the majority of people who have come forward in the discussion, and we have addressed their concerns. Also, I would say to you that I think this Bill is a very good Bill. I don't think it's poorly drafted. It's been worked on repeatedly, and I would

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ask for your favorable vote on this Bill."

Speaker Laurino: "The Lady has moved for the adoption of Senate Bill 899. All those in favor will indicate by voting 'aye'; opposed voting 'nay'. The board is open. Representative Churchill, for what reason do you rise, Sir? Explain your vote?"

Churchill: "Yes, Mr. Speaker. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill. I think all this does is to again, create a situation where you're combining church and state. What you're asking ministers and priests and rabbis to do, is to be agents of the state, to report potential child abuse cases. And so what happens? A young kid comes to Sunday School, and the rabbi or the priest or the minister looks at the kid and sees some bruises on their legs. Is the minister suppose to report that then? Have they become an agent of the state where they have to report everybody that comes in? I don't think this is a good Bill. People are afraid to go to doctors now, because they're afraid if their kids have welts and bruises and bumps, that they're gonna get reported for being a child abuser. Now, people are gonna be afraid to send their kids to church. Pretty soon, they're gonna have to keep their kids isolated in their bedrooms 'cause kids do have accidents. They fall down. They get bumps and bruises. That's not child abuse. That's being a kid. This Bill goes too far, and should be...voted down."

Speaker Laurino: "Further discussion. Representative Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House, to explain my vote. This Bill widens the mandated reporting act by a...to a considerable degree. This Bill makes every clergyman an agent of the State of Illinois. Then, they are mandated reporters, and failure to

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report possible cases of child abuse or neglect is a Class A misdemeanor. So the clergy of this State are put in the position of making a decision of what constitutes child abuse. Who's standards will be used? And if a clergyman fails to make the politically correct judgement, that clergyman can become a criminal in the State of Illinois. I think we know what this aimed at. And I commend the State's Attorney for trying to root out those people who abuse their position of trust in the clergy. Let's do that. Let's go after those people. But for heaven's sake, don't over react by making every clergyman in the State of Illinois a mandated reporter for possible child neglect. I don't think this is a very idea. I vote 'no'."

Speaker Laurino: "Further discussion? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill, having received 82 'ayes', 30 'nay', 2 voting 'present'. Having received a required Constitutional Majority, is hereby declared passed. Senate Bill 906, Representative Ryder. Read the Bill, Mr. Clerk. (unintelligible), Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I make an inquiry of the Chair, or perhaps of the Clerk. Earlier today, I filed an Amendment which is necessary for this Bill. Could you tell me if that Amendment has been printed and distributed, please."

Clerk McLennand: "No, it has not."

Ryder: "All right. Then please take the Bill out of the record."

Speaker Laurino: "Out of the record. House (sic-Senate) Bill 1076, Representative Brunsvold. Out of the record. Proceed to Local Government, Third Reading. Senate Bill 371, Representative Cowlshaw. Is Representative Cowlshaw on the Floor? Representative Cowlshaw, what is your pleasure,

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Ma'am?"

Cowlshaw: "Thank you, Mr. Speaker. I...I..."

Speaker Laurino: "Do you want to call the Bill?"

Cowlshaw: "Yes, please."

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

Clerk McLennand: "Senate Bill 371, a Bill for an Act that amends the Northeastern Illinois Planning Act. Third Reading of this Bill."

Speaker Laurino: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is an initiative of the Northeastern Illinois Planning Commission, which is the only entity in the State that is affected by this legislation. We had a...an identical Bill, House Bill 781, which we passed out of this House by a wide margin. And this...as I say, is an initiative which comes from NEIPC, and has to do with the fact that they are required by the federal government to review applications to change the boundaries of a waste water facility planning area whenever there is any need to make such a change. Because of the fact that they...that that is a very costly thing for them to do, they have made an arrangement on which everyone has agreed, in order to charge a small amount to help to compensate themselves for what it cost to do those studies. There is no opposition to this Bill, and I move for its adoption."

Speaker Laurino: "Further discussion. Representative Granberg."

Granberg: "Thank you. Would the Lady yield? Representative, I couldn't hear you. Representative Cowlshaw, I couldn't hear you for a moment. Did you say there is no opposition to the Bill?"

Cowlshaw: "That is correct."

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Granberg: "I just wanted to make sure. And you discussed..."

Cowlshaw: "Representative, I...I want you... I want to be very straight forward about this. Originally, before this Bill became the form that it's in now, there...there was some opposition to it. But that has now been... All of that has been taken care of, and as far as I know now, there is no opposition."

Granberg: "I thought that is what you had said, Representative. I...I just couldn't hear you. I just wanted to make sure. And, did you... The fee increase for the Northeastern Illinois Planning Commission. That was discussed with Representative Steczo and everything was worked out."

Cowlshaw: "That's right."

Granberg: "Very good. Thank you, Representative, for your handling of the matter with the Representative, and we rise in support of the Bill."

Cowlshaw: "Thank you."

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

Wennlund: "Will the Sponsor yield?"

Speaker Laurino: "She indicates she will."

Wennlund: "Can you explain to the Body what the fee increase amounts to?"

Cowlshaw: "It's not more than \$10 for...for every acre that is involved in the study. That is... The maximum would be \$10 an acre."

Wennlund: "Is that the increase?"

Cowlshaw: "That is correct."

Wennlund: "So...so ten acres... So, if you had ten acres, you'd be talking about \$100 increase..."

Cowlshaw: "No, I'm sorry, that's not the increase. That...there... There has never before been a charge for



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providing these kinds of studies, and consequently, this is simply the charge, \$10 maximum per acre."

Wennlund: "So, this is a new few we're talking about of \$10 per acre."

Cowlishaw: "That is correct."

Wennlund: "And this is on an application to determine, or expand the facilities planning area of a municipality?"

Cowlishaw: "Whenever there is a proposal to change the boundaries of a waste water facility planning area, the federal government requires NEIPC to do studies in relation to all the various aspects, environmental and otherwise, for those kinds of changes. And since those studies are in great demand by...particularly, for example, by developers or home builders. NEIPC really felt that rather than our...the state government having to appropriate money to cover the costs of the federally mandated studies, that it would be better for the people who benefited from those studies to pay for them. It's kind of like user fee."

Wennlund: "Okay. Thank you very much. I just wanted to clarify that."

Speaker Laurino: "Further discussion? Seeing none, the Lady moves for the adoption of Senate Bill 371. All those in favor, indicate by voting 'aye'; opposed, 'nay'. The board is open. Have all voted who wish? Schoenberg 'aye'. Have all voted who wish? Take the record. Take the record, Mr. Clerk. Representative Parke."

Parke: "I would like my vote changed. That's what I was asking for...your attention."

Speaker Laurino: "I'm sorry. I didn't see your light on. Representative Parke wishes to have his voted changed, as to 'yes'. Representative Davis."

Davis: "I'd like my vote changed to 'no'."

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Speaker Laurino: "Change her vote to 'no'. Representative Olson.

You want change your vote to 'no'? Representative Zickus."

Zickus: "Change mine to 'no'."

Speaker Laurino: "Representative Zickus wishes to be recorded as  
'no'. Representative Ackerman."

Ackerman: "'No'."

Speaker Laurino: "Change his vote to 'no'. Representative  
Deuchler, 'no'. Representative Frederick."

Frederick: "Please change my vote to 'no'."

Speaker Laurino: "Change her vote to 'no'. Representative Salvi."

Salvi: "Change my vote to 'no' please, Mr. Speaker."

Speaker Laurino: "Change... Change Representative Salvi to 'no'.  
Representative Homer. Change his vote to 'no'.  
Representative Lou Jones, 'no'. Representative Eugene  
Moore, 'no'. Representative Gash, you wish to be recorded  
'no'?"

Gash: "'Present'."

Speaker Laurino: "'Present'. Oh, that's a good move.  
Representative Cowlshaw."

Cowlshaw: "Mr. Speaker, since apparently you're never gonna take  
the record on this Bill, I'd like to take it out of the  
record."

Speaker Laurino: "(unintelligible) Lady to take this Bill out of  
the record? You can ask for Postponed Consideration,  
Representative."

Cowlshaw: "Fine. Thank you very much."

Speaker Laurino: "Postponed Consideration. Senate Bill 568,  
Representative Deering. Read the Bill, Mr. Clerk "

Clerk McLennand: "Senate Bill 568, a Bill for an Act to amend the  
Metropolitan Civic Center Support Act. Third Reading of  
this Bill."

Speaker Laurino: "Proceed, Representative Deering."

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Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What this Bill does is just extends a deadline for applications that...that are on file with the Department concerning...a proposed civic center project. It does not budget or allocate any money for any civic centers. Currently, I think, the applications expire in July of this year. This just extends them till June or July of 1995, I believe. I'd be happy to..to answer any questions."

Speaker Laurino: "Further discussion? Seeing none, Representative Deering moves for the adoption of Senate Bill 568. All those in favor will indicate by voting 'aye'; opposed, 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill, having received a 113 'ayes', 0 voting 'nay', having received a required Constitutional Majority, is hereby declared passed. Senate Bill 706, Representative Capparelli. Out of the record. Senate Bill 707, Representative Lang. Out of the record. Representative McPike in the Chair."

Speaker McPike: "Revenue, Third Reading, 387, Mr. Kubik. Jack Kubik. Mr. Kubik. Out of the record. (Senate Bill) 1085, Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1085, a Bill for an Act concerning sanitary districts. Third Reading of this Bill."

Speaker McPike: "356, Mr. Kubik. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 356, a Bill for an Act that amends the Illinois Vehicle Code. Third Reading of this Bill."

Speaker McPike: "Mr. Kubik. Somebody hand Mr. Kubik the folder."

Kubik: "Thank you for your patience, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 356 amends the Vehicle Code and...it is an amended Bill. It does basically two things. One, is it...agreed Bill with the Commerce

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Commission to...authorize the Commerce Commission to request refunds...of any amount charged by...by a relocater that exceeds the maximum rate as established by the Commission. This is due to some problems that we've had with relocaters and using a credit card. The other provision is a...a provision that was offered by Representative Weller, which was formerly House Bill 349, which would authorize the Secretary of State to refuse to issue drivers licenses or permits...and driving privileges to a person who is convicted...delinquent after violations of the Liquor Control Act relating to possession of alcohol when the person is under the age of 21. I'd be happy to respond to any questions you might have, and appreciate your support."

Speaker McPike: "The question is, 'Shall Senate Bill 356 pass?' All in favor, vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there is 112 'ayes' and 0 'nays'. Senate Bill 356, having received a Constitutional Majority, is hereby declared passed. (Senate Bill) 536, Mr. Parke. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 536, a Bill for an Act to amend the Bikeway Act. Third Reading of this Bill."

Speaker McPike: "Mr. Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 536, as amended, allows Lake County now, exclusively Lake County, to use motor fuel tax funds allocated for the construction and maintenance of bicycle routes along county...roads, and also to use the utility power lines as a bikeway path. And I would ask the Body to approve this legislation. ...And we have amended it to take... We know of no opposition now to the legislation."

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Speaker McPike: "All right, Mr...Representative Granberg. Mr. Giorgi in the Chair."

Granberg: "Would the Gentleman yield? Representative, I just want to make sure this impacts Lake County only, Representative?"

Parke: "That is correct. Only Lake County."

Granberg: "And this would allow them to enter into agreements to use their motor fuel tax, no state motor fuel tax dollars?"

Parke: "Just... That is correct. Just Lake County's."

Granberg: "Thank you."

Speaker Giorgi: "Representative Parke...to close."

Parke: "I would ask the Body to vote 'yes' on Senate Bill 536."

Speaker Giorgi: "The question is, 'Shall Senate Bill 536 pass?' All those in favor, signify by voting 'aye'; those opposed by voting 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? On this question, Senate Bill 536 is 96 'ayes', 12 'nays', 4 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On Roads and Transportation, Representative Stephens. You want to call 625? Mr. Clerk, read...read Senate Bill 625."

Clerk McLennand: "Senate Bill 625, a Bill for an Act in relation to transfer of real property. Third Reading of this Bill."

Speaker Giorgi: "Representative Stephens on Senate Bill 625."

Stephens: "I'd like leave of the Body to take it back to Second Reading for a couple of Amendments. Both sides of the aisle."

