

STATE OF ILLINOIS  
84th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

42nd Legislative Day

May 17, 1985

Speaker Greiman: "The hour of 9:00 having arrived, the House will be in Session. The Chaplain for today will be the Reverend Dr. Charles Hendricks, Pastor, Third Presbyterian Church of Springfield. Reverend Hendricks is the guest of Representative Josephine Oblinger. Will the guests in the gallery please rise and join us for the invocation? Reverend Hendricks."

Reverend Hendricks: "Let us pray. Most gracious God, we give thanks that You have endowed us with gifts to use for the common good, that You have placed us in various positions of responsibility and opportunity to be of service. We, therefore, praise You for all that continues to happen here in this place. We pray that You will direct and prosper all consultations to the advancement of Your glory, the safety, honor and welfare of Your people, that all things may be so ordered and settled by such endeavors upon the best and surest foundations, that peace and happiness, truth and justice, virtue and goodness may be established among us. Bless all decisions made this day that Your spirit may prevail, and these, Your people, be instruments of Your grace. In the name of the Father, and of the Son and of the Holy Spirit. Amen."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp, to lead us in the pledge to the flag."

Ropp 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 Greiman: "Roll Call for Attendance. Mr. Clerk, take the record. 116 Members having reported to the Call of the Quorum, a quorum is present. Mr. Matijevich, are there any absentees on the Democratic side?"

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Matijevich: "None today."

Speaker Greiman: "Thank you. Mr. Vinson, do we have any excused absences on the Republican side? Apparently, Mr. Vinson, besides yourself, you are not shown... you're not shown as being here, but you are. Mr. Vinson is here and add him to the Roll. Agreed Resolutions."

Clerk O'Brien: "House Resolution 405, offered by Representative... House Resolution 398, offered by Representative Hensel; 399, by Representative Kubik; 400, by Representative Hicks; 401, by Representative Williamson; 405, by Representative Greiman; 393 was offered by Representative Christensen and Madigan; and Senate Joint Resolution 59, offered by Representative Ropp and Giorgi."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich, on the Agreed Resolutions."

Matijevich: "Yes, Mr. Speaker, House Resolution 398, Hensel, acknowledges the retirement of Elwood Willey. 398 (sic - 399), Kubik, congratulates Broadview Post 626 on its 55th anniversary."

Clerk O'Brien: "That's 399."

Matijevich: "399, rather. House Resolution 400, Hicks, congratulates Steve Ludwig for his bowling achievements. 401, Linda Williamson, acknowledges the the retirement of Stephen John Mendak. House Resolution 405, Greiman, extends our thanks to Mason Aldrich. House Resolution 393, Christensen, acknowledges the retirement of Mr. Galloway. And Senate Joint 59, Giorgi, urges Mitsubishi/Chrysler to come to Illinois, somewhere near Rockford, I'm sure. I move the adoption of the Agreed Resolutions."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich, moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Agreed

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Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 403, offered by Representative Johnson, with respect to the memory of Dr. Roger P. Link."

Speaker Greiman: "The Gentleman from... from Lake, Mr. Matijevich, moves for the adoption of the death Resolution. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the death Resolution is adopted. ... Bills, First Reading."

Clerk O'Brien: "Senate Bills, First Reading. Senate Bill 29, Barnes, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. Senate Bill 31, Barnes, a Bill for an Act to amend the Code of Criminal Procedure. First Reading of the Bill. Senate Bill 82, Ryder, a Bill for an Act concern certain real property in the City of Jacksonville. First Reading of the Bill. Senate Bill 86, Hannig, a Bill for an Act to amend the Humane Care for Animals Act. First Reading of the Bill. Senate Bill 157, Rea, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 164, O'Connell, a Bill for an Act to create the Parental Rights of Recovery Act. First Reading of the Bill. Senate Bill 190, Barnes, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 211, Saltsman, a Bill for an Act to amend the Illinois Farm Development Authority Act and the Illinois Income Tax Act. First Reading of the Bill. Senate Bill 214, Terzich, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 224, O'Connell, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 229, Piel and Mays, a Bill for an Act to amend the Burial of Indigent Veterans Act. First Reading of the Bill. Senate Bill 230, Piel, a Bill for an Act to amend an Act creating the Illinois Department of

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Veterans' Affairs. First Reading of the Bill. Senate Bill 254, Ronan, a Bill for an Act to amend the Use, Service Use, Service Occupation and Retailers' Occupation Tax Act. First Reading of the Bill. Senate Bill 266, Cullerton, a Bill for an Act to amend the Illinois Parentage Act. First Reading of the Bill. Senate Bill 267, Berrios and Brookins, a Bill for an Act to amend the Juvenile Court Act. First Reading of the Bill. Senate Bill 290, Farley, a Bill for an Act to amend the Crime Victims Compensation Act. First Reading of the Bill. Senate Bill 302, Oblinger, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 303, Ronan, a Bill for an Act to amend the Motor Fuel Tax Law. First Reading of the Bill. Senate Bill 321, Steczo, a Bill for an Act to amend an Act relating to local libraries. First Reading of the Bill. Senate Bill 330, Terzich and Capparelli, a Bill for an Act in relation to distribution of money collected in a tax amnesty program. First Reading of the Bill. Senate Bill 349, Kulas, a Bill for an Act to amend the Public Building Commission Act. First Reading of the Bill. Senate Bill 372, O'Connell, a Bill for an Act to amend an Act relating to interest in real estate. First Reading of the Bill. Senate Bill 379, Kulas, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 384, Bowman, a Bill for an Act to amend the Respite Demonstration Program Act. First Reading of the Bill. Senate Bill 386, Bowman, a Bill for an Act to amend the Civil Administrative Code of Illinois. First Reading of the Bill. Senate Bill 391, Bowman, a Bill for an Act to amend an Act in relation to rehabilitation of disabled persons. First Reading of the Bill. Senate Bill 392, Bowman, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 395,

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Ryder, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 414, McGann, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 416, Giorgi and Hallock, a Bill for an Act to amend an Act relating to spouse maintenance and child support. First Reading of the Bill. Senate Bill 431, Giorgi, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 440, Saltsman, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 495, Ronan, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 497, Richmond, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 499, Nash, a Bill for an Act to amend the Boat Registration and Safety Act. First Reading of the Bill. Senate Bill 532, O'Connell, a Bill for an Act to amend the Illinois Criminal Code. First Reading of the Bill. Senate Bill 534, O'Connell, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. Senate Bill 536, O'Connell, a Bill for an Act to amend an Act in relation to adoption of persons. First Reading of the Bill. Senate Bill 537, O'Connell, a Bill for an Act to amend the Code of Criminal Procedure. First Reading of the Bill. Senate Bill 539, O'Connell, a Bill for an Act to amend the Code of Criminal Procedure. First Reading of the Bill. Senate Bill 540, O'Connell, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 541, O'Connell, a Bill for an Act to amend the Code of Criminal Procedure. First Reading of the Bill. Senate Bill 547, O'Connell, a Bill for an Act to amend an Act relating to firearms and firearm ammunition. First Reading of the Bill. Senate Bill 549, O'Connell, a Bill for an Act to amend the Criminal Code.

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First Reading of the Bill. Senate Bill 550, O'Connell, a Bill for an Act to amend the Unified Code of Corrections.

First Reading of the Bill. Senate Bill 551, O'Connell, a Bill for an Act to amend the County Jail Good Behavior Allowance Act. First Reading of the Bill. Senate Bill 557, Giorgi, a Bill for an Act to amend an Act to revise the law in relation to counties. First Reading of the Bill. Senate Bill 560, Wojcik, a Bill for an Act relating to taxes for libraries. First Reading of the Bill. Senate Bill 589, Oblinger, a Bill for an Act to amend the Wildlife Code. First Reading of the Bill. Senate Bill 601, Deuchler, a Bill for an Act to amend an Act to provide for the creation and management of forest preserve districts. First Reading of the Bill. Senate Bill 602, Hastert and Mautino, a Bill for an Act in relation to manufacturing machinery and equipment exemption from state occupation and use taxes. First Reading of the Bill. Senate Bill 611, W. Peterson, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 667, Madigan and Keane, a Bill for an Act in relation to deposit and investment of state moneys. First Reading of the Bill. Senate Bill 652, Terzich, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 669, Laurino, a Bill for an Act relating to dental insurance and dental service corporations. First Reading of the Bill. Senate Bill 683, Nash and Capparelli, a Bill for an Act to amend the Dental Practice Act. First Reading of the Bill. Senate Bill 688, Ropp, a Bill for an Act to amend the State Employees Group Insurance Act. First Reading of the Bill. Senate Bill 705, Terzich, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 731 (sic - 732), Kulas, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate

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Bill 740, Steczko, a Bill for an Act to amend the Illinois Public Library District Act. Second... First Reading of the Bill. Rereading Senate Bill 732, Kulas, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 789, Woodyard and DeJaegher, a Bill for an Act to amend an Act concerning labor-management relations. First Reading of the Bill. Senate Bill 791, Oblinger, a Bill for an Act to amend the Personnel Code. First Reading of the Bill. Senate Bill 847, Saltsman, a Bill for an Act to amend the Illinois Development and Finance Authority Act. First Reading of the Bill. Senate Bill 884, Oblinger, a Bill for an Act to amend the Business Corporation Act and the General Not for Profit Corporation Act. First Reading of the Bill. Senate Bill 887, O'Connell, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. Senate Bill 890, O'Connell, a Bill for an Act to amend the Abortion Law. First Reading of the Bill. Senate Bill 897, Oblinger, a Bill for an Act to amend the Illinois Purchasing Act. First Reading of the Bill. Senate Bill 901, Capparelli, a Bill for an Act to amend the Illinois Housing Development Act. First Reading of the Bill. Senate Bill 902, Capparelli, a Bill for an Act to amend the Illinois Housing Development Act. First Reading of the Bill. Senate Bill 912, Satterthwaite and Bowman, a Bill for an Act to amend the Sales Finance Agency Act. First Reading of the Bill. Senate Bill 972, Terzich, a Bill for an Act in relation to criminal jurisprudence. First Reading of the Bill. Senate Bill 976, Satterthwaite and Oblinger, a Bill for an Act to amend an Act relating to the office of county auditor in certain counties. First Reading of the Bill. Senate Bill 977, Ronan, a Bill for an Act to amend the Regional Transportation Authority Act. First Reading of the Bill.

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Senate Bill 1002, Terzich, a Bill for an Act to amend an Act in relation to directors, officers, employees and volunteers of child care facilities. First Reading of the Bill. Senate Bill 1007, Terzich, a Bill for an Act to amend the Illinois... Illinois... Pension Code. First Reading of the Bill. Senate Bill 1030, Bowman... 1030, Cullerton - Churchill - Nash and Hallock, a Bill for an Act to amend an Act relating to the practice of dentistry. First Reading of the Bill. Senate Bill 1048, Greiman, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 1072 (sic - 1052), Oblinger, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1053, Cowlshaw, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1119, Terzich, a Bill for an Act concerning public utilities. First Reading of the Bill. Senate Bill 1132, Giorgi, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 1142, O'Connell and Zwick, a Bill for an Act to amend Trusts and Trustees Act. First Reading of the Bill. Senate Bill 1143, Zwick and O'Connell, a Bill for an Act to amend an Act relating to certain investments of public funds by general agencies. First Reading of the Bill. Senate Bill 1193, Hicks and Tate, a Bill for an Act to amend an Act relating to firearms and firearm ammunition. First Reading of the Bill. Senate Bill 1210, Berrios and Ronan, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1212, Berrios and Kulas, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1213, Berrios and Kulas, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1214, Berrios and Ronan, a Bill for an Act to amend the School Code. First Reading of the Bill.