Speaker Giorgi: "Is there any objection? Representative...Representative Stephens, we're gonna have a special Order of Call for Bills going from Third to Second, so why don't you come to the well."

Stephens: "We're gonna do what and why?"

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Speaker Giorgi: "I'm getting from the second Parliamentarian, I'm getting other instructions. Are we or aren't we? Hold it, Representative Stephens. Representative Stephens, oh, he's up here. Okay. Take the Bill out of the record. Representative Lang, do you want to call Senate Bill 383? Out of the record. Representative McAuliffe, 542, Senate Bill 542. Out of the record. Out of the record. McPike in the Chair."

Speaker McPike: "All right. Here's some Bills on Third Reading that need to be brought back to Second for Amendments. First is Senate Bill 678. Mr. Saviano asks leave to return it to Second Reading. Leave's granted. The Bill's on Second. Mr. Clerk, any Amendments?"

Clerk McLennand: "Amendment #1, offered by Representative Saviano."

Speaker McPike: "Mr. Saviano."

Saviano: "Mr. Speaker, I just working with the Democratic staff on a...additional... We're gonna... Some more information we're gonna put in Amendment #1. We should have it tomorrow, so...I'd like to pass on it for now."

Speaker McPike: "All right. The Bill stays on Second Reading. Senate Bill 614. The Chair... Mr. Santiago. Santiago here? 714. Mr. McAuliffe, you want to bring this back to Second Reading? The Gentleman asks leave. Leave's granted. The Bill's on Second. Any Amendments?"

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

Speaker McPike: "Mr. Hicks. Mr....McAuliffe, you want to handle this for Mr. Hicks."

McAuliffe: "Yes."

Speaker McPike: "Proceed."

McAuliffe: "Representative Hicks has an Amendment that would

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reduce...that would eliminate the maximum age that police officers are forced to retire under State Police."

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

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 273, Representative Erwin. Ask leave to return it to Second Reading. Leave's granted. The Bill's on Second. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative Erwin."

Erwin: "Thank you, Speaker. The Amendment I am attempting to put on Senate Bill 273 is a Bill...the Amendment actually is a Bill that was a domestic violence Bill that was approved unanimously by the House but was kept in Senate Rules. It will...allow a woman who has been the victim of domestic violence to extend an order of protection...after appearing in court without the requirement of new evidence. I would urge your favorable support."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' On that, Mr. Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "...This would be the case regardless of whether or not it was unopposed? So, no new... So, to extend an order of protection...there's..."

Erwin: "It's only in..."

Wennlund: "...any new evidence whatsoever? You just file a Motion and...and the court hears the... What evidence is heard by

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the court?"

Erwin: "It is only in uncontested cases, Representative, and as it was debated in the Judiciary Committee here, this... This Bill, by the way, came to us from the Domestic Relations Court in Cook County, because their feeling was that they've...they have been having to turn women back into unsafe situations and essentially saying to them, 'Go bring us new evidence'. And that new evidence may be a black eye or a gunshot wound. If there is no material change in the circumstances, which is what this would require, they would go to court in uncontested situations, and...and attest to that in court, that there has been no material change, they are still in an unsafe situation, a threatening situation, so that the court doesn't require them to go back and be battered again."

Wennlund: "Okay. Thank you very much."

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. ...75. Senate Bill 675. 625. The Gentleman asks leave to return to Second Reading. Leave's granted. The Bill's on Second. Any Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Stephens."

Speaker McPike: "Mr. Stephens."

Stephens: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a land transfer Bill. This Amendment...is...has to do with Tazewell County, the City of Pekin. The Department of Transportation can convey a parcel of land, valued at about \$17,000. I think everything



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is in order. I move adoption of the Amendment."

Speaker McPike: "On the adoption of the Amendment #3, the question is, 'Shall Amendment #3 be adopted?' All in favor, say 'aye'... Representative Granberg on that Motion."

Granberg: "Representative, this deals with Pekin or is the Will County Amendments? I just want to make sure we get the Amendments in order."

Stephens: "We are on Floor Amendment #3, Representative, and this is the...authorizes the Department of Transportation to convey a parcel of land located in Tazewell County to the City of Pekin for an appraised value of \$17,000. No further."

Granberg: "I'm sorry, Representative. We had House Amendment #3 as showing in Will County, so I just wanted to make sure of the correct order."

Stephens: "You need some Republican staff over there to help number those Amendments."

Granberg: "Oh, don't say that. The... And is the appraisal on file, as required?"

Stephens: "Yes."

Granberg: "All right. Thank you, Representative."

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

Clerk Rossi: "Floor Amendment #4, offered by Representative Stephens."

Speaker McPike: "Mr. Stephens."

Stephens: "...Allows the Department of Conservation to convey...land to...the Lidman Equipment Partnership for the amount of \$5,300. It's in Douglas County, City of Arcola. I believe this is an abandoned street location, and the city,

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the county, the Department, everybody has signed off. The proper documents have been filed, and the maps have been revered, and I move its adoption."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' All in favor, say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #5, offered by Representative Stephens."

Speaker McPike: "Mr. Stephens."

Stephens: "This is in Carroll County. Authorizes the Director of the Department of Conservation to convey land to the United States upon the payment of \$1, all rights, titles, and interests."

Speaker McPike: "And on that Motion, Representative Granberg."

Granberg: "Representative, that's 34 and a half acres in Carroll County? What is that property currently being used for? And who would it be conveyed to? The United States Government?"

Stephens: "The Department of Transportation purchased the land about six years ago, Representative, to do a project...that entailed mitigating wetland and incruving...improving and removing material from a state-funded borrow site. The project was monitored by the U.S. Fish and Wildlife Service, which owns the wildlife refuge in the immediate vicinity of the borrow site. When the project was completed, IDOT requested and received jurisdiction transfer of property, after retaining a 70 feet right-of-way along the...for highway purposes, to the Department of Conservation. This would then go back to the federal government. It's... It's just wetlands, now. It's not being used. It's not going to be developed in any way."

Granberg: "Thank you, Representative."

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Speaker McPike: "The ques... Is that it, Mr. Granberg? The question is, 'Shall Amendment #5 be adopted?' All those in favor, say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #6, offered by Representative Moseley."

Speaker McPike: "Who's the Sponsor of this?"

Clerk Rossi: "Representative Moseley."

Speaker McPike: "Representative Moseley."

Moseley: "I wish to withdraw the Amendment."

Speaker McPike: "The Lady withdraws the Amendment. Further Amendments?"

Clerk Rossi: "Floor Amendment #7, offered by Representative Frederick."

Speaker McPike: "Representative Frederick. You're on. Is your microphone not working, because our lights indicate that it's on. Evidently, it's not working. Could you use Representative Mulligan's...microphone, please. Mr. Electrician, let's see if we can get...Representative Frederick's microphone fixed. Turn on Representative...Persico's mic... All right. All right. Never mind."

Frederick: "Mr. Speaker, Amendment #7 allows North Chicago to buy 60 acres of land which the Department of Transportation wishes to sell, for the purposes of developing an industrial park. I move for adoption of Amendment #7."

Speaker McPike: "All right. The question is, 'Shall Amendment #7 be adopted?' All those in favor, say 'aye'; opposed, 'no'. The 'noes' have it. And the Amendment's defeated. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "All right. The Gentleman wants to leave the Bill

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on Second Reading. Mr. Santiago return? Santiago here? All right. Does anyone have a Bill on Third Reading on Special Call...on Special Orders that they want called? Mr. Santiago, do you want your Bill called? All right. What's the Bill number? What's your Bill... 614. Representative Santiago asks to return the Bill to Second Reading for Amendment. Leave's granted. The Bill's on Second. Mr. Clerk, any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Santiago."

Speaker McPike: "Mr. Santiago."

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. Amendment #1 is a Bill that I passed out of here with a majority of a 112-2. What the Bill does... What the Amendment does, it permits a juvenile court to order minors found delinquent for criminal damage to property by the use of paint, to perform at least a 100 hours of community service, and any adult that defaces property will be required to order a... if found guilty, to pay restitution to the property owner. I will be more than happy to answer any questions."

Speaker McPike: "All right. On the...Adoption Motion, Representative Gash. No. Representative...Bigot...Biggert. Yes."

Biggert: "Thank you, Mr. Speaker. Will the..."

Speaker McPike: "Yes."

Biggert: "...Sponsor yield?"

Speaker McPike: "Yes."

Biggert: "Representative Santiago, you mentioned that this was a Bill that had passed out of the House, House Bill 360?"

Santiago: "Yes, ma'am."

Biggert: "Well, certainly it passed by a large majority out of

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this House, but are...are all these... It seems like all of these Amendments are coming back to present another Bill, rather than to...to the Bill that we're addressing under Senate Bill 614. Why are you... Why... If it already passed, why are you bringing it back?"

Santiago: "Representative Biggert, the problem was that the Bill was never called out of the Senate... It never came out of Rules."

Biggert: "Right. Thank you."

Speaker McPike: "Anything else? The question is, 'Shall...Shall Amendment #1 be adopted?' All in favor, say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 160. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 160, a Bill for an Act amending the Voluntary Payroll Deductions Act of 1983. Third Reading of the Bill."

Speaker McPike: "Representative Gash."

Gash: "This is a very simple Bill that passed out of the Senate committee 14-0-0. Passed out of...the full Senate 53-0-0, and out of the House Executive Committee 10-0-0. Basically, what the Bill does is amend the Voluntary Payroll Deduction Act of 1983 to provide that an organization which is seeking qualified status...thank you...need not have existed to two years or longer if it is representing more than one benefitting agency and each of those agencies existed for two years."

Speaker McPike: "And on a 'Do Pass' Motion, Mr. Wennlund."

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

Speaker McPike: "Yes."

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Wennlund: "Is this the same Bill that...I believe was de...was, in fact, defeated in the House? Is this the same Bill defeated..."

Gash: "This is the same Bill that passed out of the House 113-0. Thank you for asking."

Wennlund: "Is... Is... Was...Committee Amendment #1 placed on it?"

Gash: "No."

Wennlund: "The Bill was not amended. Does...United Way oppose... Was this the..."

Gash: "The United Way is not opposed to this Bill. This Bill is not amended. The Amendment was removed from the Bill."

Wennlund: "I can't hear. Who...Who... The statement was United Way..."

Speaker McPike: "Who. Who."

Wennlund: "...was not opposed?"

Speaker McPike: "Who. Who."

Wennlund: "What?"

Gash: "Yes. Yes."

Wennlund: "Who... Is anyone opposed to this that you know of?"

Gash: "No."

Wennlund: "No one is. What is the change that is being made here?"

Gash: "If an agency... If a...charitable organization has existed for two years, it's qualified. If it combines with other agencies which also have existed for two years, that combined organization would then be qualified, whereas it might not...it would not have been before."

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

Gash: "You're welcome very much."

Speaker McPike: "Representative Leitch."

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

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Speaker McPike: "Yes."

Leitch: "Amendment #1, which would have been the objectionable Amendment, is that the Amendment that was withdrawn by you? So, all..."

Speaker McPike: "Representative Gash."

Leitch: "So all this Bill does now is what?"

Speaker McPike: "Mr. Clerk, are there any Amendments on the Bill?"

Clerk Rossi: "There are no Amendments on the Bill."

Speaker McPike: "There are no Amendments on the Bill, Mr. Leitch."

Leitch: "Thank you. Thank you very much."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. To the Bill, I'm sure it's as the Sponsor purports it to be. But there obviously is some confusion out there about this Bill. I just heard from my United Way director that she doesn't care for this Bill. I'm not sure why. I don't know what language has been...misconstrued or whatever, but all I can tell you is that my United Way director, who I have a great deal of regard for, does not like the Bill, and that's the reason I intend to vote 'no'."

Speaker McPike: "Representative Gash to close."

Gash: "United Way has not contacted me. They did, however, contact me about the Amendment, and we did, in fact, table it...at their request."

Speaker McPike: "The question is, 'Shall Senate Bill 160 pass? All those in favor, vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 96 'ayes' and 10 'noes'. Senate Bill 160, having received the Constitutional Majority, is hereby

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declared passed. Senate Bill 594. Representative Moffitt asks leave to return this to Second Reading. Leave's granted. The Bill's on Second Reading. Mr. Clerk, any Amendments?"