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Senate Bill 1218, Berrios and Kulas, a Bill for an Act to amend an Act to create Educational Partnership Act. First Reading of the Bill. Senate Bill 1224, Stern, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. Senate Bill 1237, Oblinger, a Bill for an Act to amend the Illinois Forestry Development Act. First Reading of the Bill. Senate Bill 1265, Oblinger, a Bill for an Act to amend the Illinois Highway Code. First Reading of the Bill. Senate Bill 1266, Churchill, a Bill for an Act to amend the Radiation Protection Act. First Reading of the Bill. Senate Bill 1309, Oblinger, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. Senate Bill 1372, McMaster, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 1398, Terzich, a Bill for an Act to revise various Acts to resolve multiple Amendments or additions, or corrections, technical errors and other patent errors and omissions, to revise cross-references and delete obsolete and duplicative provisions. First Reading of the Bill. Senate Bill 1412, Terzich, a Bill for an Act to amend the Illinois Enterprise Act. First Reading of the Bill. Senate Bill 1437, Terzich, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practice Act. First Reading of the Bill. Further Senate Bills, First Reading. Senate Bill 80, Flinn and Wolf, a Bill for an Act to create the Bi-State Metropolitan Development District and the Bi-State Development Agency. First Reading of the Bill. Senate Bill 156, Ropp, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 292, Ropp, a Bill for an Act to amend the Soybean Marketing Act. First Reading of the Bill. Senate Bill 390, Bowman, a Bill for an Act to amend the Illinois Public Aid Code. First

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Reading of the Bill. Senate Bill 411, Ropp, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 422, Flinn and Goforth, a Bill for an Act to amend the Bingo License and Tax Act. First Reading of the Bill. Senate Bill 432, Ropp, a Bill for an Act in relation to the control of technitis (sic - trichinosis) in swine. First Reading of the Bill... trichinosis in swine. First Reading of the Bill... trichinitis (sic - trichinosis). Senate Bill 767, Cullerton, a Bill for an Act to authorize the State of Illinois to give property (sic - priority) to Illinois public financing investment banking firms... to give priority to Illinois public financing investment banking firms. First Reading of the Bill. Senate Bill 1014, Bowman, a Bill for an Act to amend an Act in relation to public assistance. First Reading of the Bill. Senate Bill 1018, Bowman, a Bill for an Act to amend an Act relating to the Department of Children and Family Services. First Reading of the Bill. Senate Bill 1050, Ropp, a Bill for an Act to amend an Act relating to State Board of Education. First Reading of the Bill."

Speaker Greiman: "... Senate."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate has passed Bills with the following title, and the passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bills #1296, 1298, 1351, 1357, 1359, 1363 and 1375, passed the Senate... passed by the Senate May 16, 1985. Kenneth Wright, Secretary.' Introduction and First Reading of Senate Bills. Senate Bill 1375, Giorgi, a Bill for an Act to authorize off-track pari-mutuel wagering in Illinois. First Reading of the

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Bill. ...Senate Bills, First Reading. Senate Bill 165, Capparelli and Levin, a Bill for an Act to amend an Act concerning land titles. First Reading of the Bill. Senate Bill 172, Ronan, a Bill for an Act in relation to Infrastructure Revolving Loan Fund and to create the Illinois Capital Budget and Capital Improvement programs. First Reading of the Bill. Senate Bill 225, McGann, a Bill for an Act to amend an Act in relation to criminal identification and investigation. First Reading of the Bill. Senate Bill 257, McGann, a Bill for an Act to amend the Senior Citizens Real Estate Tax Act Deferral Act. First Reading of the Bill. Senate Bill 352, Mulcahey, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 419, McGann, a Bill for an Act to amend the Motor Fuel Tax Law. First Reading of the Bill. Senate Bill 889, Capparelli and McAuliffe, a Bill for an Act to amend an Act in relation to the Office of Public Defender. First Reading of the Bill. Senate Bill 1190, Parcels, a Bill for an Act to amend an Act relating to contractors and material men's liens. First Reading of the Bill. Senate Bill 1243, Satterthwaite, a Bill for an Act to amend an Act in relation to mental health education. First Reading of the Bill. Senate Bill 1396, McGann, a Bill for an Act to amend the Medical Practice Act. First Reading of the Bill. Senate Bill 16, Levin, a Bill for an Act to amend the Condominium Property Act. First Reading of the Bill."

Speaker Greiman: "Alright, the pages will be passing out an index of Special Orders for each Member. On page 74 of the Calendar, on the Order of Speaker's Table, appears HJR 26. Mr. Clerk."

Clerk O'Brien: "House Joint Resolution 26 concerns the State Board of Education, Board of Higher Education and Community

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College Board. Elementary and Secondary Education  
recommends 'be adopted'."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Mulcahey.  
Yes, Mr. Mulcahey."

Mulcahey: "Would you repeat that, Mr. Speaker?"

Speaker Greiman: "Which did you want me to repeat?"

Mulcahey: "Why did you... Why did you call my name, Mr. Speaker?"

Speaker Greiman: "Yes, Mr. Mulcahey, the Clerk has just read  
House Joint Resolution 26 of which you are the principal  
Sponsor. Now, Mr. Hoffman and Ms. Satterthwaite are also  
Sponsors."

Mulcahey: "Mr. Speaker, I would yield to Representative Hoffman."

Speaker Greiman: "Well, Representative Hoffman is not in."

Mulcahey: "Mr. Speaker, I would yield to Representative  
Satterthwaite."

Speaker Greiman: "Ms. Satterthwaite, would you like to proceed on  
House Joint Resolution 26?"

Satterthwaite: "Yes, I guess so, unprepared as I am."

Speaker Greiman: "Proceed."

Satterthwaite: "House Resolution... House Joint Resolution 26 is  
the product of the Commission on the improvement of  
Elementary and Secondary Education. It is one of three  
Resolutions that deal with the kinds of recommendations  
from that Commission that do not really require a change in  
law but are directive in terms of the revisions that we  
hope to have made. I'll try to get the copy to be more  
specific about which items are in which Resolutions if the  
Members desire."

Speaker Greiman: "The Lady from Champaign moves for the adoption  
of House Joint Resolution 26. And on that, is there any  
discussion? There being no discussion, the question is,  
'Shall House Joint Resolution 26 be adopted?' All those in  
favor signify by saying 'aye', those opposed 'no'. In the

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opinion of the Chair, the 'ayes' have it, and House Joint Resolution 26 is adopted. On the Speaker's Table appears House Joint Resolution 27. Mr. Clerk, read the Bill (sic - Resolution)."

Clerk O'Brien: "House Joint Resolution #27 concerns the Commission on the Improvement of Elementary and Secondary Education. Elementary and Secondary Education Committee recommends 'be adopted'."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Mulcahey, yields to the Lady from Champaign, Ms. Satterthwaite, on House Joint Resolution 27. Ms. Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, again, this is part of a series of recommendations coming out of the studies of the Commission on the Improvement of Elementary and Secondary Education. This particular one deals with suggestions for local school districts and the way that they can encourage a higher quality of education delivery systems, and I would urge your support."

Speaker Greiman: "The Lady from Champaign moves for the adoption of House Joint Resolution 27. Is there any discussion? There being none, the question is, 'Shall this Resolution be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment... and the Resolution is adopted. On the Order of Speaker's Table appears House Joint Resolution 28. Mr. Clerk."

Clerk O'Brien: "House Joint Resolution 28 concerns the Commission on the Improvement of Elementary and Secondary Education. Elementary and Secondary Education Committee recommend 'be adopted'."

Speaker Greiman: "The Lady from Champaign, Ms. Satterthwaite, on House Joint Resolution 28."

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

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particular Resolution is related to recommendations to the State Board of Education for ways in which the quality of education can be approved in the state, and again I ask for your support."

Speaker Greiman: "The Lady from Champaign moves for the adoption of House Joint Resolution 29. And on that, is there any discussion? There being none, the question is, 'Shall this Resolution be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Resolution is adopted. On the Order... On the Speaker's Table appears House Joint Resolution 32. Mr. Clerk."

Clerk O'Brien: "House Joint Resolution #32 concerns the Consolidated Rail Corporation's 'Conrail' service. Transportation and Motor Vehicle Committee recommend 'be adopted'."

Speaker Greiman: "The Gentleman from Cook, Mr. Ronan, on House Joint Resolution 32."

Ronan: "Thank you, Mr. Speaker. It's a very simple concept that involves the sale of Conrail. I'd be glad to answer any questions concerning the Resolution."

Speaker Greiman: "The Gentleman from Cook, Mr. Ronan, moves for the adoption of House Joint Resolution 32. And on that, is there any discussion? The Gentleman from Adams, Mr. Mays."

Mays: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, it seems apparent to me that the real discussion is going on right now over at Mr. Ronan's desk. I, however, do want to express some reservations that I have had on this Resolution since its inception. We all know that Resolutions generally don't carry too much weight when they get out of here. They generally go to the Congressman's desk and find the appropriate file very, very fast. However, on this particular question, I believe that

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there's no black or white. There seems to be a lot of gray involved in the transaction, particularly as it impacts Illinois. As you know, in my discussions on this Resolution last week when it was called, I sighted an IDOT study which I asked to be prepared which basically pointed to the upsides and the downsides and the arguments from not just the 'CXS' Railway System, or the Illinois Central Gulf, or the Chicago Northwestern, also the Burlington Northern. It pointed to any number of other things. Employment... It addressed the question of employment and seemed to indicate that if it had an impact, it would be minor or positive on employment in Illinois. So this is definitely an issue that each and everyone of the Legislator's in this chamber should look very, very closely at. Find out how it impacts their own district. I know another part of the discussion the IDOT study pointed to rail trackage that would be taken over by... by Norfolk - Southern should it... this sale be consummated - some rail trackage that would be maintain that otherwise would go... be defunct. So, I, personally, am opposed to this Resolution. I'd like to have the opportunity to vote 'no' on this. I'm not saying that that's something that everybody in this room should do, but I would like to have a Roll Call on this."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, you know, this shouldn't be debated in the monologue of the previous speaker. This is a very important instance in national... in history. Here's Conrail... Here's Conrail that the Republican administration spent seven billion dollars to bail out. Seven billion dollars they spent on Conrail, and they want to give it away now. They want to give it away to one of the cronies of the... Reagan's Kitchen Cabinet. And this

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is going to have a very, very adversive effect on Illinois economy. It's going to... It's going to... It's going to impact on our needs of the agriculture manufacturing services in Illinois. It's going to cost us jobs - 300 jobs if this goes into effect. They're going to abandon rail lines. They've going to pick up rail lines. They're going to do away with the facility in 51... 51st street in Chicago. There's a lot of ramifications here in this sale of Conrail to one of the cronies of the national leader. We ought... We shouldn't allow the Department of Transportation to give this thing away on a noncompetitive bid basis. This is a horrendous period in our history in this absolution of Conrail... be careful. We should support this Resolution."

Speaker Greiman: "The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Thank you, Mr. Speaker. Ladies and Gentlemen of the Assembly, first of all, I would like to have the Republicans in this Assembly carefully look at this Resolution. My position on this issue is not a partisan issue. And there may be some Members even on this side of the aisle who, because of local situations, ought to carefully examine how you're voting on this issue. Similarly, there are probably people on the other side of the aisle who, because of local situations, ought to carefully examine how you're voting on this issue. Similarly there are probably people on the other side of the aisle who want to carefully examine where they are on this issue. It is not a partisan issue. It is an issue that relates to transportation in your local districts. Throughout this state there are a number of branch lines to rail... to railroads not involved in Conrail or in the Conrail sale which are being currently proposed for abandonment. It is very possible that if the transaction



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with the Norfolk and Southern is consummated, those branch lines can be included in that transaction, and the railroad lines that would otherwise be abandoned will remain viable for local communities, local shippers and local railroad labor. If we make a quick rush to judgment, we will handicap the ability of the Department of Transportation and the state's congressional delegation to get those... those branch lines included in a viable railroad network. If we participate in that what we are doing is certainly injuring our local communities. We're destroying railroad labor jobs, and we are making it much more difficult to move grain in certain places in this state. I hope that Members will not believe this is a simple Resolution that ought to be passed out of here because it's being done early in the morning, and I hope that Members will stop and reflect upon the situation... transportation situation in their local districts before they cast a vote on this issue. It is a most important issue that could come back to haunt you later on. Now, Mr. Speaker, should this Resolution appear to have the requisite votes to pass, I would request a verification because of the importance of the matter."

Speaker Greiman: "Further discussion? There being none, Mr. Ronan to close."

Ronan: "Mr. Speaker, this is a very important Resolution. It does involve jobs of the working men and women of this state who are employed by the various railroads around this state. This is just a Resolution letting Congress know that we're concerned with keeping people working in this state and to make sure that those workers are duly protected and have the same job protections that they enjoy at the present time. And I think it's a very important Resolution. But I do have a concern about the number of

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Members on the floor right now, so I think we'll take the Resolution out of the record and come back to it at a later time."

Speaker Greiman: "Alright, House Joint Resolution 32, out of the record. House Joint Resolution Constitutional Amendments, Second Readings... First Reading... First Reading... Third Reading, House Joint Resolution Constitutional Amendment 1. Mr. Clerk, read the..."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #1. Resolved by the House of Representatives of the 84th General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section 9 of Article IV of the Constitution to read as follows: Article IV. Section 9. Veto Procedure. (a) Every Bill passed by the General Assembly shall be presented to the Governor within 30 calendar days after its passage. The foregoing requirement shall be judicially enforceable. If the Governor approves the Bill, he shall sign it, and it shall become law. (b) If the Governor does not approve the Bill, he shall veto it by returning it with his objections to the House in which it originated. Any Bill not so returned by the Governor within 60 calendar days after it is presented to him shall become law. If recess or adjournment of the General Assembly prevents the return of a Bill, the Bill and the Governor's objections shall be filed with the Secretary of the State within such 60 calendar days. The Secretary of State shall return the Bill and objections to the originating House promptly upon the next meeting of the same General Assembly at which the Bill can be considered. (c) The House to which a Bill is

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returned shall immediately enter the Governor's objection upon its journal. If within 15 calendar days after such entry that House by a record vote of three-fifths of the Members elected pass the Bill, it shall be delivered immediately to the second House. If within 15 calendar days after such delivery the second House by a record vote of three-fifths of the members elected pass the Bill, it shall become law. (d) The Governor may reduce or veto any item of appropriation in a Bill presented to him. Portions of a Bill not reduced or vetoed shall become law. An item vetoed... An item vetoed shall be returned to the House in which it originated and may become law in the same manner as a vetoed Bill. An item reduced in amount shall be returned to the House in which it originated and may be restored to its original amount in the same manner as a vetoed Bill except the required record vote shall be a majority of the Members elected to each House. If a reduced item is not so restored, it shall become law in the reduced amount. (e) The Governor may return a Bill together with specific recommendations for change to the House in which it originated. The Bill shall be considered in the same manner as a vetoed Bill. The specific recommendations may be rejected or accepted as follows: (1) The specific recommendations may be rejected and the Bill become law in the form in which it was originally passed and presented to the Governor under Subsection (a) by a record vote of a majority of the Members elected to each House or (2) the specific recommendations may be accepted by a record vote of the majority of the Members elected to each House. Such Bills shall be presented again to the Governor, and if he certifies that such acceptance conforms to a specific recommendations, the Bill shall become law. If he does not so certify, he shall return it

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as a vetoes Bill to the House in which it originated. This Subsection (e) does not reduce the number of votes required for any Bill to become a law if such Bill is subject to the extra ordinary vote requirement of any other provision of this Constitution. Schedule. This Amendment to Section 9 of Article IV of the Illinois Constitution takes effect upon its approval by the electors of this state. First Reading of the Constitutional Amendment on Third Reading."

Speaker Greiman: "Hold the Constitutional Amendment on Third Reading. ... First Reading."

Clerk O'Brien: "Senate Bill 98, Johnson, a Bill for an Act to amend the Medical Practice Act. First Reading of the Bill. Senate Bill 105, Levin, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. Senate Bill 190, Parke, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 215, Ronan, a Bill for an Act to establish high impact training services programs. First Reading of the Bill. Senate Bill 38... Check that. Senate Bill 293, Wojcik, a Bill for an Act to amend the Township Law. First Reading of the Bill. Senate Bill 296, Parke, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 318, Ronan, a Bill for an Act to amend the Illinois Development Finance Authority Act. First Reading of the Bill. Senate Bill 341, Klemm, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 397, Klemm, a Bill for an Act to amend an Act concerning fees and salaries. First Reading of the Bill. Senate Bill 405, Klemm, a Bill for an Act to amend the Chain O'Lakes - Fox River Management Agency Act. First Reading of the Bill. Senate Bill 406, Levin, a Bill for an Act to amend an Act concerning public utilities. First Reading of the Bill. Senate Bill 436, Giorgi, a Bill for

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Reading of the Bill. Senate Bill 1323, Keane, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 1363, Saltsman, a Bill for an Act in relation to enterprise zones. First Reading of the Bill. Senate Bill 741, Richmond, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 743, DeJaegher and Davis, a Bill for an Act to amend the Illinois Horse Racing Act. First Reading of the Bill. Senate Bill 755, Preston, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 759, Cowlshaw - Hastert and Brunsvold, a Bill for an Act to amend the Illinois Athlete Trainers Practice Act. First Reading of the Bill. Senate Bill 771, Dwight Friedrich, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 790, Oblinger, a Bill for an Act to amend an Act in relation to the pension and disability benefits of certain state employees. First Reading of the Bill. Senate Bill 824, O'Connell, a Bill for an Act to amend an Act relating to contractors and material men's liens, known as mechanic's liens. First Reading of the Bill. Senate Bill 859, Virginia Frederick and Churchill, a Bill for an Act to amend the Amusement Ride and Attraction Safety Insurance Act. First Reading of the Bill. Senate Bill 860, Virginia Frederick and Churchill, a Bill for an Act to amend the Carnival and Amusement Ride Safety Act. First Reading of the Bill. Senate Bill 861, Ryder - Churchill and Davis, a Bill for an Act to amend the State Employees Group Insurance Act. First Reading of the Bill."

Speaker McPike: "Page 39 of the Calendar, Constitutional Amendments. Mr. Clerk."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #1. Resolved by the House of Representatives of the 84th

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an Act to amend the School Code. First Reading of the Bill. Senate Bill 487, Wojcik, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 521, Terzich, a Bill for an Act in relation to the manufacturing machinery and equipment exemption from state occupation and use taxes. First Reading of the Bill. Senate Bill 558, Johnson, a Bill for an Act to amend the Illinois Purchasing Act. First Reading of the Bill. Senate Bill 586, Parke, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 783, Wojcik, a Bill for an Act to amend an Act in relation to county and multi-county public health departments. First Reading of the Bill. Senate Bill 806, Ropp, a Bill for an Act to amend an Act relating to grain dealers. First Reading of the Bill. Senate Bill 810, Ropp, a Bill for an Act to amend the Illinois Livestock Dealers Licensing Act. First Reading of the Bill. Senate Bill 850, Wojcik, a Bill for an Act to amend the Illinois Controlled Substance Act. First Reading of the Bill. 850, Wojcik, a Bill for an Act to amend the Illinois Controlled Substance Act. First Reading of the Bill. Senate Bill 889, Capparelli and Levin, a Bill for an Act to amend an Act in relation to the Office of Public Defender. First Reading of the Bill. Senate Bill 900, Klemm, a Bill for an Act to amend an Act in relation to the liability of dishonored checks. First Reading of the Bill. Senate Bill 995, Anthony Young, a Bill for an Act to amend the Criminal Code and an Act to create the Minority and Female Business Enterprise Act. First Reading of the Bill. Senate Bill 1041, Tate and Hicks, a Bill for an Act concerning accounting systems for units of local government. First Reading of the Bill. Senate Bill 1188, Koehler and Giglio, a Bill for an Act to amend the Criminal Code. First Reading of the Bill.

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Senate Bill 1229, Shaw, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1232, Shaw, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1234, Shaw and Rice, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 1236, Shaw and Rice, a Bill for an Act to amend the Housing Authority Act. First Reading of the Bill. Senate Bill 1364, Mays, a Bill for an Act to amend the Illinois Export Development Act. First Reading of the Bill."

Speaker Greiman: "Parliamentarian come to the podium. Page 74 of the Calendar, Consent Calendar Third Reading, Mr. Clerk."

Clerk O'Brien: "Consent Calendar Third Reading, Second Day. House Bill 354, a Bill for an Act to amend Sections of the Criminal Code of 1961. Third Reading of the Bill."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'aye', none voting 'no', 2 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Ms. Flowers. Let the Journal show that Ms. Flowers and Ms. Alexander wish to be recorded... would have voted 'aye' had they been on the Roll Call. Alright, we are going to go to page 27 of the Calendar, on the Order of House Bills Second Reading, Short Debate. On the Order of House Bills Second Reading, Short Debate, appears House Bill 850, Mr. Davis. On the Order of House Bills Second Reading, Short Debate, appears House Bill 1057, Mr. Richmond. Out of the record. On the Order of House Bills Second Reading, Short Debate, appears House Bill 1306. Out of the record. On the Order

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of House Bills Second Reading appears House Bill 1530. Out of the record. On the Order of House Bills Second Reading appears House Bill 1582. Mr. Brookins, do you wish to proceed on that Bill? Out of the record. On House Bills 1906, out of the record. On the Order of House Bills Second Reading appears House Bill... House Bill 1973, Mr. Hoffman. Out of the record. On the Order of House Bills Second Reading, Short Debate, appears House Bill 2185, Mr. McCracken. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2185, a Bill for an Act to amend Sections of the Medical Practice Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Greiman: "Third Reading. Alright, we'll just back up to a Bill that we went over just now. On the Order of House Bills Second Reading appears House Bill 1582. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1582, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Brookins, amends House Bill 1582 on page one."

Speaker Greiman: "The Gentleman from Cook, Mr. Brookins, on Amendment #1."

Brookins: "Mr... I'd like to move to adopt Amendment #1."

Speaker Greiman: "The Gentleman from Cook, Mr. Brookins, moves for the adoption of Amendment #1 to House Bill 1582. And on that, is there any discussion? The Gentleman from Lee, Mr. Olson."

Olson: "Would the Sponsor yield?"

Brookins: "Yes."



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Olson: "Would you please identify the contents of Amendment #1?"

Brookins: "Amendment... Amendment #1 makes it consecutive, so that all the board members don't come up... appointment at the same time."

Olson: "The same time. Which... Which board is that now?"

Brookins: "The board of Chicago Public Schools, Board of Education."

Olson: "Alright, this is no relevancy to whether we go to an appointed or elected board. You're... This is not the issue of whether Chicago has an appointed or elected board?"

Brookins: "No. This is the issue of setting up a... Well, yes, it is. Yes. Because it would set up a..."

Olson: "An elected board?"

Brookins: "No. No. It would set up a... one second - a committee which would recommend to the Mayor of the City of Chicago members to be placed on the Board of Education."

Olson: "Thank you very much."

Speaker Greiman: "The Gentleman from Cook, Mr. Piel."

Piel: "Thank you, Mr. Speaker. I've got a question. Now, maybe I'm wrong, and probably would be a situation the Parliamentarian would have to look at. And I've got nothing... no problems with the Amendment, per se, but he's deleting a member of the board on line seventeen, so basically now it says, 'the person shall be a...', and then it just stops. He's got... He's got to put something in there. Howard. Maybe you want to take it out of the record for a couple of seconds. We can go over it. Unless I'm reading it incorrectly."

Brookins: "Mr. Speaker. Mr. Speaker."

Speaker Greiman: "Yes, Mr. Brookins."

Brookins: "Let me move it to Third Reading without... Let me withdraw the Amendment."

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Speaker Greiman: "Amendment's withdrawn."

Brookins: "Move it to Third Reading."

Speaker Greiman: "Further Amendment?"

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

Brookins: "I withdraw Amendment #2."

Speaker Greiman: "Amendment #2 is withdrawn. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Alright, on page 34 of the Calendar, after House Bill 2110 showing... it shows on the Calendar was where we left off yesterday on the Order of Second Reading. Accordingly we will begin there at this time. On the Order of House Bills Second Reading, page 34 of the Calendar, appears House Bill 2138. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2138, a Bill for an Act to create the Illinois Corporate Take-Over Act. Second Reading of the Bill. Amendment #1 was withdrawn."

Speaker Greiman: "Further Amendments?"

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

Speaker Greiman: "The Gentleman from Lake, Mr. Churchill, on Amendment #2."

Churchill: "Mr. Speaker, could you take this Bill out of the record for just a moment?"

Speaker Greiman: "Out of the record. On the Order of House Bills Second Reading, on page 34 of the Calendar, appears House Bill 2165, Mr. Berrios. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2165, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. Amendment #2 was adopted previously."

Speaker Greiman: "Any further Amendments?"

Clerk O'Brien: "Floor Amendment... Amendment #3 was ruled not

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germane. Floor Amendment #4, offered by Representative Berrios."

Speaker Greiman: "Amendment #4, the Gentleman from Cook, Mr. Berrios."

Berrios: "Amendment #4 is the Amendment that we had with #3, but we corrected it to make it technically correct. It provides for student vocational days and career counseling days in the City of Chicago."

Speaker Greiman: "The Gentleman from Cook, Mr. Berrios, moves for the adoption of Amendment 4. On that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment's adopted. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 2175. Out of the record. On page 35 of the Calendar, on the Order of House Bills Second Reading appears House Bill 2182. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2182, a Bill for an Act to amend Sections of the Personnel Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Lake, Mr. Churchill, on Floor Amendment #1."

Churchill: "Thank you, Mr. Speaker. Floor Amendment #1 makes two changes. And the first thing it does, it says that Central Management Services may agree with the directors of the other departments as to who will be handling their

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workers' compensation claims and provide for those payments. The second thing that it does, it says that if the funds are not used for that that they may be transferred into the funds of the various agencies. I would ask for its adoption."

Speaker Greiman: "The Gentleman from Lake, Mr. Churchill, moves for the adoption of Amendment #1 to House Bill 2182. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Churchill: "Yes."

Cullerton: "Could you tell me how this Amendment fits in with the original goals of the Bill?"

Churchill: "Representative Cullerton, House Bill 2182 is the omnibus Bill for the Department of Central Management Services. And this is, perhaps... This is just one segment of that omnibus Bill."

Cullerton: "Okay. Thank you."