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

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

Weller: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Floor Amendment #1 deals with an issue that was brought to my attention by my regional superintendent of schools. It's an issue that was addressed dealing with school buses when they should stop and when they should let their arm out under a unique circumstance. The language has been agreed to by the regional superintendent of schools, the Illinois State Police, the Department of Transportation, the State Board of Education, the Springfield Police Department, and the Illinois Municipal League. I know of no opposition to this, and I ask for an 'aye' vote."

Speaker McPike: "All right. Mr. Moffitt, we... Our staff would like to look at this. Would you like to take this Bill out of the record for a while? Yeah, would you like to take the Bill out of the record? Thank you. The Bill's out of the record. All right. The Chair intends to do...Special Call, Second Readings, starting at the top. Senate Bill 139, Representative Pankau. The Bill's been read a second time. Mr. Clerk, are there any Amendments?"

Clerk Rossi: "No Amendments filed."

Speaker McPike: "No Amendments? All right. There's an Amendment filed today, it's not been printed. Representative... Representative Pankau."

Pankau: "There are two Amendments that were filed today. I don't



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know whether they've been printed or distributed yet."

Speaker McPike: "No, they have not."

Pankau: "There are two Amendments on it."

Speaker McPike: "So, we'll have to take this out of the record. Education, Second Reading, 159, Mr. Brunsvold. Joel Brunsvold. This Bill's been read a second time. Are there any Amendments?"

Clerk Rossi: "Amendments 1 and 2 were...have been adopted to the Bill. No Motions filed. Floor Amendment #3, offered by Representative Brunsvold."

Speaker McPike: "Mr. Brunsvold. Is this printed? Yes, it is. It is printed, Mr..."

Brunsvold: "Thank you, Mr. Speaker. Amendment #3 would define a two parenting program 0 through K, and then K through 12, as requested by the parents groups. It just simply separates those two, and would ask of the adoption of Amendment #3."

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

Clerk Rossi: "Floor Amendment #4, offered by Representative Brunsvold."

Brunsvold: "Amendment #4 simply indicates that the...there must be informed consent before anyone can come into the house from the program to...to examine the parenting program."

Speaker McPike: "Is this printed? Yes. Yes, it's printed, Mr. O'Brien. Any discussion of Amendment #4?"

Brunsvold: "I ask the adoption of Amendment #4."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' All in favor, say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further

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Amendments?"

Clerk Rossi: "Floor Amendment #5, offered by Representative Salvi."

Speaker McPike: "Representative Salvi."

Salvi: "Thank you, Mr. Speaker. I have, like many of you, received letters and calls about this particular Bill 159 from constituents that are concerned more about the potential...of what this Bill could become. Yes, it is printed. And it seems to me that the principal criticisms of this Bill revolve around two things--one, is...the potential...that...these authorities will be able to go into the home to tell a parent how to be a parent. And my Amendment simply says that no visits in the home are authorized by this section. The second part of my Amendment would indicate...I've been told this is the case, anyway now...if it is there's nothing to worry about, it...it would say that there is no authority given to the individuals given the authority by this Bill to punish a parent for noncompliance with any of their...what they would refer to as recommendations. The reason that this Amendment is important is because if this is a good Bill, and I'm not convinced that it is, but if this is a good Bill, it's only negative is its potential to become something that is threatening. This Amendment very simply put, goes toward those potential threats that a lot of people are worried about, and a lot of people in my district have contacted me and asked me to present this, just to ensure that House...or Senate Bill 159 does not become this Orwellian creature in the future, allowing the authorities to come into a home and tell home schoolers, for example, how...how to teach their kids, to tell parents how to be parents. This Amendment simply says that the

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parents are the principal authorities, and that if the program...if this block grant program is to be successful, it has to have some limits. This Amendment imposes reasonable limits. I ask you to support and vote for Senate Bill...Amendment #5 to Senate Bill 159."

Speaker McPike: "Representative Brunsvold."

Brunsvold: "Thank you. Does the Gentleman yield for a question?"

Speaker McPike: "Yes."

Brunsvold: "...Amendment #4 that I had, required that there be consent from the parenting...from the parents...part of the program. I guess I don't understand what your Amendment does that's different from what Amendment #4 did."

Salvi: "Well, principally, it says that there will be no such visits. Your Amendment, which I was told was supported by certain groups and I contacted those groups and they don't support those groups, your Amendment authorizes visits if consent is given. But our fear...my fear is that...you know, you're gonna plop something down in front of somebody, they're gonna sign it, giving away the right...that they have to say no, we don't want these...eastern bloc Orwellian visits to our home, and they may not fully understand what they're doing. That's my fear. I don't think that you should have visits...to the home. So, this...Amendment says no visits. Your Amendment says visits if the person signs this document. So, there is a difference, Representative Brunsvold."

Brunsvold: "Why... Why would we not want a visit? I mean, if you're gonna be part of this program and it's a parenting program... It's a voluntary program. Why would you not want, under your own consent, to be able to go into a home and help the parents learn how to parent? Why would you not want to do that?"

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Salvi: "Again, my fear is what this could become. This program...what it could become. We're having trouble teaching kids reading, writing, and arithmetic. If this is a good idea, I want a limited scope. I don't want to send the...the authorities, who know better than everybody else, to into the homes to teach them how to be parents. The primary authority, in my book, are the parents. I don't want... I don't want to do anything to dismantle that institution. I think this Bill is reasonable. It says you can have this program, but no visits to the home, and no authority could penalize parents for not following the dictates of the authority that you are creating."

Speaker McPike: "To the Amendment."

Brunsvold: "To the Amendment. Mr. Speaker, I stand opposed to the Gentleman's Amendment. Here's a parenting program to teach parents how to be parents. It's a voluntary program. They have total consent about whether the program person can come into the home. The Gentleman's Amendment, I think, would simply kill the parenting program. I mean, they're not going to have any parent visits in the home where it's probably needed the most. So I would ask to...to everyone vote 'no' on the Amendment, because it's gonna kill the program. It's a good parenting program."

Speaker McPike: "The question is, 'Shall Amendment #5 be adopted?' All in favor, say 'aye'; opposed, 'no'. The 'noes' have it. The Amendment defeated. Further Amendments?"

Clerk Rossi: "Floor Amendment #6, offered by Representative Hassert."

Speaker McPike: "You want to take this Bill out of the record? No. All right. Representative... Representative Hassert."

Hassert: "Mr. Speaker, fellow Members, this is an agreed to

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Amendment by the Chairman and Spokes-Person of the committee and State Board of Education."

Speaker McPike: "Is this printed? Yes. Proceed."

Hassert: "To add language back in that was deleted in the Senate from the School Code. I ask for its approval."

Speaker McPike: "Any objections? The question is, 'Shall Amendment #6 be adopted?' All those in favor, say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Yes, it's printed. Any further Amendments?"

Clerk Rossi: "Floor Amendment #7, offered by Representative Salvi."

Speaker McPike: "This is not printed. Mr. Brunsvold."

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

Speaker McPike: "The Gentleman moves to table Amendment #7. All those in favor, say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's tabled. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill... ..Cowlshaw."

Cowlshaw: "Mr. Speaker, an inquiry of the Chair, in relation to Senate Bill 159, which was just under consideration. Could you please tell me whether Amendment #4 was adopted?"

Speaker McPike: "Yes, it was adopted."

Cowlshaw: "Thank you."

Speaker McPike: "Yes. 730, Mr. Brunsvold. The Bill's been read a second time. Are there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Brunsvold."

Speaker McPike: "Mr. Brunsvold."

Brunsvold: "Withdraw Amendment #1."

Speaker McPike: "The Gentleman withdraws the Amendment. Further Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative

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Brunsvold."

Speaker McPike: "Mr. Brunsvold."

Brunsvold: "Amendment #2 simply sets up a ten member parent, teacher, and administrator committee. And also clarifies language dealing with certification of people working in this program. It's an agreed Amendment between the Education...Illinois Education Association and Illinois Farm Bureau. I ask for the adoption of Amendment #2."

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Elections and State Government, Representative Curran, 157. The Bill's been read a second time. Are there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Granberg."

Speaker McPike: "Mr. Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 provides coverage for...prescription... I'm sorry, we would like to withdraw Amendment #1."

Speaker McPike: "The Gentleman withdraws the Amendment. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Energy and Environment, Second Reading, 186, Mr. Novak. It's been read a second time. Mr. Clerk, are there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Novak."

Speaker McPike: "If we don't amend them, yeah, that could be passed. Okay. All right. Let's go...I'll get right back to

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you, Mr. Novak. Let's go back to 157. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 157, a Bill for an Act in relation to state government. Third Reading of the Bill."

Speaker McPike: "Let the board reflect it's on Third Reading. Mr. Curran."

Curran: "I'd like to take this Bill out of the record, Mr. Speaker."

Speaker McPike: "Mr. Novak, 186. The Bill's been read a second time. Are there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Novak."

Speaker McPike: "Mr. Novak."

Novak: "Yes, Mr. Speaker, please withdraw Amendment #1."

Speaker McPike: "The Gentleman withdraws the Amendment. Further Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Novak."

Speaker McPike: "Mr. Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 simply adds language to the Bill concerning the allocation of monies in the Solid Waste Management Fund as follows: 50 percent of the monies deposited into the Solid Waste Management Fund to the Department of Energy and Natural Resources, and 50 percent to the Illinois Environmental Protection Agency for use with solid waste management. Simp... This simply codifies a...casual arrangement that both agencies have been using for the last number of years, since the existence and creation of the Solid Waste Management Fund; and I ask for its adoption."

Speaker McPike: "Any discussion on the Amendment? The question

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is, 'Shall Amendment #2 be adopted?' Mr. Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "...The change... Is there a current formula that's being changed here, Representative Novak?"

Novak: "Representative Wennlund, no. That's not correct. The current formula is 50% - 50%. It...it... This simply codifies it. Each agency is not getting... One agency is not getting a leg up so to speak, or an advantage on the other agency."

Wennlund: "Okay. Is...Is... ENR would still be in favor of it. The EPA opposed?"

Novak: "Right. Yes. Yes."

Wennlund: "Okay. Thank you."

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

Clerk Rossi: "Floor Amendment #3, offered by Representative Novak."

Speaker McPike: "Mr. Novak."

Novak: "Yes, Mr. Speaker, I just was made aware of a technical drafting error in one of these Amendments. I would like to take it out of the record, so we can correct it. Mr. Speaker, I wish to take the Bill...the Amendment out of the record, so we can correct...this drafting error. I wish to take the Bill out of the record, please."

Speaker McPike: "Thank you. Representative Currie on 188. Read... The Bill's been read a second time. Are there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Wennlund."



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Speaker McPike: "Mr. Wennlund...withdraws the Amendment. Further Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Wennlund."

Speaker McPike: "The Gentleman withdraws the Amendment. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Wennlund."

Speaker McPike: "...The Gentleman withdraws the Amendment. Further Amendments?"

Clerk Rossi: "Floor Amendment #4, offered by Representative Currie."

Speaker McPike: "Representative Currie withdraws the Amendment. Further Amendments?"

Clerk Rossi: "Floor Amendment #5, offered by Representative Currie."

Speaker McPike: "Miss Currie."

Currie: "Thank you, Speaker, and Members of the House. This Amendment represents an agreement between the Department of...of Energy and Natural Resources and the environmental community, with respect to organizing a program for...IDENR support for small business proposals to deal with recycling and...reuse issues at the local level. I'd be happy to answer your questions, and we'd appreciate your support for the Amendment."

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

Clerk Rossi: "Floor Amendment #6, offered by Representative Novak."

Speaker McPike: "Mr. Novak."

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Novak: "Yes, Mr. Speaker. Thank you, Ladies and Gentlemen of the House. The Floor Amendment...The Floor Amendment #6"

Speaker McPike: "Is it printed? It is not printed. Miss Currie. Miss Currie."

Currie: "...I move to table the Amendment."

Speaker McPike: "Pardon."

Currie: "I move to table... It's not printed?"

Speaker McPike: "That's correct."

Currie: "Then I would move to table the Amendment."

Speaker McPike: "The question is, 'Shall Amendment #6 be tabled?' All those in favor, say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's tabled. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Mr. Lang on 240. Mr. Novak on 276. 276. Has been read a second time. Are there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Novak."