Speaker Greiman: "There being no further discussion, the question is, 'Shall Amendment #1 be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 2196. Mr... Out of the record. On the Order of House Bills Second Reading appears House Bill 2226, Mr. Turner. Mr. Turner, 2226. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2226, a Bill for an Act relating to the establishment, administration and operation of a statewide program for dropout youth. Second Reading of the Bill. No Committee Amendments."

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Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 2251. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2251, a Bill for an Act to amend Sections of the Illinois Low-Level Radioactive Waste Management Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

Speaker Greiman: "The Lady from Cook, Ms. Currie, on Floor Amendment #1."

Currie: "Thank you, Mr. Speaker and Members of the House. The Amendment changes some time lines at the request of the Department of Nuclear Safety with respect to the selection of sites for the management of low-level radioactive waste. I urge its adoption."

Speaker Greiman: "The Lady from Cook, Ms. Currie, moves for the adoption of Amendment #1 to House Bill 2251. And on that, is there any discussion? There being none, the question... question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Special Subject Matter. We are now going on a Special Subject Matter Call - Civil Law. I will call the Bills slowly so that you will have an opportunity to consult your notes, and books and whatnot, and allow the Clerk time to find the Bills as well. So, Special Call - Civil Law appears House Bill 343. Mr.

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Clerk, read the Bill."

Clerk O'Brien: "On page 40 on the Calendar, House Bill 343, a Bill for an Act to amend an Act to provide for representation and indemnification in certain civil law suits. Third Reading of the Bill."

Speaker Greiman: "The Lady from LaSalle, Ms. Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Bill was presented at the request of the administrative offices of the Illinois courts. What it does is that it provides that where a plaintiff has sued a Judge for damages caused by a decision, ruling of the Judge or a... an action of the administrative duties of a Judge, that the Attorney General shall represent the Judge in the suit, and the state should indemnify the Judge for all damages including equitable relief or attorneys fees that might be assessed against the Judge. The... I want to make it clear that this applies to Judges in the performance of their judicial as well as their administrative duties, and it applies irrespective of the theory of recovery. As you know, State Employees Indemnification Act already indemnify all state employees for conduct in the performance of their state duties, except for willful and wanton acts. The problem with Judges is that they in the... in the operation of their duties, they are supposed to act in a willful manner, so they are supposed to make conscious decisions, and they do so. There is one exception to... to this Bill, and that is when a Judge has been convicted of a crime as a result of his or her intentional judicial misconduct in the trial, then the Judge is not entitled to indemnification and representation under the Section and would not be covered. I would be happy to answer any questions."

Speaker Greiman: "The Lady from LaSalle has moved for the pass... moved for passage of House Bill 343. And on that, is there

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any discussion? The Gentleman from Will, Mr. Davis."

Davis: "Well, none on the Bill, Mr. Speaker. I... I'm just normally confused but even more so this morning. How do you identify a Special Order of Call on page 40? I don't see it listed any place. I don't know what we're doing. What are we doing?"

Speaker Greiman: "Alright. The Chair will advise you, therefore. We are doing a Special Subject Matter Call dealing with civil law - Bills on Third Reading dealing with civil law."

Davis: "Is this a new custom and practice of the Chair that we've adopted today to go to a Special Order of Call?"

Speaker Greiman: "Absolutely not."

Davis: "Where..."

Speaker Greiman: "Absolutely not."

Davis: "Where... Where's the notification of it? Is... this that I have in my hand?"

Speaker Greiman: "It's a Special Subject Matter Call, Mr. Davis."

Davis: "A Special Subject Matter Call, which allows you, of course, to skip around the Calendar any way you choose. Is that correct?"

Speaker Greiman: "It is pursuant to Rule 39 (a) (2)."

Davis: "I'll look the rule up. We just want to make sure you're following the rules, Mr. Speaker, because it appears that... as if we never get to the end of any Order of Business, particularly Second Readings. And we hope we'll get back to that some time today."

Speaker Greiman: "Yes, further discussion? The Gentleman from Macon, Mr. Tate."

Tate: "Yes, thank you, Mr. Speaker. I have an inquiry to the Chair. Just for the purpose of the Members today, we are a little... I mean many Members have Bills that would like to get called. Can the Chair give us some kind of indication of what maybe two or three Orders of Business in advance of

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where we're going to be today so we can make sure that Sponsors are around at the appropriate time? Is that possible? I mean, we know that there are arrangements, and we have several different Special Orders that have already been established, but there's many Members that are making inquiries all the time."

Speaker Greiman: "Right. I understand that, and we... we would... the Chair would hope that the Membership will be able to have their Bills heard at an appropriate time that will be convenient to all."

Tate: "It..."

Speaker Greiman: "Excuse me, Mr. Tate. We are... We have gone on a Special Subject Matter Call. We have gone on Second Reading this morning. We will be returning to Second Reading eventual... later on today. We will be taking up Criminal Call and a Civil Call based on subject matter pursuant to the rules today, and that... that's our general... You know, I can't tell you when we'll be there. You've been here long enough to know that, you know, it comes up. Mr. Tate, yes."

Tate: "Just... Well, thank you, Mr. Speaker. I appreciate that. Just one last inquiry then. Since the Members don't have this Special Order on their desks, can you tell us what Bills we are going to be called on this Special Order?"

Speaker Greiman: "Right. Well... I think we have provided the Republican Leadership with it. But we are now in the middle of having a printout made, so that there will be a printout of the Special Order of Call - one line short - 30 or 40 character printout, so that you will have sense, you'll be able to look at it in advance. And we... we could wait, but we're going to go slowly with these Bills so that you'll have an opportunity..."

Tate: "Thank you."



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Speaker Greiman: "Now Mr. Piel, what would you... for what purpose do you rise?"

Piel: "Yes, Mr. Speaker, what... you know, until we get this printout, if you could possibly let us... I know you're going to be slowing down, but if you could possibly let us know, okay, then we're going to be going to the next Bill, you know, which is on page so and so, so we have a chance, you know, to look at that one while..."

Speaker Greiman: "Well, I would tell you what pages they were, but I don't know any more than you do, and we will... I will try and give you the page number. We are doing it as quickly as we can up here. Okay?"

Piel: "...Thank you."

Speaker Greiman: "Mr. Ropp, for what purpose do you seek recognition?"

Ropp: "Thank you, Mr. Speaker. I just wanted to kind of continue on that as to whether or not you were going to give us a list of Bills, and apparently you are in the process..."

Speaker Greiman: "Did you think that I'll give you a different answer than I gave Mr. Tate and Mr. Piel?"

Ropp: "Well, I hope... I hope..."

Speaker Greiman: "The answer is yes. Alright, this is the order of the Bills that we'll be calling until your printout is on your desks. Oh, I'm sorry. Mr... For what purpose do you seek recognition? Alright, out of the record. Mr. Johnson, for what purpose do you seek recognition?"

Johnson: "I don't yet. I'm just a Chief Sponsor of this Bill, and I want to aid in its passage at the appropriate time."

Speaker Greiman: "I forgot we were on a Bill. Alright. Let me... I will call on you, Mr. Johnson, in a second. But for the Body, let me read these Bills that will be called on the Order of Special Subject Matter - Civil Law. House Bill 381, House Bill 393, House Bill 479, House Bill 508,

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House Bill 563. Alright, on the Bill, Mr. Johnson."

Johnson: "No, I... I'll close at the appropriate time. I was just wanting to respond to questions."

Speaker Greiman: "Mr. Friedrich."

Friedrich: "No, you've answered my question. I wanted to know what was on this particular Call. Thank you."

Speaker Greiman: "Alright. Mr. Johnson, you to close."

Johnson: "The Bill was one that was, as amended, completely noncontroversial in Judiciary I, and basically provides that a Judge can do his or her job on the bench without fear of bankruptcy or without the requirement of carrying substantial amounts of insurance to insure against that one case in a million, civil rights case and otherwise, where... where the courts have allowed a weakening of the immunity doctrine. I think it's a very simple Bill, and as far as I know there's no opposition. And I urge its adoption."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'aye', 4 voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Special Call - Civil Law appears House Bill 381 on page 41 of the Calendar. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 381, a Bill for an Act to amend Sections of the Code of Civil Procedure. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, on House Bill 381."

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

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House, House Bill 381..."

Speaker Greiman: "Mr... Excuse me. Mr. Cullerton, for what purpose do you seek recognition?"

Cullerton: "Is this on Third or Second?"

Speaker Greiman: "It's on Third Reading, Mr. Cullerton."

Cullerton: "And Amendment #1 has been adopted? Fine. Thank you."

Speaker Greiman: "Indicates that Amendment #1 has been adopted. Proceed, Mr. McCracken."

McCracken: "This... This Bill would make it a pleading requirement under the Code of Civil Procedure that a defendant plead as an affirmative defense what we call contributory negligence. Amendment #1 makes a stylistic change so that it's clear that we're not changing the system of comparative negligence currently in effect in Illinois. It's... It's of a technical in nature and was not the subject of any controversy particularly as amended, to make that stylistic change. I move its passage."

Speaker Greiman: "The Gentleman moves for the passage of House Bill 381. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Special Call - Civil Law appears House Bill 393 on page 41 of the Calendar. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 393, a Bill for an Act to amend the Narcotics Profit Forfeiture Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn, on House

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Bill 393."

Dunn: "The purpose of this Bill, Mr. Speaker and Ladies and Gentlemen of the House, is to solve some title problems in the event there is a seizure of... of property taken for the purpose of Narcotics Forfeiture Acts. There have been some title problems. I think this Bill is designed to alleviate those problems, and I would ask for a favorable vote."

Speaker Greiman: "The Gentleman from Macon moves for the passage of House Bill 393. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'aye', none voting 'no', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Special Order of Call - Civil Law appears House Bill 479, on page 36 of the Calendar. Mr. Clerk, read the Bill, House Bill 479."

Clerk O'Brien: "House Bill 479, a Bill for an Act to amend the Probate Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, on House Bill 479."

McCracken: "This makes certain Amendments suggested by the State Bar Association to the Small Estates Act where probate can be administered without the court. I'm not so familiar with the probate law as I should be, and I'll defer at this point for a brief explanation of the Bill, as amended, to Representative Countryman."

Speaker Greiman: "The Gentleman from DeKalb, Mr. Countryman, Mr. McCracken yields to you, Sir."

Countryman: "Thank you, Mr... Thank you, Mr. Speaker. Ladies and

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Gentlemen of the House, what this Bill does is increase the amount of a small estates affidavit from 15 thousand to 25 thousand dollars. It allows a small estates affidavit to be executed by a nonresident. It allows a small estate affidavit to be used in the case of a nonresident. It provides that the person executing a small estates affidavit would give an indemnity clause indemnifying anybody who would rightfully take as a result of intestacy or a testated administration those rights under... that they would have if the estate had been administered. It makes other procedural and technical changes. It sets forth the form of the small estates affidavit which the statute did not do before, and I think it's a... it's a good piece of legislation. Would ask your favorable vote. Thank you."

Speaker Greiman: "Mr. McCracken moves for the passage of House Bill 479. Is there any further discussion? The Gentleman from Lake, Mr. Churchill."

Churchill: "Will the Gentleman yield?"

Speaker Greiman: "Indicates he'll yield for the question? Do you wish to ask Mr. Countryman questions about it?"

Churchill: "Either one of the Gentleman."

Speaker Greiman: "Alright, Mr. Countryman."

Churchill: "Is Committee Amendment #1 still on the Bill?"

Countryman: "No, that was tabled."

Churchill: "Okay. And so that this Bill does not include a provision that says that a small estates affidavit may not be used when the decedent left any real estate?"

Countryman: "That's correct. We deleted that language."

Churchill: "Okay. Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now

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open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 'aye', none 'no', none 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Special Call - Civil Law appears House Bill 508 on page 42 of the Calendar. Out of the record. Yes, Mr. Keane, for what purpose do you seek recognition?"

Keane: "Thank you, Mr. Speaker. I would like to suspend the appropriate rule so that Senate Bill 667 can be posted for Revenue Committee next Tuesday morning at 8:30 in Room 118. I discussed this..."

Speaker Greiman: "Did you discuss this with the other side?"

Keane: "Yes, I have."

Speaker Greiman: "Alright. 662, Senate Bill?"

Keane: "No, 667."

Speaker Greiman: "667. Alright."

Keane: "Senate Bill 667."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, asks leave of the House to waive the posting rules so that House Bill... Senate Bill 667 may be posted for the Revenue Committee for next Tuesday. Does the Gentleman have leave? Leave to use the Attendance Roll Call, and the rule is so waived. Yes, the Gentleman from Jersey, for what purpose do you seek recognition?"

Ryder: "A point of personal privilege please?"

Speaker Greiman: "State your point."

Ryder: "Today happens to be my birthday, and I've been supplied with a cake. For all of my friends of the trial lawyers I have to tell you, however, that there is a cap on the amount of cake that you can have. For all my friends in the Medical Society, it is structured, and it's one piece of cake per person. Other than that, you're welcome to

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join in, and thank you."

Speaker Greiman: "Alright, I'm advised that they are prepared to proceed on House Bill 508. So on the Order Special Call - Civil Law appears House Bill 508. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 508, a Bill for an Act to amend Sections of the Code of Civil Procedure. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 508 would extend what is currently known as the reporters privilege or shield law to make the privilege available in cases of liable and slander. Currently there is a law in effect which makes reporters sources confidential information which cannot be reached except under certain circumstances. Under current law, liable and slander cases are specifically exempted from that as a matter of course. This law would seek to extend the privilege to liable and slander cases except in certain situations where the plaintiff, and that's what was accomplished by the adoption of Amendment #1, where the plaintiff seeks to divest the shield or the privilege. The plaintiff, in order to do so, would have to essentially make a prima facie case of liable or slander and show that there are no other means of proving up essentially what is the malice factor in that case except for getting behind the privilege or shield. This was recommended by the Governor's Office, was amended by Representative Cullerton to make it clear that in liable or slander cases where the shield is invoked that the only party that may seek to get behind the shield is the plaintiff, and that the application must be in writing for the court order divesting the privilege. I move its adoption... or its

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passage."

Speaker Greiman: "The Gentleman from DuPage moves for the passage of House Bill 509. Is there any discussion? The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, I note that the Spokesman for this Bill is not the Sponsor. And I wanted to ask one of the Sponsors a question, because it occurred to us that some time ago in a gossip column in one of the metropolitan newspapers there was a degenerative remark made about one of the Sponsors, and I thought maybe this was his attempt to get at the source of the informant."

McCracken: "I've often wondered the motivation behind this Bill myself but they won't tell me."

Giorgi: "You know, it's sort of denigrating, and I thought we'd get to ask the Sponsor if this is a... he's after the informant because it was a nasty crack. In the metropolitan area, everybody read it in the State of Illinois, and I thought we'd get to question the Sponsor, but I see he's using you as a shield."

McCracken: "Good point."

Speaker Greiman: "Further discussion? The Gentleman from DeKalb, Mr. Countryman."

Countryman: "Mr. Speaker, Ladies and Gentlemen of the House, I've had some concern with this Bill when it came up in Committee, and whether or not the Judge could take an in camera determination of who the informant was. I've been led to believe by counsel in the Governor's Office that as he construes the Bill that that's the case. I still have a question in that regard, and I just thought I'd point it out to the Members of the House. Thank you."

Speaker Greiman: "... discussion? The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. The



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Gentleman from DuPage, Mr. Daniels, to explain his vote. Further discussion? I mean... I'm sorry. Mr. Clerk, take the record. On this question, there are 90 voting 'aye', 5 voting 'no', 16 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. Special Order Subject Matter - Civil Law appears House Bill 563. Mr. Clerk, read the... Mr. Levin. Is Mr. Levin in the chamber? Yes, I understand. Mr. Parke, do you wish to proceed with the Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 563, a Bill for an Act in relation to the procedural requirements pertaining to condominiums. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Parke."

Parke: "Take it out of the record, please."

Speaker Greiman: "Out of the record. On the Order of House Bills Second Reading... No, I'm sorry. On the Order of House Bills Special Subject Call - Civil Law appears House Bill 810. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 810, a Bill for an Act in relation to county sheriffs. Third Reading of the Bill."

Speaker Greiman: "The Lady from LaSalle, Ms. Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, this Bill amends the Sheriff Merit System Act by providing that the plaintiff must pay the cost for preparing and certifying a record for judicial review. The reason this Bill came to me was at the request of my county that had had two instances where the deputies had appealed the ruling of the Sheriffs Merit Board and the cost of preparing and certifying that record was extreme. The budget had already been made out. The county had great difficulty in meeting those costs since they did not have time to prepare for the budget. So this Bill would require

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that should a person decide to appeal a decision of the board, they must pay the cost, and they must be reasonable costs. That's in the Bill. They must pay the cost for preparing and certifying the record for appeal. Should the plaintiff prevail in court, the Bill provides that they should be reimbursed their cost for preparing and certifying the record. There is a second Amendment that requires the deputies appointed by a sheriff shall be peace officers for all purposes. I'd be happy to answer any questions and I move for passage of the Bill."

Speaker Greiman: "Lady from LaSalle moves for the passage of House Bill 810. Out of the record. Out of the record. On the Order of House Bills Special Call appears... Subject Matter - Civil Law, appears House Bill 851. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill..."

Speaker Greiman: "Excuse me. Mr. Hallock, for what purpose are you seeking recognition? Out of... okay. Proceed."

Clerk O'Brien: "House Bill 851, a Bill for an Act to amend Sections of an Act to revise the law in relation to oaths and affirmations. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As amended, this legislation will now offer an option to all of us in the State of Illinois to have an oath or affirmation on important documents as an alternative to a notary public execution. This is not an all inclusive Bill. To affect every instance where the Notary Public Act applies would require a Bill that might be 1500 pages long. But we want to get started with this. As... As many of us know, there are... there are times and places where it is just more convenient to have an oath or an affirmation than a notary public. We do that now on

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drivers' license applications. We do it on our income tax returns, and we should have that option available to us in other places. So, I would ask for an 'aye' vote."

Speaker Greiman: "Gentleman from Macon moves for the passage of House Bill 851. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 85 voting 'aye', 19 voting 'no', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills, Subject Matter Call - Civil Law, appears House Bill 852, Mr. Homer. Out of the record. On the Order of House Bills Special Call, Subject Matter - Civil Law, appears House Bill 856. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 856, a Bill for an Act to amend Sections of the Probate Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. O'Connell, on House Bill 856."

O'Connell: "Thank you, Mr. Speaker. 856 amends the Probate Act of 1975. It provides for an adjudication of disability shall not revoke or otherwise terminate a trust which is revocable by the individual adjudicated to be a disabled person. It further provides that the guardian of the estate of a disabled person shall have no authority to revoke or amend a trust which is revocable or amendable by the disabled person and that the trustee of the trust, for the benefit of a disabled person, shall not be required to make income or principle payments to the guardian of the estate of the disabled person if the trustee may properly distribute such income or principle for the benefit of the

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disabled person. There was an Amendment added which placed within the discretion of the court the ability to amend or revoke the trust."

Speaker Greiman: "Gentleman from Cook, Mr. O'Connell, moves for the passage of House Bill 856. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills, Subject Matter Special Call - Civil Law, appears House Bill 857, on page 44 of the Calendar. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 857, a Bill for an Act to amend Sections of the Probate Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. O'Connell."

O'Connell: "Thank you, Mr. Speaker. This is a companion Bill to House Bill 857 (sic - 856). This Bill was... Mr. Speaker, this Bill was submitted by the Chicago Bar Association. It also amends the Probate Act of 1975 relating to petitions to admit a will to probate. Petitions for the issuance of letters of administration, notice of hearings on petitions of issuance of letters of office, representatives' hearings on petitions of issues of letters of office, accounting, service of inventory and independent administration, effective immediately and applicable to all estates filed on or after its effective date. I'd ask for its favorable adoption."

Speaker Greiman: "Gentleman from Cook has moved for the passage of House Bill 857. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?'"

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All in favor signify by voting 'aye', those opposed 'no'. The opinion of the Chair... This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting... 109 voting 'aye', 1 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Special Call - Civil Law, appears House Bill 1067. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1067, a Bill for an Act in relationship to the adoption... adopted children and amending certain Acts herein named. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, on House Bill 1067."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Bill, 1067, amends the Probate Code dealing with the presumptions of intent that adopted children are to be treated the same as natural children. To explain the need for the Bill, I'll give you an example. If an individual executed a will before September 1, 1955 and created a trust to pay income to his son for life and after the son's death to pay income to the son's children who survived the son, under current law, the adopted child of the son would not receive any of the income after the son's death because the document... because the current law presumes that he should not be treated as a natural child and because the document was executed before September 1, 1955. This Bill would reverse that result by treating the adopted child as a natural child. It has the support of the Child Care Association, and it specifically insulates fiduciaries from any liability to adopted children for actions taken before the effective date of this Bill which is January 1, 1986 for failure to treat an adopted child as

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a beneficiary until receipt of a written notice that such child is a beneficiary. I'll be happy to answer any questions if I can."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves for the passage of House Bill 1067. And on that, is there any discussion? The Gentleman from Jersey, Mr. Ryder."

Ryder: "Will the Sponsor yield?"

Speaker Greiman: "He will yield for questions."

Ryder: "Thank you. Representative, is not this the current law for any documents that are drafted as of this date?"

Cullerton: "Yes. Any documents that have been drafted since September 1, 1955 as a matter of fact. This is the current law."

Ryder: "Is it the intent of your law to close a gap that was prior to '55 on documents that may have been written at that time?"

Cullerton: "Well, I don't know if it's fair to call it a gap. For some reason the Legislature decided that before 1955... September 1, 1955 they didn't want this presumption to apply. I don't know what the reasons for that policy were back then, but the purpose of this law is to... is to change those ... the effect of those documents that were executed before September 1, '55 and make it the same as what the current law would be."

Ryder: "And does your Bill, in any way, affect those that were written after the '55 date which causes a presumption?"

Cullerton: "No, because there's no need to."

Ryder: "Fine. Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114

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voting 'aye', none voting 'no', none voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Braun in the Chair."

Speaker Braun: "On page 37 of the Calendar, on the Order of Special Order of Call - Civil Law, appears House Bill 1267, Representative Cullerton. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1267, a Bill for an Act to amend Sections of the Court Reporters' Act. Third Reading of the Bill."

Speaker Braun: "Representative Cullerton."

Cullerton: "The Gentleman from Cook. Thank you, Madam Speaker and Ladies and Gentlemen of the House. This is... This Bill responds to a Supreme Court recommendation. It deletes language in the Court Reporters' Act which requires the Chief Judge to obtain the advise and consent of all Judges in the Circuit before appointing or removing court reporters. This would allow the Chief Judge to do that without having to obtain the advise and consent of all the Judges in the Circuit. I move for the passage of the House Bill 1267."

Speaker Braun: "Is there any discussion? There being none, Representative Cullerton, to close."

Cullerton: "Representative Koehler can close. She refuses to close. So I'll just ask for a favorable Roll Call."

Speaker Braun: "The question is, 'Shall House Bill 1267 pass?' All in favor vote 'aye', opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 106 voting 'aye', 2 voting 'no', 2 voting 'present', and House Bill 1267, having received a Constitutional Majority, is hereby declared passed. On page 47 of the Calendar on the Order Special Order of Business - Civil Law, appears

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House Bill 1355, Representative Satterthwaite. I'm sorry, Representative Satterthwaite, I passed over 1269. Yes. On the Order of the Calendar appears House Bill 1269, Representative Cullerton. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1269, a Bill for an Act to amend Sections of the Code of Civil Procedure. Third Reading of the Bill."

Speaker Braun: "Representative Cullerton."

Cullerton: "Madam Speaker, may I have leave to bring this Bill back to Second Reading?"

Speaker Braun: "Gentleman has requested leave. Leave is granted. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1269, a Bill for an Act to amend Sections of the Code of Civil Procedure now on Second Reading of the Bill. Floor Amendment #1, Johnson, amends House Bill 1269 on page one and so forth."

Speaker Braun: "Gentleman from Cook, Representative Cullerton."

Cullerton: "No, it's Representative Johnson's Amendment."

Speaker Braun: "Representative Johnson."

Johnson: "Amendment #1 eliminates language with respect to the ability of people to testify in civil cases and liberalizes the ability... or the admissability of evidence in those cases. I think Representative Cullerton would agree with the intendment of the Bill."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1 to House Bill 1269. Is there any discussion? All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and Amendment #1 is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #2, Countryman, amends House Bill 1269."

Speaker Braun: "The Gentleman from DeKalb, Representative Countryman, on Amendment #2."



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Countryman: "Thank you, Madam Speaker. Amendment #2 amends the Civil Code of Procedure to prohibit a physician in a non-medical malpractice case from disclosing to any opposing counsel without the expressed consent of a patient or in the process of a proceeding pursuant to subpoena or discovery material anything that dealt with the person's medical condition. And I'd move its adoption."

Speaker Braun: "Gentleman has moved the adoption of Amendment #2. Is there any discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Sponsor yield?"

Speaker Braun: "Indicates he will."

Cullerton: "As I understand the purpose of the Amendment, it's to give the patient some notice that someone is seeking their medical records. Is that accurate?"

Countryman: "That's correct."