Speaker McPike: "Mr. Novak."

Novak: "Yes, Mr. Speaker. Please withdraw Floor Amendment #1."

Speaker McPike: "The Gentleman withdraws the Amendment. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 276, a Bill for an Act amending the Environmental Protection Act. Third Reading of the Bill."

Speaker McPike: "Mr. Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill...276 is the identical Bill that we passed out of here concerning House Bill 1163 that went on the Consent Calendar. It deals with reclassifying the hazardous waste disposal scheme, and...all of the other business groups and

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environmental groups have signed off on this Bill. We'd like to get this Bill to the Governor's desk."

Speaker McPike: "The question is, 'Shall Senate Bill 276 pass?' All in favor, vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Mr. Novak. All voted who wish? The Clerk will take the record. On this Motion, there are 112 'ayes' and 0 'nays'. Senate Bill 276, having received a Constitutional Majority, is hereby declared passed. Mr... Representative Lou Jones intended to vote 'aye' on Senate Bill 276. Financial Institutions, 232, Mr. Flinn. Monroe Flinn. Mr. Hoffman. You want to call this? Health Care, Second Reading, Senate Bill 99, Mr. Stroger. The Bill's been read a second time. Are there any Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Skinner."

Speaker McPike: "Mr. Skinner."

Skinner: "Mr. Speaker, Floor Amendment #2 is a reiteration of the Bill in question; which is an attempt to get the Department of Public Aid to give...performance measures, you might say, of its healthy moms-healthy kids program. What I have added, and it's not very much language, but it's in several different places, is that they should tell...they should include in the report the month of pregnancy in which the woman is enrolled in the program. Now why would I ask that question. Or...does...the Gentleman wish the floor?"

Speaker McPike: "Mr. Stroger, for what reason do you rise?"

Stroger: "Mr. Speaker, I'd like to pull this out of the record."

Speaker McPike: "He'd like to take it out of the record. Mr. McGuire on 435. The Bill has been read a second time. Are there any Amendments?"

Clerk Rossi: "No Floor Amendments."

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

Clerk Rossi: "Senate Bill 435, a Bill for an Act concerning language assistant services. Third Reading of the Bill."

Speaker McPike: "Representative McGuire. Mr. McGuire."

McGuire: "Yes, Sir, Mr. Speaker. House Bill 435?"

Speaker McPike: "Senate Bill."

McGuire: "I'm sorry. Senate Bill 435."

Speaker McPike: "Yes."

McGuire: "It's a Bill that authorizes, but does not mandate, hospitals and nursing homes to implement certain policies and procedures for providing language assistance services for the limited English speaking and non-English speaking and deaf persons, including one or more of the following, and there are other groups mentioned. But, to be brief, I'll try to answer any questions; and I'd appreciate your favorable consideration."

Speaker McPike: "All right, and on the 'Do Pass' Motion, Mr. Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Our analysis indicates that it is mandatory, and in fact, requires hospitals and in effect requires hospitals and nursing homes to adopt policies and to... It requires health facilities to do a series of things, indeed, place notices, notify employees and... Is that your understanding?"

McGuire: "No. My understanding, Representative, is that the Bill authorizes but does not mandate. This Bill came from Senator Garcia in the Senate."

Wennlund: "Can you show...tell me where the language is that...makes it permissive and not mandatory?"

McGuire: "Did you say where is the language?"

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Wennlund: "Correct, yes."

Speaker McPike: "Mr. Granberg, can you help him? Mr. Granberg."

McGuire: "Well my analysis..."

Speaker McPike: "Mr. Granberg."

Granberg: "Thank you, Mr. Speaker. Representative Wennlund, on page 2 of the Bill, Section 15, Line 12, 'language assistance service authorized', and on line 15 it says: 'A health facility may...may do one or more of the following:'. Line 15, page 2."

Wennlund: "They clearly have no..."

Granberg: "Line 15, page 2. Line 15, on page 2, Representative. It says: 'To ensure access to health care information services for limited English speaking, or non-English speaking residents and deaf residents, a health facility may...may do one or more of the following:'."

Wennlund: "Does the Bill require...require health facilities to do anything?"

Granberg: "No. It says 'may do'."

Wennlund: "All right. Thank you very much. Hospital Association is not opposed?"

Granberg: "No."

Wennlund: "Thank you."

Speaker McPike: "The question is, 'Shall Senate Bill 435 pass?' All in favor, vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there is 109 'ayes' and 0 'nays'. Senate Bill 435, having received a Constitutional Majority, is hereby declared passed. (Senate Bill) 712, Mr. Balanoff. The Bill has been read a second time. Are there any Amendments? We're not coming back to this Bill."

Clerk Rossi: "Floor Amendment #2, offered by Representative Pugh."

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Speaker McPike: "Who was the Sponsor of the Amendment?"

Speaker McPike: "Representative Pugh."

Pugh: "Yes Sir, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 is similar or it's identical to House Bill 1213, that passed the House with a very favorable vote. It allows for earn-fare recipients to receive medical assistance during the time that they are on general assistance or earn fare, and the fiscal impact of the legislation was approximately \$800,000, which would have been used from a \$41 million lapse spending that the Department of Public had at the time."

Speaker McPike: "And on that, Mr. Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "The original Bill, the House Bill 1213, was opposed by the Department of Public Aid, and the Amendment is also opposed by the Department of Public Aid because of the fiscal impact of another \$800,000 a year in providing medical assistance to earn-fare participants. Now I understand that... To the Amendment, Ladies and Gentlemen. I understand that the Sponsor's good intentions to continue some medical assistance. But, here again, you come down to a budgetary point, where...where you gonna stop. The budget impact of \$800,000 a year on the Department of Public Aid, which would be approximately \$400,000 of GRF as I understand it, is just one of those Department of Public Aid budget busters which has the single largest budget in the state at the current time. So, I'd ask for a roll call vote on the Amendment, and ask a 'no' vote until we get this entire budget package worked out."

Speaker McPike: "Mr. Balanoff."

Pugh: "Mr. Speaker, this legislation..."

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Speaker McPike: "Just a minute. Where did Mr. Balanoff go? Mr. Balanoff, do you support this Amendment? All right, Mr. Wennlund, do you want to address this on Second Reading or Third Reading? Mr. Wennlund, do you want to address this question on Third Reading, where it requires 60 votes? The question is, Shall Amendment #2 be adopted?' All in favor, say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Balanoff."

Speaker McPike: "Mr. Balanoff. Take the Bill out of the record. Senate Bill 25, Mr. Dart. The Bill's been read a second time. Are there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Tom Johnson."

Speaker McPike: "Mr. Johnson, Tom Johnson. Mr. Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. I filed a fiscal note request in a timely fashion on this Bill some time ago. Is it been filed?"

Clerk Rossi: "The fiscal note has not been filed."

Speaker McPike: "Has not. All right, Mr. Johnson, Tom Johnson. The Gentleman's not here. Mr. Dart..."

Dart: "Move to table the Amendment."

Speaker McPike: "Gentleman moves to table Amendment #1. All in favor, say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment's tabled. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "No further Amendments, but we need a fiscal note. It stays on Second Reading. (Senate Bill) 231, Mr. Cross. (Senate Bill) 325, Representative Dart. It's been read a second time. Are there any Amendments?"

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Clerk Rossi: "Floor Amendment #2, offered by Representative Cross."

Speaker McPike: "Mr. Cross."

Cross: "Thank you, Mr. Speaker. This Amendment allows the court, if it finds in the best interests of the victim, to extend the period of restitution for a period beyond five years. The statute currently provides a period of only up to five years. This allows the court to extend..."

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

Clerk Rossi: "Floor Amendment #3, offered by Representative Mautino."

Speaker McPike: "Mr. Mautino."

Mautino: "Okay. I ask for adoption of Amendment #3. This passed out of the House overwhelmingly, and it is the McGruff safe house program. I ask for it's adoption, and I'll answer any questions."

Speaker McPike: "The Amendment's not been printed. Take the Bill out of the record. Unless, Mr. Dart... Mr. Dart, I failed to recognize you. The Amendment's not been printed, so it's really your call. Mr. Dart."

Dart: "Mr. Speaker, I'd ask to table that and move the Bill to Third."

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Mr. Clerk, are there any Amendments adopted to that Bill?"

Clerk Rossi: "Amendment #1 has been adopted to the Bill."



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Speaker McPike: "When? When was it adopted? (Senate Bill) 418, Representative Ronen. It's been read a second time. Are there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Ronen."

Speaker McPike: "Representative Ronen."

Ronen: "Thank you, Speaker. This Amendment restores current law, which provides that the Crime Victims Asset Discovery Act, applies to victims of first degree murder or a Class X felony. In addition, this Amendment would add that the Act also applies to victims of aggravated kidnapping, a Class I felony. This was an agreed Amendment in the Judiciary II Committee. I move 'Do Pass'."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted. All in favor, say 'aye'. Mr. Homer, on that."

Homer: "Well... Will the Lady yield?"

Speaker McPike: "Yes."

Homer: "This is the Amendment we agreed to in committee?"

Ronen: "Yes it is, Representative Homer."

Homer: "All right. And it restores the offenses that were in the Bill last year?"

Ronen: "Exactly, and then also adds aggravated kidnapping, as well."

Homer: "Thank you. It's a good Amendment."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor, say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. (Senate Bill) 425, Representative Parcels. Parcels. Where is Representative Parcels? Representative Frederick, would

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you like to handle this? Where's Representative Frederick?  
Would you like to handle this for Representative Parcels,  
since you're the Co-Sponsor? Are there any Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative  
Granberg."

Speaker McPike: "Mr. Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. Amendment #2 is a...corrects a technical mistake in  
the Bill by changing Section 4-7 and 4-8 to Section 4-7. I  
would move for its adoption."

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. (Senate Bill) 759, Mr. Cross.  
Read the Bill. The Bill's been read a second time. Are  
there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative  
Black."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen  
of the House. Floor Amendment #1, and I'm very serious  
about this, amends the Unified Code of Corrections. All it  
does, is to add a 25% surcharge to any fine imposed in and  
upon an offender who is convicted of, or placed on  
supervision, for violation of the deadly weapons article of  
the Criminal Code. In other words, misuse of a firearm.  
That surcharge money will then be deposited in the Trauma  
center fund. I think we all want money in the Trauma  
Center Fund. I think this is a good place to get it. It's  
for those people who violate the laws on firearms. They

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will be fined extra, and that money will go to the trauma Center Fund; and I'd ask for your favorable consideration of Amendment #1."

Speaker McPike: "Mr. Brunsvold, on that Amendment."

Brunsvold: "Will the Gentleman yield?"

Speaker McPike: "Yes."

Brunsvold: "Representative Black, are you taking over where Representative Currie left off?"

Black: "No. I think if you'll look at this Amendment, I think the... I think it goes a little bit beyond what Representative Currie did. This puts the onus of financing trauma center on those people who misuse firearms, in other words, the criminals. Upon conviction of the misuse of the deadly weapons article, the very people that the National Rifle Association wants us to go after, those people will pay a surcharge, and that surcharge will go to the Trauma Fund. In other words, if you're an outlaw, you're gonna pay extra for being an outlaw. The law-abiding citizen should not have to pay a tax. We've already defeated that Bill. This Amendment says, 'let's make the crook pay, and pay through the nose, to fund trauma centers.'"

Brunsvold: "I think this is a wonderful Amendment. Let's adopt this Amendment."

Speaker McPike: "Representative Blagojevich. Is his mike on? Try it again. All right. His mike is not working. Turn on Mr. Rotello's microphone."

Blagojevich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I sponsored a Bill that was somewhat controversial that would say that the FOID card registration fee would be increased. That Bill was sponsored, in part, and motivated by, the desire to raise funds for trauma centers, and while I...we heard from a lot of law-abiding citizens who also

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happen to be gun owners that they felt that it was unfair to go after them. Representative Black has, perhaps, come up with the perfect answer with respect to this Amendment, that we oughta try to raise revenues for trauma centers from those who misuse firearms. So, I'll wholeheartedly urge all of the Members in the General Assembly to vote 'yes' for this Amendment, and I would also ask someone to turn my microphone back on. Thank you."

Speaker McPike: "Mr. Electrician, have somebody check that microphone, please. Mr. Homer."

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

Speaker McPike: "Yes."