Cullerton: "Now, the question I have is who has the responsibility under the Amendment to notify the patient that there has been a request for medical records? Would it be the person seeking the records, or would it be the custodian of the records that would have to notify the patient? And if it's silent on that issue, maybe we could just ... maybe you could just indicate what you would anticipate."

Countryman: "My anticipation was the person having custody of the records."

Cullerton: "So, the hospital or..."

Countryman: "Or the doctor."

Cullerton: "The doctor. They would notify the patient that someone has requested the records."

Countryman: "That's right."

Cullerton: "Now, does it say who shall be notified? It is the... It's the patient or his personal representative or

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attorney?"

Countryman: "It says to his attorney."

Cullerton: "Okay. So the... so the hospital would notify the attorney for the patient that someone had requested the records."

Countryman: "That's right."

Cullerton: "I have no further questions."

Speaker Braun: "Is there further discussion? The Gentleman from Macon, Representative Dunn."

Dunn: "Madam Speaker, I don't... has this Amendment been distributed?"

Speaker Braun: "Mr. Clerk. It apparently has."

Dunn: "Okay. I don't have a copy of it. Explain what the Amendment does again, will you please?"

Countryman: "The Amendment provides that no disclosure shall be made in any action brought by or against the patient or his personal representative, etcetera, under a policy of insurance where the patient's physical or mental condition is an issue except in accordance with the methods of discovery, which I'm certain you're well aware of, expressly set forth in the Supreme Court rules, only if, after reasonable notice to the attorney in such action for the patient or his personal representative that they're seeking the records; that they can't go out, when they've got a proceeding and go out and get the records without giving notice to the attorney that they're getting the records, or they have to do it pursuant to the Civil Practice Act."

Dunn: "Okay. And is this... does this somewhere state that there must be a lawsuit involved and an attorney involved as a precondition to all this? How can you notify an attorney if there is none involved? What happens if there's no attorney? That's what I..."

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Countryman: "Well, then... I mean, the person is appearing pro se then."

Dunn: "You're talking about... I don't have the main Bill in front of me. This presumes a lawsuit is in progress, I guess."

Countryman: "Correct."

Dunn: "Okay. Alright. Thank you."

Speaker Braun: "Is there further discussion? There being none, the Gentleman has moved for the adoption of Amendment #2 to House Bill 1269. All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Countryman, amends House Bill 1269."

Speaker Braun: "The Gentleman from DeKalb, Representative Countryman, on Amendment #3."

Countryman: "Thank you, Madam Speaker. I have a technical question. Be just a minute. I withdraw Amendment #3."

Speaker Braun: "Amendment #3 is withdrawn. Is there... The Gentleman from DeKalb, Representative Countryman."

Countryman: "Madam Speaker, I was in error. The question was whether Mr. Johnson's Amendment went on. Amendment 2 and 3 are the same language. They're just in different order in the event that Mr. Johnson's Amendment went on. Since Mr. Johnson's Amendment was adopted, I'd ask leave of the Body to withdraw Amendment #2 and ask for adop... table Amendment #2 and adopt Amendment #3 which will make it technically correct."

Speaker Braun: "The Gentleman requests... Amendment #2 has been adopted. Therefore, it will have to be tabled."

Countryman: "Yes, I move to table it."

Speaker Braun: "The Gentleman has moved to table Amendment #2. All in favor say 'aye', opposed 'nay'. In the opinion of

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the Chair, the 'ayes' have it. The Amendment is tabled.

Now, Representative Countryman, on Amendment #3."

Countryman: "Amendment #3 provides exactly the same thing Amendment #2 did. It was just in confusion over which Amendment should be adopted in light of the fact that Mr. Johnson's Amendment was adopted. I'd move its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #3 to House Bill 1269. Is there any discussion? There being none, the question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. For what purpose does the Gentleman from Cook, Representative Cullerton, rise?"

Cullerton: "Well, I'd like to have leave to hear this Bill on Third Reading now since it was on Third Reading today."

Speaker Braun: "The Gentleman requests unanimous consent to have House Bill 1269 heard on the Order of Third Reading. Is leave granted? Leave is granted. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1269, a Bill for an Act to amend Sections of the Code of Civil Procedure. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Cullerton, on House Bill 1269."

Cullerton: "Okay, thank you, Madam Speaker and Ladies and Gentlemen of the House. The Bill now does three things. The first thing is a response to a Supreme Court recommendation trying to clarify the distinction between temporary restraining orders and preliminary injunctions with reference to giving notice to the adverse party. It provides that preliminary injunctions may not be issued

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without notice to the adverse party. Amendment #1 was explained by Representative Johnson making those clarifications with regard to the Dead Man's Act. And Amendment #2 or 3, whichever one we adopted, which was Representative Countryman's Amendment, which was just debated, deals with giving notice to the patient or his attorney with regard to people seeking medical records. I'd move for the passage of House Bill 1269."

Speaker Braun: "Is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken."

McCracken: "Regarding the first part of the Bill, it's certainly a necessary cleanup provision. Let me ask you this, Representative. The law is now that where a TRO is given with notice and hearing, it has the same affect as a preliminary injunction. It lasts for the life of the lawsuit or until dissolved. Would this change that? And maybe I should clarify. You often get a TRO notice at 3:00 in the afternoon for a 9:00 a.m. hearing. You run into court at 9:00 a.m. and you have your hearing. TRO is granted. The other side says, 'Judge, it's not really a TRO because he had notice and appeared. It's a preliminary injunction.' And that is wrong."

Cullerton: "Right. The problem is that both the TRO and the preliminary injunction may be entered without notice now. And so what this is going to make it clear is that if you don't want to give notice, you use a TRO and for a preliminary injunction you have to give notice."

McCracken: "Yes. My point is, for purposes of the record, would you agree with me that the notice required in order to get a preliminary injunction, as opposed to a TRO, is standard notice as otherwise provided in the Act?"

Cullerton: "Yes. Yes."

McCracken: "So that notice other than as otherwise provided in

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the Act could not translate a TRO into a preliminary injunction. Is that your intent?"

Cullerton: "Yes."

McCracken: "Thank you."

Speaker Braun: "Is there any further discussion? There being none, the question is, 'Shall House Bill 1269 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Now, Representative Satterthwaite, on House Bill 1355. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1355, a Bill for an Act to add Sections to an Act in relationship to the adoption of persons. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, House Bill 1355 amends the Adoption Act to specify that attorneys who are placing children for adoption or care in foster homes should be licensed as a child care agency or have permission from DCFS for the placement of that child. Currently, the Child Care Act does indicate that any persons placing children should be licensed, but the Adoption Act is not specific in that regard. And so I'm simply putting this in to make it clear that it also applies for attorneys placing children for adoption."

Speaker Braun: "The Lady has moved the passage of House Bill 1355. Is there any discussion? Chair recognizes the Gentleman from Cook, Representative Piel."

Piel: "Thank you, Madam Speaker. Will the Lady yield?"

Speaker Braun: "She indicates she will."

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Piel: "I'm not quite certain what the, you know, possible ramifications are or exactly, where it's coming from. Now, let me ask you first. Let's start at the beginning here. What brought this Bill on?"

Satterthwaite: "Well, it was brought on by some questions by some agencies in my community, but I also understand that there have been some court cases indicating that placements have been made where the homes where the child would be placed were inappropriate, where there had been people who were convicted felons or had various kinds of home situations that would not be appropriate for the placement of a child for adoption or foster care. And so, what we want is to prevent that kind of thing from happening again. Currently, as I understand it, it can be six months or more before any review would be made by the courts about the appropriateness of that placement. If the..."

Piel: "For adoption you're talking about?"

Satterthwaite: "Yes."

Piel: "Or for foster care? Adoption, I believe you're wrong, Helen. I'm sorry, but I believe you're wrong on adoption, because the adoption proceedings have to take place within six months. And so the..."

Satterthwaite: "But that may be the first time that there is any real review..."

Piel: "Alright. Now obviously with an adoption, you have to have an attorney. And you're saying... the attorney placing now - exactly where are you getting the ... where are you drawing the line as far as the attorney placing? That's the thing that concerns me, because obviously there's attorneys that have to, you know, handle these adoptions. When a prospective adoptive parent hears about a ... let's say they get a call from a doctor. Right away they contact their attorney. Their attorney does all this work. And,

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you know, I'm really concerned about how you've got this written on what you are requiring an attorney to do because the parents are not involved in this once this adoption... If you are adopting and you hear... your doctor calls you, right away you contact your attorney. Your attorney does everything. Your attorney technically places that child in your home. And you are putting, you know, restrictions on the attorney by this the way I am understanding it. You're putting restrictions and asking for more information on the attorneys, and I'm not quite sure if this is, you know... maybe I'm misconstruing what you're trying to do."

Satterthwaite: "No, Representative Piel, currently the Child Care Act says..."

Piel: "Madam Speaker, I can't hear. I'm sorry. Madam Speaker? Madam Speaker, could we get some order, please?"

Speaker Braun: "I'm sorry. Yes, Representative Piel."

Piel: "Could we get some order, please?"

Speaker Braun: "We have it now."

Satterthwaite: "Representative Piel, currently the Child Care Act specifies that any person, group of persons or corporation who or which receives children or arranges for care or placement of one or more children, unrelated to the operator of the child care facility, in this case, must apply for a license to operate. And so, we're simply saying that where a private placement is made, a review should also occur in regard to the facility or the... or the home in which the child is being placed. Now, there are instances, not only where there is no review of the care of the child in the..."

Speaker Braun: "For what purpose does the Gentleman from DeWitt, Representative Vinson, rise?"

Vinson: "To point out a violation of the rules. Representative Cullerton is distributing literature on the House floor,



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and it doesn't even have a union bug on it."

Speaker Braun: "Thank you, Representative Vinson. Representative Satterthwaite, excuse the interruption. You may continue."

Satterthwaite: "If it may take as much as six months for the review of the... for adoption purposes to see whether the child has been placed in an appropriate home, there may be that substantial delay where the child has been inappropriately placed. And what we are seeking to address is that situation so that there would be a review of the placement home, the place where the child was to be in residence, before the placement was made so that we would avoid the kind of thing that has happened, as I understand it, in Bureau County, in one instance and I assume other instances throughout the state."

Piel: "For the record then, for clarification on what you are proposing to do, correct me if I'm wrong - in other words, you are not proposing that to stand in the way of attorneys who have been notified by prospective adoptive parents as far as handling legal proceedings in any adoption matter. Am I correct?"

Satterthwaite: "We are not attempting to eliminate private placements. We are simply saying that the placement should be done in such a way that there can be a check on the home previous to the placement being made."

Piel: "Well, it's not a check on the home. The way I'm interpreting what you're saying is a check on the attorney who is handling the legal proceedings for prospective adoptive parents. "

Satterthwaite: "If the attorney would, in fact, be keeping the child for some length of time, which does sometimes happen..."

Piel: "The attorney has to keep the child for this to be in effect."

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Satterthwaite: "... sometimes happens that the attorney will take the child into his own home until it can be facilitated to move the child on to the adoptive parent, then it would cover that situation as well."

Piel: "In other words, the attorney would have to be registered. Let's say that the attorney picks up the child at the hospital and comes home with this child and that's where the parents are going to be picking up the child. That attorney would technically have to be registered? Is that what you're saying?"

Satterthwaite: "The law would say, if this Bill passes, that the attorney has to either be registered as a child care agency or has to have the approval of DCFS for that placement. Now, if it is only going to be a matter of handing the child from one person to another, it's not going to be in the attorney's home. But if, in fact, there is an occasion where the child has to be housed either in an interim fashion or the final placement, there should be an opportunity for a check of that home."

Piel: "No further questions, Madam Speaker."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Madam Speaker, to the Bill. This Bill addresses a situation where an attorney may be involved in placement of a child. There are two aspects of involvement of attorneys in adoption cases. One, the most common, occurs when an adopting set of parents has, on their own, located a child through an agency. They come into the attorney's office beaming, saying that, 'We're going to adopt a baby. Can you handle the adoption?' In that case, the attorney has absolutely nothing to do with placement of the child. The Gentleman... previous speaker confused that issue. In that case, the attorney is the lawyer doing the

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legal work to finalize the adoption. This Bill addresses the other situation where an attorney may wish to become actively involved in placement. The Bill says if an attorney chooses to do that in that situation, the attorney shall become licensed as anyone else ought to be when they're involved with placement of children. But this Bill does nothing and is not directed, in any way, to the situation where a child has already found its way to a home and a family comes into a lawyer to say to the lawyer, 'Please make this adoption legal. Go to court for us. Tell us how to weave our way through the court system to finalize this adoption.' So there was confusion. This is a good Bill. I would recommend an 'aye' vote."

Speaker Braun: "Is there further discussion? The Gentleman from McDonough, Representative Slater."

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

Speaker Braun: "She indicates that she will."

Slater: "Representative Satterthwaite, this applies only to attorneys. Is that correct?"