Homer: "Representative Black, I like...I like your Amendment, from the standpoint that unlike a previous Bill that a Member had that would have imposed a surtax on the purchase of guns, or as the previous Gentleman had a Bill that would have raised the fee for a firearm owners identification card which would have applied to all citizens, your Amendment tries to focus in on those who violate the law and have them fund the trauma centers, correct?"

Black: "That's correct."

Homer: "Which I think's a much better approach. Now, let me ask you the question. When I talked to my circuit clerks they tell that we've fee'd them to death, and the judges are telling me that also, that every time a worthy idea comes along, that we put a surcharge or a new fee on a criminal case, and have you talked to the circuit clerks or to the judges about this issue?"

Black: "That's a very good point, Representative. I have not, and I know my circuit clerk very well, and I'm sure that she would agree with you. However, I still think the underlying Bill is important enough that we can perhaps

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remove any objections that they might have. I would hope that they would realize that this is not a harassment surcharge. It's really, if anybody is getting off too free, in my opinion, it's people who misuse firearms. But you do bring up a very good point."

Homer: "Well, to the Amendment. I'm gonna support the Gentleman's Amendment for the reasons I indicated. I think it's the better approach. But, I am concerned about the attitude of the circuit clerks as we continue to add more and more fees. I think you're going to be hearing from more and more circuit clerks and judges, indicating their...that they are not pleased with the trend in this direction. So, I think there's a limit to how far we can go. But, I do think this is a better approach than the others. I'm gonna support it."

Speaker McPike: "Mr. Hoffman, do you rise in opposition to this? The question is, 'Shall Amendment #1 be adopted?' All in favor, say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. (Senate Bill) 786, Representative Gash. The Bill's been read a second time. Are there any Amendments?"

Clerk Rossi: "No Amendments."

Speaker McPike: "Third Reading. (Senate Bill) 902, Mr. Homer. The Bill's been read a second time. Are there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Homer."

Speaker McPike: "Mr. Homer, Amendment #1."

Homer: "Thank you. Withdraw the Amendment, please."

Speaker McPike: "The Gentleman withdraws it. Further

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Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Mr. McAfee, on Senate Bill 90. The Bill's been read a second time. Are there any Amendments, Mr. Clerk?"

Clerk Rossi: "Floor Amendment #1, offered by Representative McAfee."

Speaker McPike: "Mr. McAfee."

McAfee: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is an agreed Amendment proposed by the Secretary of State, and supported by the Illinois Library Association, to bring the Illinois Public Libraries in compliance with the Local Governmental Account Audit Act. I urge your support."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor, say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments?"

Speaker McPike: "Third Reading. Senate Bill 91, Representative Wirsing. Representative Wirsing? Representative Wirsing, would you like this Bill called? All right, we'll never come back to this. Oh, somebody said you were back there. I'm sorry. All right, the Bill's been read a second time."

Clerk Rossi: "Floor Amendment #2, offered by Representative Cowlshaw."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. I would like to withdraw Amendment #2, please."

Speaker McPike: "The Lady's withdrawn Amendment #2."

Clerk Rossi: "No further Amendments."

Speaker McPike: "Are there any Amendment on this Bill? Are there

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any Amendments on the Bill?"

Clerk Rossi: "There are no... Amendment #1 was adopted in committee."

Speaker McPike: "Third Reading. Mr. Clerk, did you inform the Chair that Amendment #1 was adopted in committee?"

Clerk Rossi: "Amendment #1 was adopted in committee."

Speaker McPike: "Would you check that, please?"

Clerk Rossi: "Amendment #1 was adopted previously on the floor."

Speaker McPike: "(Senate Bill) 192, Mr. Hoffman The Bill's been read a second time. Mr. Brunsvold, 531. Joel Brunsvold? Brunsvold? Mr. Cross, 571. The Bill's been read a second time. There any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative DeJaegher."

Speaker McPike: "This has not been printed. Mr. DeJaegher, this Amendment has not been printed. Mr. Cross, what is your pleasure, Sir? Thank you. (Senate Bill) 533, Mr. Churchill. Has been read a second time. Are there any Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 533, a Bill for an Act concerning pensions. Third Reading of the Bill."

Speaker McPike: "Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. This is, I believe, one of the few remaining pension Bills that's alive in the system. It is basically a vehicle at this point, and we just want to sent it over the Senate, put in a Conference Committee Report, so when we're ready to any pension agreement that it can be put on this Bill."

Speaker McPike: "The question is, 'Shall Senate Bill 533 pass?' All in favor, vote 'aye'; opposed vote 'no'. Have all

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voted? Have all voted who wish? Have all voted who wish?  
The Clerk will take the record. And on this Motion, there  
are 107 'ayes' and 0 'nays'. Senate Bill 533, having  
received the Constitutional Majority, is hereby declared  
passed. Representative Murphy. Representative Murphy  
would have voted 'aye' on that Bill. (Senate Bill) 209,  
Mr. Parke. Terry Parke? Want this Bill? Out of the  
record. (Senate Bill) 603, Representative Giglio. It's  
been read a second time. Are there any Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 603, a Bill for an Act amending the  
Medical Practice Act of 1987. Third Reading of the Bill."

Speaker McPike: "Mr. Giglio."

Giglio: "Thank you, Mr. Speaker and Ladies and Gentlemen of the  
House. This is a very simple Bill. And what it does, is  
there's a three-year fee for a license for the medical  
students coming out of school. If they come out, and they  
only have one year left, they have to pay the full \$300.  
This just, says that they only have to pay the \$100 instead  
of total \$300. I would ask for your favorable support."

Speaker McPike: "The question is, 'Shall Senate Bill 603 pass?'  
All those in favor, vote 'aye'; opposed vote 'no'. Have  
all voted? Have all voted who wish? Have all voted who  
wish? The Clerk will take the record. I'm sorry,  
Representative Davis had her light on. I didn't see it,  
and I apologize."

Davis: "That's quite all right, Mr. Speaker. We know your vision  
is failing. We just wanted to alert the House that we have  
an honored guest on the floor, and that's John McNamara,  
and we want to welcome him back to the House Floor."

Speaker McPike: "On this Bill, there are 115 'ayes' and 0 'nays'."



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Senate Bill 603, having received a Constitutional Majority, is hereby declared passed. Mr. Turner."

Turner: "Thank you, Mr. Speaker. I'd like to remind the Ladies and Gentlemen of the Assembly, especially the freshman Members, that tomorrow, we're having our annual legislators lobbyist's tennis tournament, and for those who have not signed up for the tournament they should get a hold of myself or Representative Margie Parcells, and we can provide additional information. You do not have to play like 'Martina Navratilova' or Arthur Ashe in order to qualify for this tournament. It's usually a fun-filled evening, and we would encourage all the new Members to certainly consider participating in the tournament tomorrow night. Thank you."

Speaker McPike: "(Senate Bill) 209, Mr. Parke. You want to call this Bill? (Senate Bill) 770. ...Representative Shirley Jones. Is she here? (Senate Bill) 402, Representative Balthis. That Bill's been read a second time. Are there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Balthis."

Speaker McPike: "Mr. Balthis."

Balthis: "Thank you, Mr. Speaker. This is a technical Amendment. It just makes a couple of changes, clearing up some language, nothing else. There are some additional Amendments that may be coming on this Bill. But, I'd like to pass and put..."

Speaker McPike: "The question is: Shall Amendment #1 be adopted? All in favor, say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Do you want to keep this Bill on Second or move

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it to Third? Third Reading. (Senate Bill) 532, Mr. Daniels. Who wants to handle this Bill? Mr. Kubik. Mr. Kubik, has the Amendment been printed? No. Take it out of the record. Representative Currie, 642. It's been read a second time. Are there any Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Balthis."

Speaker McPike: "Mr. Balthis."

Balthis: "I think the Sponsor has a Motion on that Amendment."

Speaker McPike: "Miss Currie."

Currie: "Speaker, I would question the germaneness of Amendments #2 and 3...Amendment #3."

Speaker McPike: "Where is Amendment #2, Mr. Clerk? Mr. Clerk, please tell us where Amendment #2 is? Has it been adopted? Or is it lost? Or could you look it up on a computer?"

Clerk Rossi: "Floor Amendment #2 was tabled."

Speaker McPike: "All right. Floor Amendment #2 was tabled. Representative Balthis withdraws Amendment #3. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Miss Currie."

Currie: "I'd move to table Amendment #1 that was adopted in committee."

Speaker McPike: "All right. The Lady moves to table Amendment #1. All in favor of the Lady's Motion, say 'aye'; opposed, 'no'. The 'ayes' have it. Amendment #1 is tabled. Further Amendments? Mr. Kubik, for what reason do you rise."

Kubik: "I just wanted to ask the Sponsor of the Motion a question. But, I guess it's too late."

Speaker McPike: "Well, we will...we will indulge you."

Kubik: "I just wondered whether she knew what Amendment #1 did?"

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Speaker McPike: "Miss Currie."

Currie: "Yes."

Kubik: "Thank you."

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

Clerk Rossi: "Senate Bill 6..."

Speaker McPike: "Out of the record. (Senate Bill) 664, Mr. Kubik. (Senate Bill) 664. The Bill's been read a second time. Out of the record. (Senate Bill) 937 has been read a second time. Are there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Kubik."

Speaker McPike: "Mr. Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 becomes the Bill, and what it would do is to provide that the Department of Revenue 'shall' contract with private entities for the collection of past due tax receipts. I don't believe there's any opposition to the Amendment, and I would move 'do adopt.'"

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor, say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi "Floor Amendment #2, offered by Representative Kubik."

Speaker McPike: "Mr. Kubik."

Kubik: "Withdraw Amendment #2."

Speaker McPike: "The Gentleman withdraws it. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Curran."

Speaker McPike: "Mr. Curran."

Curran: "Thank you, Mr. Speaker. Amendment #3 becomes the Bill."

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It proposes to increase the standard exemption for taxpayers with dependent children who have joint incomes under \$50,000 a year. That would begin with the tax year 1993. For those people filing a joint return with an adjusted gross income of \$50,000 or less, they shall be entitled to an additional standard exemption for dependent children of \$2,000 added to the \$1,000 standard exemption that they all ready receive; and then for those married person filing separate returns, you simply divide that down to \$25,000 for each return. I'll be glad to answer any questions, but I believe this is the way to have real tax relief for Illinois citizens, for working families and to help people get out of poverty."

Speaker McPike: "And on the Amendment, Mr. Kubik."

Kubik: "A question of the Sponsor?"

Speaker McPike: "Yes."

Kubik: "Representative, I'm looking at this Amendment, and what it says, as I understand it, is that if you...if you have an adjusted gross income that's in excess of \$24,000, and you file a separate return, your exemption... You get an exemption of \$2 of every for...\$2 for each dollar of adjusted gross income. Is that correct?"

Curran: "No. You don't get an exemption for...\$2 for each dollar of adjusted gross income."

Kubik: "Why don't you reexplain? There are two provisions in this Amendment, correct?"

Curran: "I'll be glad to. I'll go over the second one, which we're dealing with right now. For married taxpayers filing separate returns, they're also entitled to the additional dependent child standard exemption increase of \$2,000. Therefore, it would be \$3,000 rather than the \$1,000 now. However, for these taxpayers, this shall be limited by

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excluding those taxpayers who adjusted gross income is in excess of \$25,000 and by reducing the increased standard exemption by \$2 for each dollar of adjusted gross income in excess of \$24,000. Which means that they just, they bump up against the limit at \$25,000."

Kubik: "I guess the problem that I have with this, and I have to be honest with ya, I haven't had a chance to really look at this carefully. But, it would appear that this...that you are penalized for filing separately, as opposed to jointly, and it's a rather substantial penalty. Now, I could be wrong, but the way we read it is if you file separately it's a...there's a substantial penalty, rather than filing jointly."

Curran: "With all due respect, Representative. For those filing jointly, incomes up to \$50,000 and below, receive this additional standard exemption for children. For those filing separately, for separate incomes of up to \$25,000. Two separate incomes up to \$25,000 would be the same as one income up to \$50,000."

Kubik: "Well, I'm not sure that's quite how this reads. But, you know, I understand what you trying to do, I just am not quite sure that reads quite that way. and that's our question. I mean, I understand what you're doing. I think we ought to look at it carefully and make sure that it does exactly what you want it to do, because as we read it, it would...it may penalize somebody. You know, in other words, they may have the same amount of salary close to \$50,000 but because they've chosen to file in a different manner they can get...they can be penalized. So..."