Satterthwaite: "Yes, Sir."

Slater: "So that means that... that if I were someone other than an attorney, this wouldn't apply to me, and I could be basically doing the same types of things. If a family came to me and said they wanted to adopt a child that I happen to know of a young mother or a young expectant mother, I could put that together, unless I were a lawyer."

Satterthwaite: "I believe that you would be in violation of the law already if you did that, because the Child Care Act already says that you cannot make placement of children unless you are licensed. And so I'm simply putting into the Adoption Law what already is there through the Child Care Act but has sometimes been ignored by attorneys doing private placement."

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Slater: "You're saying that we already have this provision in the books, and now we're going to make sure that it applies to one select group of people."

Satterthwaite: "The people who are most typically involved in making private placements are the attorneys. There are other provisions in other laws. For instance, there is also a provision in the Public Health and Safety Act talking about hospitals or medical people and restricting them from making placements. This... because it is the typical private placement through an attorney that has been noted as being ignored under the provisions of the Child Care Act, I'm seeking to clarify in the Adoption Act that it also applies to attorneys."

Slater: "Thank you. To the Bill. It seems to me that we already have that law that we need; and, to enact this particular piece of legislation, simply is not necessary, and I would urge a 'no' vote."

Speaker Braun: "Is there further discussion? The Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. I rise in opposition to this Bill for two reasons. First of all, and an important reason but not the most important reason, I view it as unconstitutional under Illinois Law. The regulation of the bar is assigned to the Supreme Court in Illinois. For the Legislature or an Executive Branch agency to attempt to involve itself in that regulation, I would view as an unconstitutional violation of the separation of powers. Beyond that and for more important is that this is a pro-abortion Bill. What this Bill does is to foreclose one of the options, one of the myriad ways in this society in this state in which adoptions can be affectuated. I can't think of anything more pro-abortion than limiting adoptions, and all you're

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doing is ensuring that fewer babies will be carried to term and put up for adoption and ensuring a greater rate of abortion. For that reason, I oppose the Bill and I would urge a 'no' vote and would request a verification in the event it appears to get enough votes."

Speaker Braun: "Is there further discussion? The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I was not prepared to speak on this subject until the last person, who is very skilled at being able to throw buzz words around and wave red flags and throw up smokescreens, got up and just completely, totally distorted the purpose, the intent and the substance of this piece of legislation. Now, if you want to have little babies given away or sold on the open market by people who are totally irresponsible and unqualified to engage in conducting an adoption business, then okay, go ahead and vote against this Bill. But let me tell you, if you have the interest and sincere concern for these little babies who have no control over their own destiny at that point in their life, then you'd better vote for this legislation."

Speaker Braun: "Is there further discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "I move the previous question."

Speaker Braun: "Representative Satterthwaite, to close."

Satterthwaite: "Well, Mr. Speaker and... Madam Speaker and Members of the House, this is a clear indication of the heated level to which things go that are really not intended in this Bill at all and certainly will not happen. We are not, in any way, limiting the placement of babies in private families with private lawyers if, in fact, that home is a decent one to receive the child. All we are trying to do by this Bill is to protect the lives of young

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children, to make sure that when they are placed in an adoptive home, that they have appropriate care there. It only refers back to the Child Care Act and clarifies that there is not an exemption for one class of people in the way placements shall be made. And I would urge the Members of the House to support this good piece of legislation for the protection of children within the State of Illinois."

Speaker Braun: "The question is, 'Shall House Bill 1355 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. The Gentleman from Cook, Representative Cullerton, to explain his vote? No. Have all voted who wish? The Lady from LaSalle, Representative Breslin, to explain her vote."

Breslin: "Yes, Madam Speaker and Ladies and Gentlemen of the House, I urge support for this Bill. The question is, should one class of people be exempt in how they should be treated for determining custody of children? Lawyers - there is no determination in this state that lawyers make better guardians of children than anyone else. There is no reason why they ought to be able to take them home and care for them for their clients until their clients have time to pick them up. The state has an interest in this. I don't know about you, but I'm a lawyer and I know a lot of lawyers and there are some people I would trust my children with and some people I would not. I think an 'aye' vote is an appropriate vote. Every other citizen in this state that wants custody of children has to be licensed to do so. It should apply to lawyers, too."

Speaker Braun: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Madam Speaker, I request a verification on the affirmative."

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Speaker Braun: "The Gentleman has requested a Poll... the Lady has requested a Poll of the Absentees. The Gentleman has requested a verification of the affirmative. Members will please be in your chairs. The Clerk will verify the affirmative vote. Representative Matijevich requests leave to be verified. Representative Vitek requests leave to be verified. Representative Nash requests leave to be verified. Representative Flowers requests leave to be verified. Representative Washington requests leave to be verified. Representative LeFlore requests leave to be verified. Mr. Clerk, poll the absentees."

Clerk Leone: "Poll of the Absentees. Berrios. Capparelli. Ewing. Dwight Friedrich. Krska. Leverenz. Levin. Terzich and Zwick."

Speaker Braun: "The Gentleman from Cook, Representative Shaw."

Shaw: "Madam Chairman, would you change my vote from 'present' to 'aye'?"

Speaker Braun: "So recorded. The Gentleman from Cook, Representative Shaw?"

Shaw: "Leave to be verified, please."

Speaker Braun: "Leave to be verified. It's granted. Mr. Clerk, poll the affirmative."

Clerk Leone: "Poll of the affirmative. Alexander. Bowman. Braun. Breslin. Brookins. Brunsvold. Bullock."

Speaker Braun: "Mr. Clerk, there are several requests for leave to be verified. Representative DeLeo, Representative White - anyone else - Representative Preston, Representative Rea, have all requested leave to be verified. Leave is granted. Continue, Mr. Clerk."

Clerk Leone: "Continuing with the poll of the affirmative. Christensen. Cullerton. Curran. Currie. DeJaegher. DeLeo. Dunn. Flinn. Flowers. Virginia Frederick. Giorgi. Greiman. Harris. Hawkinson. Hicks. Hoffman.

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Homer. Kirkland. Koehler."

Speaker Braun: "Mr. Clerk, excuse me. Representative Hicks requests leave to be verified. Is leave granted? Leave is granted. Continue"

Clerk Leone: "Kulas. Laurino. LeFlore. Matijevich. Mautino. Mays. McMaster. McNamara. McPike. Nash."

Speaker Braun: "Mr. Clerk, excuse me. For what reason does the Lady from Kane, Representative Deuchler, rise?"

Deuchler: "Madam Speaker, vote me 'aye', please."

Speaker Braun: "Lady's vote is so recorded. Continue, Mr. Clerk."

Clerk Leone: "Oblinger. Panayotovitch. Pangle. Phelps. Preston. Rea. Regan."

Speaker Braun: "Mr. Clerk, one second. Representative Alexander requests leave to be verified. Leave is granted. Representative Didrickson?"

Didrickson: "Yes, I would like to change my 'no' vote to an 'aye' vote, please."

Speaker Braun: "Vote is so recorded."

Didrickson: "Thank you."

Speaker Braun: "Continue, Mr. Clerk."

Clerk Leone: "Continuing with a poll of the affirmative. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Soliz. Steczko. Stern. Sutker. Turner. Van Duyne. Vitek. Washington. White. Woodyard. Anthony Young. Wyvetter Young. And Mr. Speaker."

Speaker Braun: "For what purpose does the Gentleman from McHenry rise? Representative Klemm."

Klemm: "Would you change my vote to 'aye'."

Speaker Braun: "Representative Klemm requests his vote be changed to 'aye'. Your vote is so recorded. The Gentleman from Cook, Representative Huff."

Huff: "Yes, how am I recorded?"



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Speaker Braun: "Gentleman is recorded as voting 'present'."

Huff: "Change my vote to a firm 'aye', please."

Speaker Braun: "Representative Huff votes 'aye'. The Gentleman from Cook, Representative Brookins, requests leave to be verified. Leave is granted. Any further? Are there challenges? The Lady from St. Clair, Representative Younge, requests leave to be verified. Younge. Representative Wyyetter Younge. Representative Vinson, are there challenges to the 'aye' votes?"

Vinson: "Representative Alexander."

Speaker Braun: "The Lady was verified."

Vinson: "I'm sorry. Representative Bowman."

Speaker Braun: "The Gentleman is in his chair."

Vinson: "Representative Brunsvold."

Speaker Braun: "The Gentleman is in his chair."

Vinson: "Representative Bullock."

Speaker Braun: "Representative Bullock? Representative... Mr. Clerk, how is the Gentleman recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Braun: "Remove him."

Vinson: "Representative Christensen."

Speaker Braun: "The Gentleman is in his chair."

Vinson: "Representative Curran."

Speaker Braun: "The Gentleman is in the front of the chamber."

Vinson: "Representative DeJaegher."

Speaker Braun: "The Gentleman is in the chamber."

Vinson: "Representative DeLeo."

Speaker Braun: "The Gentleman was verified earlier. Representative Panayotovich requests leave to be verified. Leave is granted."

Vinson: "Mr. Plinn."

Speaker Braun: "The Gentleman is in his chair."

Vinson: "Mr. Greiman."

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Speaker Braun: "Representative Greiman? Representative Greiman?  
The Gentleman is in the chamber. The Gentleman requests  
leave to be verified. Is leave granted?"

Vinson: "Sure."

Speaker Braun: "Leave is granted."

Vinson: "Representative Homer."

Speaker Braun: "Representative Homer. The Gentleman is in his  
chair."

Vinson: "Representative Kulas."

Speaker Braun: "Representative Myron Kulas. The Gentleman is in  
his chair."

Vinson: "Representative Laurino."

Speaker Braun: "Representative Laurino. Representative Laurino.  
How is the Gentleman recorded?"

Clerk Leone: "Gentleman's recorded as voting 'aye'."

Speaker Braun: "Remove him."

Vinson: "Representative Matijevich."

Speaker Braun: "The Gentleman was verified earlier. For what  
reason does the Gentleman from Livingston, Representative  
Ewing, rise?"

Ewing: "How am I recorded?"

Speaker Braun: "The Gentleman is recorded as not voting."

Ewing: "Would you vote me 'no', and could I have leave to be  
verified?"

Speaker Braun: "Gentleman is so recorded. We're not verifying  
the 'nos' right now."

Vinson: "Did you remove Representative Matijevich?"

Speaker Braun: "The Gentleman was verified earlier."

Vinson: "Representative Mautino."

Speaker Braun: "Representative Mautino? In the center aisle."

Vinson: "Representative McNamara."

Speaker Braun: "The Gentleman is in his chair."

Vinson: "Representative Pangle."

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Speaker Braun: "Representative Pangle. The Gentleman is in the back of the chamber."

Vinson: "Representative Phelps."

Speaker Braun: "Representative Phelps. The Gentleman is in the chamber. For what reason does the Gentleman from Macoupin, Representative Hannig, rise?"

Hannig: "Yes, Madam Speaker, I would like to be recorded as 'aye'."

Speaker Braun: "Change Representative Hannig's vote from 'no' to 'aye'."

Vinson: "May I proceed? May I proceed, Madam Speaker?"

Speaker Braun: "Proceed."

Vinson: "Representative Hannig. Representative Richmond."

Speaker Braun: "The Gentleman is in his chair. For what reason does the Gentleman from Cook, Representative McGann, rise?"

McGann: "Madam Speaker, kindly change my vote to 'aye'."

Speaker Braun: "Representative McGann changed his vote from 'no' to 'aye'. The Gentleman from Cook, Representative Giglio."

Giglio: "Madam Speaker, will you change me from 'no' to 'aye'."

Vinson: "Representative Soliz."

Speaker Braun: "Change Representative Giglio from 'no' to 'aye'. Representative Soliz? The Gentleman is in his chair."

Vinson: "Representative Stern."

Speaker Braun: "The Lady is in her Chair."

Vinson: "Representative Sutker."

Speaker Braun: "The Gentleman is in the chamber. Are there any further, Representative Vinson."

Vinson: "Yes. Representative Sutker."

Speaker Braun: "Representative Sutker is in the chamber."

Vinson: "Representative Turner."

Speaker Braun: "The Gentleman is standing there looking at you. Representative Vinson, are you concluded with your poll?"

Vinson: "No, I'm not. Representative Van Dwyne."

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Speaker Braun: "The Gentleman is in the chamber."

Vinson: "Representative Young, Anthony Young."

Speaker Braun: "The Gentleman is in his chair."

Vinson: "No further questions."

Speaker Braun: "On this question there are 67 voting 'aye', 41 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order... Special Order of Business - Civil Law, on page 47 of the Calendar, appears House Bill 1392, Representative Cullerton. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1392, a Bill for an Act to amend Sections of the Illinois Parentage Act of 1984. Third Reading of the Bill."