Curran: "If you had two families... Two parents in one family filing jointly, their income up to \$50,000, they would receive the standard exemption. The same thing is true if

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they file separately. Their income up to \$50,000 would allow them to receive the standard exemption. Once they exceed \$50,000 they would not be entitled to this increased standard exemption for dependent children."

Kubik: "Well, again, I know what your intent is, but what we're reading in the Amendment is that if they choose to file separately they will be penalized, and I understand what you're trying to do; but, you know, the way we read it is and I have no problem with what you're trying to do, you know if they choose to file jointly they will get the full impact of these exemptions. But, if they file separately, they will be penalized. So, this may be something we want to...we want to take a look at and cleanup a little bit, cause I...you know, unless it is your thought to penalize somebody who's filing separately."

Curran: "It is neither my thought nor is it the intent of this Bill, nor is it the way the wording in this Bill reads. This Bill says that if you have \$50,000 jointly, you file jointly, you're...you're paying...you're getting the deduction...this increased deduction. This Bill says if you have \$25,000 each separately, you also get the standard deduction. It does not penalize either group. It is the same for either group."

Kubik: "Well, our question comes in, and Representative, our question comes in with single mothers. Would they be able to take advantage of this?"

Curran: "This provision does not apply to single mothers. It only applies to married filing separate, or married filing jointly."

Kubik: "Okay."

Curran: "A single mother, Representative, actually gets another benefit. She can earn up to \$50,000 by herself. So, if

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you were looking for a way to help single mothers, clearly this Bill does that over helping anybody else."

Kubik: "What... But, the question is, what about single mothers who are making over \$25,000? Would they be able to take advantage of this?"

Curran: "They would."

Kubik: "But, would they get the same benefit as somebody who is married and filing jointly?"

Curran: "Yes they would."

Kubik: "They would?"

Curran: "They would. That's correct."

Kubik: "That again, you know, maybe it's a matter of setting down and looking at the language of the Amendment, and again I think I know where you're gonna with that."

Curran: "It's probably in a different section of the Bill. I appreciate your difficulty 'cause it's a complicated piece of legislation."

Kubik: "We're not reading it that way, Mike. Thank you."

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. (Senate Bill) 940. It's been read a second time. Mr. Clerk, are there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Capparelli."

Speaker McPike: "Mr. Capparelli. All right, Mr. Granberg will handle this for Mr. Capparelli. Mr. Granberg, the Amendment. Amendment #1. Mr. Granberg, on the adoption of the Amendment. The question is, 'Shall Amendment #1 be adopted?' All in favor, say 'aye'; opposed, 'no'. The

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'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Capparelli."

Speaker McPike: "Oh, wait a minute. This is not printed. Take the Bill out of the record. (Senate Bill) 617, Representative Gash. The Bill's been read a second time. Mr. McAuliffe, 542. It's been read a second time. Any Amendments? House Resolution 531 and House Joint Resolution 27, Speaker's Table, Consent Calendar, Fourth Day. The question is, 'Shall these two resolutions be adopted?' All in favor, say 'aye'; opposed... Opposed... Mr. Black."

Black: "Thank you very much, Mr. Speaker. Are these on the Calendar?"

Speaker McPike: "Consent Calendar, page 17. Consent Calendar, Fourth Day. Fourth Day. You're on the Fourth Day."

Black: "Oh, I just wanted to make sure."

Speaker McPike: "Fourth Day."

Black: "Okay."

Speaker McPike: "Do you want to hold 'em on a Fifth Day?"

Black: "Well, no I just... I was trying to send a message to the person who checks the Consent Calendar, because she really hasn't... She really hasn't indicated anything to me."

Speaker McPike: "Yes. Well, she's only had four days. Representative Wojcik, on this question. We're on the Consent Calendar, Fourth Day. Miss Wojcik."

Wojcik: "Mr. Speaker, I understand where we're at. However, there has been a little confusion."

Speaker McPike: "You understand. I think you understand where we are, not where we are at."

Wojcik: "Is that the correct wording? Thank you so much. I appreciate that. If you would like to just wait a moment,



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I'd like to confer with my..."

Speaker McPike: "Mr. Black, she wants to hold this over for awhile. Mr. Black."

Black: "I...a That's the procedural way."

McPike: "Okay. Take this out of the record. Message from the Senate."

Clerk Rossi: "A Message from the Senate by Mr. Harry, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of the Bills of the following title, to wit; together with the attached Amendments, thereto, in the adoption of which I am instructed to ask the concurrence of the House, to wit: House Bills 118, 258, 354, 443, 543, 596, 765, 898; passed the Senate, as amended, May 18, 1993. Jim Harry, Secretary'."

Speaker McPike: "We're gonna have to go back through Third Readings one more time. Mr. Deering, 579. Mr. Lang, 127. Mr. DeJaegher, 132. DeJaegher, 132. Third Reading. Mr. Brunsvold, 389. Mr. Deering, 406. Mr. Levin, 118. Ellis Levin? Mr. Brunsvold, 411? Mr. Salvi, 964? Salvi? (Senate Bill) 964. Mr. Olson, 756. Representative Lindner, 246. Lindner, 246? (Senate Bill) 289, Hoffman. (Senate Bill) 289, Hoffman? Jay Hoffman, 289? Zickus, 652. Do you want this Bill read, 652? Do you want this Bill called? Miss Zickus?"

Zickus: "That one is held until January, 652. We're waiting to call 651."

Speaker McPike: "(Senate Bill) 678, Mr. Saviano? McAuliffe, 714? McAuliffe, 714? Roger? (Senate Bill) 778, Mr. McAfee? Mr. Ryder, 906? Brunsvold, 1076? Read the Bill, Mr. Clerk."

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Clerk Rossi: "Senate Bill 1076, a Bill for an Act amending the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill."

Speaker McPike: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senator Sieben and I have been working with PACT, which is Protecting All Children Together in our area. We've had some problems with some child abuse, as most areas have had, and when working with Dora Larson on this Bill particularly; which deals with denial of visitation rights to non-custodial parents if they've been convicted of a sexual offense of a victim less than 18 years old. Representative Dart put on an Amendment to clarify the language in the Bill, and would be happy to answer any questions dealing with this child protection Bill, Senate Bill 1076. I'd add as long as there's a lull here, that this Bill denies those visitation rights to a person on parole or mandatory supervision release until they've successfully completed a treatment program before they would be allowed to have visitation rights again to that minor."

Speaker McPike: "On a 'Do Pass' Motion, Representative Biggert."

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

Speaker McPike: "Yes."

Biggert: "The only Amendment that you've added to this is Floor Amendment #1?"

Brunsvold: "Yes, that was Representative Dart's Amendment."

Biggert: "All right, and that really is non-substantive?"

Brunsvold: "No, it simply clarified on this offense, I believe that Amendment said on this particular offense. So, it kind of tightened up the language."

Biggert: "Thank you. I have no problem with it."

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Speaker McPike: "The question is, 'Shall Senate Bill 1076 pass?' All in favor, vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there's a 104 'ayes', 0 'nays'. Senate Bill 1076, having received a Constitutional Majority... Lou Jones, votes 'aye'. This Bill is 105 'ayes' and 0 'nays'. Senate Bill 1076, having received a Constitutional Majority, is hereby declared passed. (Senate Bill) 940, Senate Bill 940. Amendment #1 was adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Capparelli."

Speaker McPike: "Mr. Capparelli withdraws the Amendment. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Representative Capparelli, 706? Mr. Lang, 707? Mr. Kubik, 387? Mr. Giorgi, 1085? Mr. Giorgi, 1085? Mr. Hartke, you're not Mr. Giorgi. Mr. Giorgi? Mr. Lang, 383? Mr. McAuliffe, 542? Mr. Hartke, Senate Bill 85. It's on Postponed Consideration. It's been read a third time. Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Senate Bill 85 is no different than it was earlier this morning, and I would appreciate your support. Might reiterate those individuals who are in support of this legislation: The Illinois Department of Transportation, the Illinois Department of Agriculture, the Illinois Fertilizer and Chemical Association, the Illinois Retail Merchant's, the Chamber of Commerce, the National Federation of Independent Businessmen, and many others. I'd appreciate your support and be happy to answer any questions."

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Speaker McPike: "And on the Motion, Mr. Skinner."

Skinner: "Mr. Speaker, here we go again. This is a Bill that would vindicate home rule powers to regulate the pesticide industry. There has no been that has been established to pass this Bill except uniformity, and I'd like to speak to uniformity. If everybody's in favor of uniformity, then I guess what we need is uniform building codes all over the state. We shouldn't be able to say that the City of Chicago can have stronger codes with regards to plumbing than say, the City of Crystal Lake. We shouldn't be able to have zoning restrictions that keep high density housing out of exclusive suburbs. Now, maybe that's the way you think government ought to run, that state government ought to dictate to all local government, but I disagree. I'd like to expand a bit on an argument I made earlier and that is, the people who are supporting this Bill. don't really have much of an interest in it. Now, remember we're talking about taking away power from home rule cities. How much jurisdiction do you think the Illinois Department of Agriculture has in a home rule city? Whenever there are a lot of farms in a home rule city that Agriculture ought to care one way or another, whether Chem-Lawn spreads its fertilizer one way or another? Or how about... Well, that one's legitimate, the Illinois Chemical and Fertilizer Association. How about the...the Illinois Agriculture Aviation Association? When's the last time you saw pesticides being sprayed from a plane in your local home rule city? Last week. h...ws. I'd like to know where that is. How about Grow-Mark? That sounds like a seed company or something like that? Lot of seed corns sold in your home rule city? The point I'm trying to make is this: The sellers of fertilizers and pesticides have absolutely

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in their self interest to make everything absolutely uniform so that don't have to take into account local conditions. But our job here is to represent our local State Representative Districts and to represent them as tenaciously as...their interests as tenaciously as we can. Right here, we have a Bill which is trying to take away rights from our local elected officials in home rule cities. Those home rule cities may decide to give more protection to some of the more toxically sensitive individuals than the Illinois Agriculture Department might decide to impose. For that reason, I ask you to vote 'no' on this Bill as a number...as enough of you did last time which was just this morning. Thank you."

Speaker McPike: "Mr. Ostenburg."

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise again this afternoon as I did this morning to speak against this Bill. I think the whole notion of attempting to take powers away from home rule communities is onerous and one that we should not be putting forward, particularly when we're talking about pesticides. Depending upon the local that individuals reside in, they've often had occasion to see circumstances involving pesticides that have been very dangerous to neighborhoods and unless we have the local control where the municipality can address the issue, we have no protection whatsoever. Statewide measures do not apply in areas where we have high-density population, where we often can almost taste the Chem-Lawn in the air after it's been sprayed in multi-family areas. There are a number of residents that have problems connected to that. Local authorities should have the power to regulate in those...in those situations. I urge a 'no' vote on this measure."

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Speaker McPike: "All right. Mr. Hartke, I think this was thoroughly debated this morning. The question is, 'Shall this Bill pass?' All those in favor, vote 'aye'; opposed vote 'no'. Representative Schakowsky, to explain her vote."

Schakowsky: "Thank you...thank you, Speaker and Ladies and Gentlemen of the House. I am hoping that there are no more green lights than there were this morning. This Bill, if you care at all about your environmental record, is an anti-environment record. It's, also, anti to constituents in your home rule districts that are relying on their local officials to protect their health and welfare. This is a Bill that is opposed by the PTAs. It is opposed by all the environmental groups. I would urge a 'no' vote. We can't let this one pass if you care about your environmental record."

Speaker McPike: "Mr. Balanoff."

Balanoff: "Mr. Speaker, Ladies and Gentlemen, many people earlier this afternoon spoke against this Bill. When it did not get enough votes to pass, that's why it was put on Postponed consideration. It was a bad Bill then. It certainly hasn't gotten any better with age or with time; and should it get the requisite number of votes, I would request a verification."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. The Bill has been thoroughly debated. Just imagine what will happen if it doesn't pass and you have a patchwork system of laws. Say you're in the pest control business in a densely populated area and you have termites. In one area you can't use chlordane or some other chemical that would do away with termites. In another area you can. In another area you

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can't. Let's say you're in a vegetable growing business and it goes across township boundaries. You can use something in one township; you can't use it in others. You have to keep in mind, folks, that there are 6,600 units of local government in this state, and if you let each of them do their own thing on this particular piece of business, I'm telling you, it just won't work. Those of you that don't want it, just make sure you don't go the grocery store and expect to pick up something that's been treated by a pesticide. Vote 'aye'."

Speaker McPike: "Representative Woolard."

Woolard: "Thank you, Mr. Speaker. I think that there's been a lot of debate and a lot of question as to whether or not this is a consumer protection issue. Positively, if this Bill passes, it will protect those people who are in need. I think that we have a responsibility, as a Legislature, to provide the best resources possible to accommodate the needs of the people we represent. Positively this will do just that. We, as the Legislature, are elected to represent these people and to do what we believe is right. We can talk about the home rule and the local government entities and the control that they might have, but let's think just for a second about the expertise that some of these small communities that might have the authority to allow something to happen that would be devastating to their community. I believe we and the Department of Agriculture and other environmentally sound agencies have better judgments and better abilities to make those determinations for the people of this state. I encourage an 'aye' vote."

Speaker McPike: "Have all voted? Have all voted who...wish? Have all voted who wish? Mr. Hartke, do you want to talk?"

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Hartke: "Well, ...I would appreciate as many green votes as possible on this thing..."

Speaker McPike: "This requires 60 votes..."

Hartke: "Thank you."

Speaker McPike: "Not 71. This is a 60 vote preemption. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 67 'ayes' and 43 'noes'. Mr. Balanoff has asked for a verification. Mr. Clerk, poll the affirmative."

Clerk Rossi: "Poll of those voting in the affirmative. Representative Ackerman. Biggert. Black. Brady. Brunsvold. Bugielski. Capparelli. Churchill. Clayton. Cowlshaw. Cross. Curran. Deering. DeJaegher. Deuchler. Dunn. Edley. Flowers. Frias. Giglio. Granberg. Hannig. Hartke. Hassert. Hawkins. Hoeft. Hoffman. Homer. Hughes. Johnson, Tim. Jones, Lou. Jones, Shirley. Kotlarz. Lawfer. Leitch. Lindner. Lopez. Martinez. Mautino. McAfee. McGuire. Moffitt. Morrow. Moseley. Murphy, H. Noland. Novak. Olson. Persico. Phelps. Pugh. Roskam. Rutherford. Ryder. Saltsman. Salvi. Santiago. Sheehy. Steczo. Stephens. Tenhouse. Turner. Weaver. Weller. Wirsing. Woolard. Zickus."

Speaker McPike: "Mr. Balanoff."

Balanoff: "Representative Stephens?"

Speaker McPike: "Mr. Stephens? Mr. Stephens is not here."

Balanoff: "Rep..."

Speaker McPike: "Remove...just a minute. Remove him from the roll call. Oh, no, he's here. Mr. Stephens is here. Return Mr. Stephens to the roll call."

Balanoff: "Representative Pugh?"

Speaker McPike: "Who?"



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Balanoff: "Coy Pugh?"

Speaker McPike: "Representative... You started with Stephens.  
Who was your second one?"

Balanoff: "Coy Pugh?"

Speaker McPike: "Mr. Pugh is not here. Remove him from the  
roll."

Balanoff: "Okay. Representative Tim Johnson?"

Speaker McPike: "Tim Johnson is not here. Remove him from the  
roll. Anything else?"

Balanoff: "Representative Bob DeJaegher?"

Speaker McPike: "Mr. DeJaegher is not here. Remove him from the  
roll."

Balanoff: "Representative Tom Homer?"

Speaker McPike: "Mr. Homer's here."

Balanoff: "Representative Shirley Jones?"

Speaker McPike: "Shirley Jones? Shirley Jones? She's here.  
She's here."

Balanoff: "Representative Saviano?"

Speaker McPike: "Saviano's here."

Balanoff: "Representative Lindner?"

Speaker McPike: "Who?"

Balanoff: "Lindner."

Speaker McPike: "She's here."

Balanoff: "Representative Monroe Flinn?"

Speaker McPike: "Monroe Flinn is not here. Remove him from the  
roll. Coy Pugh has returned. Mr. Pugh, how do you wish to  
vote, 'yes' or 'no'? Coy Pugh votes 'aye'."

Balanoff: "Nothing further."

Speaker McPike: "Nothing further. On this Motion, there are 65  
'ayes' and 44 'noes'. Senate Bill 85, having received the  
Constitutional Majority, is hereby declared passed."

Speaker McPike: "Senate Bill 911. Mr. Clerk, read the Bill."

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Clerk Rossi: "Senate Bill 911, a Bill for an Act amending the Unified Code of Corrections. Third Reading of the Bill."

Speaker McPike: "Mr. Balthis. Representative Balthis. Third Reading. Mr. Balthis. It's been read. We're waiting for you, Sir."

Balthis: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is a Bill... Senate Bill 911 eliminates supervision as a sentence option for certain Class A misdemeanors. Right now in Illinois, a person charged with any of these serious crimes may receive court supervision. That person will do no jail time whatsoever and because of limited court resources is not monitored by the court system. As long as that person avoids being arrested during his supervision period, he is eligible to both have the arrest and the charge expunged from his record. This means that a person can commit a second offense after the supervision period of molesting a child, of the use of a weapon, domestic battery and to have it expunged from the record and no law enforcement agency would be able to detect that. I would be happy to answer any questions and would move the adoption of Senate Bill 911."

Speaker McPike: "Mr. Black."

Black: "I'm sorry, Mr. Speaker. Just an inquiry of the Chair."

Speaker McPike: "Yes."

Black: "We have two Amendments in our floor file. Unfortunately, I have no notation as to whether either one has been adopted. Could the Clerk so inform us as to the status of the Bill?"

Clerk Rossi: "No Amendments have been adopted to the Bill."

Black: "No Floor Amendments adopted? Thank you very much."

Speaker McPike: "Representative Dart."

Dart: "Will the Sponsor yield? Representative, this Bill is

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removing the option which is presently given courts to give supervision out to certain offenders. Is that correct?"

Balthis: "Yes."

Dart: "And certain ones of these offense, I believe we all can be in agreement, there should not be supervision given, but is there a compelling reason why we are now...no longer going to be allowed to give supervision for criminal damage to property by means of a fire?"

Balthis: "The courts still has the ability to put somebody...does not have to put them in jail. They just don't put them on supervision."

Dart: "See, in my experience, criminal damage to property by means of a fire could be someone...some kids (obviously not juveniles) but people who are playing with some matches or something behind a...a house or a garage and they char the back of it up a little bit. There's no arson involved here. There's no intent to burn to the ground. It, basically, could be almost accidental in some cases, and you'd be saying that these individuals who did that (which is obviously a very minor offense) can not be given the option of court supervision, which would potentially actually clog up our jails, even though I doubt someone would go to jail on this. But still, you're removing that option. Furthermore, and for the unlawful use of weapons offenses, I would have to imagine there's numerous people here who believe that that may be an offense that may be meritorious of supervision in some instances. I'm, obviously, someone who is very adamantly opposed to guns and their proliferation, but the UUW as it presently exists now is quite often you'll have your average citizen be the person who's convicted of this. And your average citizen will be someone who's traveling maybe in a dangerous area

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or something and who will have the gun on them for protection. It's still illegal, and I'm not condoning that. But under the present law, that individual, no background - no nothing, is picked up on this offense; they can get court supervision which is a non-conviction on their record, and they can expunge this nonconviction off their record. Under this legislation though, this person would not be allowed that option, and some of these offenses I agree with you - criminal sexual abuse and so on - that there should never be supervision granted in those situations, but in quite a few of these, I have got to wonder. And one of the other ones, too, that I think we ought to point out is in the domestic battery situation. I am on the Board of Directors of a domestic violence group and I'm adamantly opposed to that type of behavior. But the problem is in a lot of domestic batteries, the violence is within the family. It's a horrible event. It should not in anyway be condoned. However, quite often through counseling and the like, the people work out these differences that have brought them into the criminal courtroom, and the court supervision order would allow this to be a non-conviction for the offending person. We are removing that as well. I have some problems with those three sections. The other ones, I think, are fine, but with those three, I think we are sending the wrong message into a criminal court system that's already overcrowded. And, in those three instances alone, I think this Bill is a problem."

Balthis: "Representative, there was some discussion in committee. There was an attempt to work on some of those issues. There was no ability to get that done. That was the reason for holding the Bill for a few days. I would point out

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that this Bill is supported by the Coalition on Domestic Violence. It, also, is only applies to Class A misdemeanors."

Dart: "And I realize they'd be in support...and I am, in theory. But as I say, the problem with it, is in a day-to-day when you're in a courtroom, these situations quite often (in the domestic cases), what we would do is continue the case for a year or two so the parties could try to work something out outside the criminal court system, be it counseling and the like. And by removing this from something that gives...gives the availability of court supervision, you remove one of the tools available to the system."

Balthis: "You said that you work on something for a year or so to see if everything is gonna work out, that means that there's no conviction taking place."

Dart: "Well, quite often that's what we did, but quite often we'd also use it by giving out the court supervision saying, 'This is not gonna be something'll be on your record. This is something that is gonna be something that you will be able to remove later because it's a non-conviction'."

Balthis: "But the first option that you mentioned is still available to you..."

Dart: "According to that is, but the option of court supervision will be gone."

Balthis: "The court supervision is being abused and misused to the point that our system, and this is not going to crowd our jail system, this simply is a matter for the system to say that these are things that should not be expunged from our record."

Dart: "Certain of these offenses, I agree with you, but it's been my experience that the only way our system survives and can operate right now is by court supervision. Without it,

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we've come to a screeching halt. I know in Cook County, that is a fact."

Balthis: "In most cases, I would agree with you. In these particular cases that are listed here, these are serious offenses. These are offenses that are creating part of our societal problems. Domestic Coalition of Violence or Coalition for (sic-against) Domestic Violence is in support of this legislation because they believe these are things that have got to be changed. They've got to...something's got to be done about it. So, I believe that these things (although there is some reason for concern, and I'm trying to listen and talk here at the same time) that these are things that they sincerely believe need to be taken out..."

Dart: "And I wholeheartedly agree with a couple of these, but some of them, I think..."

Speaker McPike: "To the Bill. To the Bill."

Dart: "To the Bill, Mr. Speaker. I am in full agreement with the Sponsor as to certain offenses here, but as to two or three of them, I can't see why we would want to remove this option the court has now for offenders who are not committing some of the more serious offenses. Supervision is a viable option that the courts use with a great degree of frequency and we are removing that option for certain offenders."

Speaker McPike: "Representative Flinn moves the previous question. The question is, 'Shall the previous question be put?' All in favor, say 'aye'; opposed, 'no'. The 'ayes' have it. The previous question is put. Mr. Balthis, to close."

Balthis: "Thank you, Mr. Speaker. I would point to everyone that there is still available, under the court system, the ability to review cases and to treat some of these things."

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These are Class A misdemeanors. These are things that should be off of the record. These are things that the Domestic...Coalition of Domestic Violence supports. I would request an 'aye' vote on Senate Bill 911."

Speaker McPike: "Question is, 'Shall Senate Bill 911 pass?' All in favor, vote 'aye'; opposed vote 'no'. Representative Blagojevich."

Blagojevich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill appeared in the Judiciary II Committee, and I expressed a lot of the reservations that Representative Dart just expressed. If you look at the specifics of this Bill, it's properly packaged so that, for example, the Illinois Coalition for Domestic Violence would be in favor of it because what it does is it removes criminal sexual abuse, the ability to get supervision on that. Incorporated with that Bill, it also removes the opportunity to have supervision on a case, for example, of unlawful use of weapons, which Representative Dart mentioned. Consider this scenario: 40-year-old woman, mother of two, works for the Chicago Transit Authority, lives in a tough neighborhood, law-abiding citizen, pays her taxes, feels she needs a gun in the violent conditions of the city where she lives, she has the gun found in plain view by a police officer, she's charged with the crime of unlawful use of weapon, she could no longer get supervision under this Bill; this woman who is otherwise law-abiding. Thank you. I urge..."

Speaker McPike: "Representative Lindner."

Lindner: "Mr. Speaker, I would have to agree with Representative Dart and the Gentleman who just spoke, and to explain my vote: I think this list goes too far. There are definitely some of those that should not be viable

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supervision offenses, but I think that we have to consider that we are usurping the court's jurisdiction here that these cases are judged not only on the offenses but also on the merits and on the facts and circumstances of those cases, and I think that supervision should be a viable alternative for most of these offenses."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. The Bill is so overly broad, it completely ties the courts hands. That's why the Illinois State Bar Association and the Cook County Public Defender's Office are opposed to it. It ties the courts hands and does not give them the latitude they need in some very simple offenses that have been described by two Representatives who just spoke. That's why I'm voting 'no' on this Bill, and that's why it just goes way too far. It takes away the courts' ability to give court supervision in other types of remedial types of actions instead of sending a 17-year-old to jail because he might have convicted of a sentence of unlaw...criminal damage to property. It goes way too far, and a 'no' vote is the correct vote."

Speaker McPike: "Mr. Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, too, rise in opposition to this legislation. We talk a lot around here about fiscal responsibility, about reducing the size of state government, about paying as we go, getting things under control, getting a handle on things, and here we are taking away the option of a court to put someone under supervision so that they can go about their daily work without cost to us. If you pass this Bill, what you're saying is the jails will become more and more overcrowded. There is no money to fund this Bill. This is terrible legislation, and those of you who are



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voting for this, need to go home and face your constituents and look 'em in the eye and say, 'I voted to lock up more people without any money'. We don't have the money to pay for the ones that are locked up now. We're talking about a \$60 million prison for hardened criminals we can't afford. Why are we doing a silly thing like this? Get those green votes off the board. Look yourself in the eye. Have some responsibility..."

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, it's really puzzling to me why the people on this side of the aisle are supporting DeAngelis' reelection Bill. That's all this is; something for DeAngelis to get reelected. It is nothing protective of anybody. It says that if you resist or obstruct a peace officer, you could be jailed without supervision or community service. Now, if you just ask a policeman what he's doing sometimes, you're considered to be obstructing a police officer. I think the Democrats better wake up on this side of the aisle. I think they better sit up and wake up and know what this Bill is all about. It's a Republican reelection vehicle Bill for DeAngelis."

Speaker McPike: "Representative Parke. Representative Currie, in the Chair. Your microphone is on."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just think it's very inappropriate for a Legislator to stand up and talk about another Member of the Legislature on whether or not they are somebody that is up for reelection or has a good Bill. This ought to be judged on merit. I'm sick and tired of the politics being thrown in just because it's politics. Let's talk about the merit of the Bill and resolve ourselves to that. There's plenty

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of time for politics. If she wants to go down there and work against him in that district, she can do it."

Speaker Currie: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 76 voting 'aye', 30 voting 'no'; and Senate Bill 911, having received the required Constitutional Majority, is hereby declared passed. We will now return to Bills on the Order of Second Reading. Representative Brunsvold, for what reason do you rise?"

Brunsvold: "Thank you, Madam Speaker. The purpose of announcement and introduction. Standing behind me, behind the last row here is...are 15 Members of the state parliament of the Federal Republic of Germany. They serve in the same capacity in the states as we do here. They are here on an exchange program with the volunteer visitors program by the U.S. Information Agency. Their purpose over here is to look at state and local politics, including the nature of our parties here, Democrat and Republicans; environmental issues legislation, and the roll of the economy in relation to heavy industry and agriculture, much like we do here. Some of their parties back here behind us, there are a number of parties; the Socialist Democrat party, the Christ Democratic Party, the Liberal Party and the Alliance 90. That's just four of the parties that are represented here by these Chinese...German representatives from the Republic of Germany; and so, I'd like for you to give them a big round of applause, and welcome them to the House of Representatives."

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

Black: "Thank you very much, Madam Speaker. I have an inquiry of the chair."

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Speaker Currie: "State your inquiry."

Black: "On Senate Bill 759, we adopted my Floor Amendment #1 to the Bill, and I'm grateful for that. However, the file copy that both floor files have, is the right Amendment. The green copy that was distributed to Members is not correct. It starts out with the Amendment, but if you turn the page, it's picked up language for a totally different Bill; in fact, they have opposite LRB numbers from page 1 to page 2, and I don't want to mislead anybody, and I don't want to endanger the Amendment, and I'm not quite sure, I checked with Representative Granberg, we're not quite sure how we handle this."

Speaker Currie: "The Clerk will see to it that we have the correct Amendment, Representative."

Black: "Thank you very much."

Speaker Currie: "And if we need to reprint it so that it will be on the Members desk when the Bill is voted on, on Third Reading we will do that as well."

Black: "Thank you very much, Speaker."

Speaker Currie: "We are now going to return to Second Readings and on the Order of Consumer Protection, on Second Reading, appears Senate Bill 139, Representative Pankau. Representative Pankau, are you ready to call the Bill? No. The Amendments are not printed. Representative Pankau, I am now told that the Amendment for your Bill has not yet been printed, so while we invited you to call the Bill, we now invite you not to."

Pankau: "Gloss you. Will you do it tomorrow?"

Speaker Currie: "Yes. How about on Health Care and Human Services, Second Reading, Senate Bill 677, Representative Rutherford. Representative Rutherford? Out of the record. So I am on the Order of Law, Second Reading, Representative

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Granberg, on Senate Bill 398. May I ask whether any Amendments, that have been filed, are printed? No?"

Clerk McLennand: "Amendment #1 has not been printed."

Speaker Currie: "Not been printed. Out of the record. Out of the record, Representative Granberg? Okay. And how about Representative Zickus' Senate Bill 651? Is the Amendment printed on that Bill? Okay, I guess we don't want to do that Bill this afternoon. Representative Flowers, on Senate Bill 1078. Is that Amendment printed? Representative Granberg, for what reason do you rise?"

Granberg: "Madam Speaker, we...there was an agreement on Representative Zickus' Bill that we would not distribute the Amendment because there was approximately 800 pages. So..."

Speaker Currie: "So, 'a save the tree' proposition here? Then let's go ahead with Senate Bill 651, Representative Zickus, on Second Reading. Clerk, what is the status of the Bill?"

Clerk McLennand: "Senate Bill 651 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Zickus."

Speaker Currie: "Representative Zickus."

Zickus: "Thank you, Madam Speaker. This is a technical Amendment. It's a revisory Amendment from the Legislative Research Unit, and it's done every year; and I ask for your positive vote on it. Thank you."

Speaker Currie: "And, on the Motion, Representative Granberg. Representative Granberg."

Granberg: "Thank you, Madam Speaker. We rise in support of Amendment #1. As the Representative explained, it's technical in nature and it's the annual revisory Amendments."

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

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Amendment #1 to Senate Bill 651?' All in favor, say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

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

Speaker Currie: "Representative, that Amendment is not filed...not printed, filed but not printed."

Granberg: "Madam Speaker, I believe Representative Black, there might be an agreement to waive the printing of this Amendment, as well. It is a technical clear-up Amendment with Senate Bill, as amended. If Representative Black wants to agree to waive that."

Speaker Currie: "Representative Black indicates he does."

Granberg: "Thank you, Madam Speaker, Ladies and Gentlemen. Amendment #2 is a technical Amendment. There was two technical problems with the Bill, as amended. Amendment #2 addresses those concerns. The Legislative Reference Bureau is in support of this Amendment, and I would move for its adoption. Although I would like to point out to Representative Black when we brought this Bill up the other day, he didn't think our staff could read it by August, and...but they did because we had this crack staff. They're very good, and I would move for its adoption."

Speaker Currie: "The question is, 'Shall Amendment #2 to Senate Bill 651 be adopted?' All in favor, say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Currie: "Third Reading. Representative Black, for what reason do you rise?"

Black: "Yes. Thank you very much, Madam Speaker. Simply to agree with my colleague, Representative Granberg and to

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congratulate your staff on finding some...errors in the original 800 pages. And...they did an outstanding job, and I do congratulate them."

Speaker Currie: "Thanks, pal. Continuing on this Order, Senate Bill 1078, Representative Flowers. Representative Flowers? And what is the status of this Bill, Clerk?"

Clerk McLennand: "Senate Bill 1078 has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. Floor Amendment #2, offered by Representative Walsh."

Speaker Currie: "Representative Walsh, on Floor Amendment #2."

Walsh: "Thank you, Madam Speaker. Floor Amendment #2, requires the CTA to contract with the private entity for management and operation of an increasing percentage of the trail and bus routes. After three years the CTA would be able to bid to regain the operations of..."

Speaker Currie: "Wait. Just a moment, Representative Granberg, for what reason do you rise?"

Granberg: "Thank you, Madam Speaker. An inquiry of the Chair. Is this Amendment germane to the Bill?"

Speaker Currie: "We will check that question."

Granberg: "Thank you."

Speaker Currie: "On the Amendment, Amendment #2 is not germane to this Bill as it has been amended in committee, Representative. Are there further? Representative Walsh."

Walsh: "The inquiry...Madam Speaker, could you tell me why this Bill is not...why this Amendment is not germane to the Bill?"

Speaker Currie: "Because the Bill, as amended, is an Amendment to the Juvenile Court Act and your Amendment is an Amendment to the Metropolitan Transit Authority Act dealing with privatization, with...with private entities, management and

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so forth."

Walsh: "Could we take a vote on that...."

Speaker Currie: "No...no, Representative. There are... Clerk, there are additional Amendments?"

Clerk McLennand: "Floor Amendment #3, offered by Representative Flowers."

Speaker Currie: "Representative Flowers."

Flowers: "Madam Speaker, I would like to table Amendment #1 please."

Speaker Currie: "Withdraw Amendment #2, 3 with..."

Flowers: "Table Amendment #1, please."

Speaker Currie: "Table Amendment #1. Representative Flowers moves to table Amendment #1 to Senate Bill 1078, and on that Motion, is there any discussion? Hearing none, the question is, 'All in favor of the tabling Motion, signify by saying 'aye'; opposed, 'no'. The 'ayes' have it, and the Motion is tabled. Further Amendments?"

Clerk McLennand: "Floor Amendment #3, offered by Representative Flowers."

Speaker Currie: "Representative Flowers."

Flowers: "Madam Speaker, Ladies and Gentlemen of the House. Amendment #3 strikes the enacting clause and it becomes the Bill and what Amendment #3 does is specifically talk about the parental responsibility and the community services and it takes out the felony criminal penalties that was in the original Bill; and I move for the adoption of Amendment #3 to Senate Bill 1078."

Speaker Currie: "Representative Flowers moves 'do adopt' on Amendment #3 to Senate Bill 1078; and on that Motion, is there any discussion? Hearing none, all in favor, signify by saying 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

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Clerk McLennand: "Floor Amendment #4, offered by Representative Walsh."

Speaker Currie: "Representative Granberg, for what reason do you rise?"

Granberg: "Thank you, Madam Speaker. I believe the Amendment #4 is identical to Amendment #2, therefore, I would inquiry of the Chair whether Amendment #4 is germane, as well?"

Speaker Currie: "We will check it. The Amendment is not germane for the same reasons that Amendment #2 failed the germaneness test. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Currie: "Third Reading. Let's move to Local Government, Second Reading, Senate Bill 571, Representative Cross. Do we know if Amendments to this Bill have been printed? Whoops, Amendments filed today, not printed, not distributed. Out of the record. On the Order of Special Order of Call, Revenue, Second Reading, appears Senate Bill 940. We, I think. We're here a little earlier in the day. Is the Amendment on that Bill printed and distributed? No. Out of the record. So, that, in fact, was on Third Reading. Okay. How about on Health Care and Human Services, Senate Bill 99, Representative Stroger. Are we ready with this Bill. No. Out of the record. Are we ready for the Consent Calendar, Speaker's Table, Resolutions, Fourth Day. That was on the board earlier. Are we ready to go with it? All right. This will be a voice vote. All in favor of the Consent Calendar Resolutions on the Speaker's Table, Fourth Day, indicate by saying 'aye'; opposed, 'no'. The 'ayes' have it, and the Resolutions are adopted. Agreed Resolutions. Representative Granberg now moves that the House stand adjourned until the hour of 10 a.m. tomorrow morning...what



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is that...Wednesday, May 19, 10 a.m. tomorrow."

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