Speaker Braun: "Gentleman from Cook, Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Last year on a Conference Committee we passed what was originally Senate Bill 1179, now Public Act 83-1372, and the Conference Committee Report inadvertently left out two paragraphs which had been agreed to. This Bill reinserts those two paragraphs. The Sections provide that a statute of limitations for persons who seek to prove the non-existence of the parent-child relationship - that statute would run two years after the petitioner obtains knowledge of the relevant facts surrounding the non-existence of the parent-child relationship. This by the way would apply in situations where a person obtains knowledge that he or she is not the natural or the adoptive parent of a child and wants to disclaim parentage. The second Section that was omitted inadvertently says that the provisions of the Act shall not affect any time limitations imposed by the Probate Act of 1975 regarding rights of ... and the closing of a decedent's estate. I would be happy to answer any questions if I can. I'd move

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for the adoption of House Bill 1392."

Speaker Braun: "The Gentleman has moved for the adoption of House Bill 1392. Is there any discussion? There being none... Representative Cullerton, to close. There being no further discussion, the question is, 'Shall House Bill 1392 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 109 voting 'aye', none voting 'no', none voting 'present'. House Bill 1392, having received the Constitutional Majority, is hereby declared passed. On the printout on the Order of Banking, Special Order of Business - Banking, appear Bills on Second Reading which we will take now. So, we would go back to the Order of Second Reading to consider those Bills on the Special Order of Business - Banking, which are still on Second Reading. The first Bill in that series is House Bill 419, Representative Cullerton. Out of the record. Represent... House Bill 501, Representative Bullock. Out of the record. House Bill 2362, Representative Flowers. Representative Flowers, 2362. Mr. Clerk, read the Bill. Represen... the Gentleman from DeWitt, Representative Vinson."

Vinson: "Madam Speaker, we have attempted to be very cooperative with the Chair in moving around the Calendar in the way the Chair wants to move. I was assured about an hour ago that the next Order of Business would be the Criminal Law Subject Matter. I was assured that we were going to proceed through the Civil Law Matter. And now we depart it. We don't even go to the Criminal Law Subject Matter. You go to a whole new Subject Matter Order of Call. When I try to call you on the telephone to discuss this issue, to make it so we can avoid partisan confrontations, you don't even answer the telephone. Now, are we going to have to

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bring..."

Speaker Braun: "Representative Vinson, there is no reason to be exercised..."

Vinson: "Yes, there's plenty of reason."

Speaker Braun: "Representative Vinson, the telephone did not ring or at least I did not hear it, number one. Number two, the commitments that were made to you earlier will no doubt still be kept. These are all Bills on the Order of Second Reading, going to Third, and... right. These Bills are on Second Reading. They're going to go to Third. This is the last one. There were only three on the Order of Second Reading. Two have been taken out of the record. It's my understanding that the commitment made to you earlier regarding the next Order of Business on Third Reading will be respected. So.... Representative Vinson."

Vinson: "What happened to the other Bills on the Civil Order?"

Speaker Braun: "One second. Representative... I think Representative Greiman can answer that for you."

Greiman: "Well, Madam Speaker..."

Speaker Braun: "Representative Greiman."

Greiman: "I was not in the chamber, frankly. I'm not even sure what we are... what the issue is, but I... that's never stopped me, of course, from seeking recognition."

Vinson: "That's for sure."

Greiman: "However, I did hear about a commitment, something about.. that the prior Speaker made a commitment. I was asked what the... what we were going to be covering. I advised the Assistant Minority Leader that we had a Special Order, Subject Matter - Civil Law that we would be taking up, a Special Order of Criminal Law, that we would be going to Second Readings, that we would be doing all manner of things. I made no commitment of any kind that we would continue on any Order. I did not make any commitment that

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would, at all, compromise the right of the Chair to move as it may move under our rules. So I want it clear that Mr. Vinson has absolutely no commitment from... unless you, Madam Chair, gave any commitment. He did not receive any commitment from the prior holder of that temporary Speaker."

Speaker Braun: "Representative Vinson, Representative Oblinger's light is on. I'd like to go to her first and then back to you, if that's alright. Lady from Sangamon."

Oblinger: "Yes, Madam Chairman, as an attorney, I sat here and listened to Third Reading on Civil Law. Now I'm going to hear Third Reading on Criminal Law and a whole bunch of us sit here with Bills on Second Reading that have never been called. I don't think the Bar Association and the attorneys are that important."

Speaker Braun: "The Chair recognizes the Gentleman from DeWitt, Representative Vinson."

Vinson: "Well, Madam Speaker, since the Chair can't seem to honor its commitments, I just want you to know that we're not going to bounce around the Calendar in ways not authorized. The rules specify how you've got to move on the Calendar. You just better observe them very carefully if you're not going to honor your commitments and be fair to the people in this chamber."

Speaker Braun: "Thank you, Representative Vinson. Continuing on the Calendar, Order of Second Reading, House Bill 2362, Representative Flowers."

Clerk Leone: "House Bill 2362, a Bill for an Act to amend an Act concerning minority-owned financial depositories. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "None."

Speaker Braun: "Third Reading. Returning to the Special Order of

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Business on Civil Law, on page 48 of the Calendar, proceeding with the Call that we were previously on, appears House Bill 1566, Representative Churchill. Representative Churchill? Representative Churchill. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1566, a Bill for an Act to amend Sections of the Code of Civil Procedure. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1566 is a Bill which changes a requirement. The Circuit Court clerks have been responsible for notifying parties when there was to be a order of default. What this does is say that the attorney for the moving party shall place that notification and where there's an order for dismissal of want of a prosecution, the prior notice shall suffice and there won't have to be a notice after the case has been dismissed."

Speaker Braun: "Is there any discussion? The Gentleman from Cook, Representative Piel."

Piel: "I have no questions. It's just been flashing for ten minutes. I just wondered if it was working. Thank you."

Speaker Braun: "Is there any discussion? Representative Churchill, to close."

Churchill: "Just ask for passage of the Bill. Thank you."

Speaker Braun: "The Gentleman has moved for the passage of House Bill 1566. All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 108 voting 'aye', none voting 'no', 1 voting 'present'. House Bill 1566 has received the Constitutional Majority and is hereby declared passed.



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House Bill 1648, Representative Bowman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1648, a Bill for an Act in relation to the property of aliens. Third Reading of the Bill"

Speaker Braun: "Representative... The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1648 provides that aliens may require, own and dispose of real property the same as natural citizens. Under current law, aliens may hold real property for only six years, and the current law is probably unconstitutional. It certainly serves as an impediment to alien residents purchasing homes. Now the community I represent in Chicago is Ruggers Park, and it is virtually a port of entry for dozens of different aliens from dozens of different countries. And we want them to purchase homes in our neighborhoods and settle there and to send their children to our schools and hopefully to become naturalized citizens. I believe that this is an area that is best left to federal legislation for action. And present state law is in conflict with treaties of the United States as with many nations. And thus, for many nationalities, the present law is a nullity. So, I think we're putting everyone on the same footing with this Bill. There is some Amendments that I would like to arrange to have offered to clarify the issue with respect to farmland. So at this point, I would like to ask leave of the House to move it back to Second Reading to add an Amendment to clarify the situation with respect to farmland that concerns a lot of people here."

Speaker Braun: "The Gentleman has requested leave to take this Bill back to the Order of Second Reading. Is leave granted? The Gentleman from Cook, Representative Piel."

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Piel: "Here we go again, Madam Speaker. The light is flashing. You said... You know, the Gentleman asks... You know, it's just not... it's not a normal situation..."

Speaker Braun: "I didn't say leave had been granted."

Piel: "... that you automatically move something back to Second Reading..."

Speaker Braun: "Representative Piel, it has not been moved to Second Reading. I have recognized you so that you may comment on his request for leave."

Piel: "I'm sorry, Madam Speaker. You said, 'It's been returned to Second Reading. Are there any questions?'"

Speaker Braun: "No, Sir, I did not say that."

Piel: "Check the record, Madam Speaker."

Speaker Braun: "Representative Piel, have you any comments on the Gentleman's request that this Bill be removed... be taken back to the Order of Second Reading?"

Piel: "Now we're still on Third?"

Speaker Braun: "We're still on Third Reading. You jumped the gun."

Piel: "Oh, no, no. If you'll check the record, Madam Speaker, you moved it back."

Speaker Braun: "The record has been checked, Representative Piel."

Piel: "Oh, I'm sure you did. Pardon me?"

Speaker Braun: "Do you have a comment on the Gentleman's request for leave?"

Piel: "Alright."

Speaker Braun: "Representative Piel... leave is thereby... therefore granted if there is no discussions on the Gentleman's request. Representative Bowman."

Bowman: "Would you read it on Second Reading?"

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

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

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and Johnson."

Speaker Braun: "The Chair recognizes the Gentleman from Knox, Representative Hawkin... the Gentleman from Champaign, Representative Johnson, on Amendment #1."

Johnson: "If I could just have one minute. Withdraw Amendment #1."

Speaker Braun: "Amendment #1 is withdrawn. Further Amendments?"

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

Speaker Braun: "On Amendment #2, Representative Bowman."

Bowman: "I think I just won some sort of a prize for making a circle of the chamber in the fastest time. I would like to proceed with Amendment #2. This Amendment was drafted by the Bar Association to make it clear that this Bill does not, in any way, conflict with the alien ownership of farm property Act or whatever it is. I move adoption of Amendment #2."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #2. On that, is there any discussion? There being none, the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. Further Amendments?"

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

Bowman: "Leave to withdraw 3."

Speaker Braun: "Amendment #3 is withdrawn. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Madam Speaker. I now ask leave for immediate consideration of 1648."

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Speaker Braun: "The Gentleman requests unanimous consent for the immediate consideration of House Bill 1648. On that, is there any discussion? Is leave granted? Unanimous consent is granted."

Bowman: "Thank you, Madam Speaker. In my opening remarks, I indicated that this Bill puts everyone on the same footing with respect to ownership of property. The Amendment that we adopted makes it clear that this law does not conflict with legislation enacted by this General Assembly recently with regard to farm property. I now move for passage of House Bill 1648."

Speaker Braun: "Question is, 'Shall House Bill 1648 pass?' On that question, is there any discussion? There being none, all in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 102 voting 'yes', 6 voting 'no'. House Bill 1648, having received the Constitutional Majority, is hereby declared passed. On the Regular Calendar, on page 35, appears House Bill 2273, Representative Oblinger. Representative Oblinger. Mr. Clerk, read the Bill. 2273."

Clerk O'Brien: "House Bill 2273, a Bill for an Act to amend an Act in relation to the creation of a Golden Illini Card Program for aged and disabled persons. Third Reading... Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "For what reason does the Lady from Sangamon, Representative Oblinger, rise?"

Oblinger: "I just want to assure Mr. Leverenz this was the next

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Bill on Second Reading. They are not skipping anything to get to me."

Speaker Braun: "Third Reading. House Bill 2299, Representative Vinson. Read the Bill, Mr. Clerk. Out of the record, Mr. Clerk. I'm sorry. House Bill 2328, Representative Regan. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2328, a Bill for an Act to amend Sections of the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Gentleman... The Chair recognizes the Gentleman from Fulton, Representative Homer, on Amendment #1."

Homer: "Thank you, Madam Speaker. Leave to withdraw Amendment 1. Leave to withdraw."

Speaker Braun: "Amendment #1 is withdrawn. Any Further Amendments?"

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

Speaker Braun: "Gentleman from Will, on Amendment #2."

Regan: "Leave to withdraw Amendment #2."

Speaker Braun: "Amendment #2 is withdrawn. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Homer and Hawkinson."

Speaker Braun: "The Gentleman from Fulton, Representative Homer, on Amendment #3."

Homer: "Let me... Let me yield to Representative Hawkinson. Representative Hawkinson?"

Speaker Braun: "Chair recognizes the Gentleman from Knox, Representative Hawkinson, on Amendment #3."

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Hawkinson: "Thank you, Madam Speaker. The purpose of Amendment #3 was to answer some questions raised in Committee by Representative Homer and others as to the intent of this Bill to cover the allowed seizure of vehicles for certain sex offenses involving children but omitting certain more serious offenses... sex offenses that could be involving children and this Amendment attempts to add those two more serious offenses and put the Bill in the shape that the discussion in Committee had it in. And I would urge the adoption of Amendment #3."

Speaker Braun: "Is there further discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Cullerton: "Representative Hawkinson, could you now just simply list... You can't? Okay. Well, on Third Reading, can you list the offenses? Fine. Are we going to do this right now? Okay. Maybe Representative Regan can answer my question."

Speaker Braun: "The Chair... Representative Regan."

Cullerton: "Could you just simply list the new crimes that we're adding to the law for which you'll be allowed to seize the vehicle if it's been used in the commission of the offense?"

Regan: "Do you want them by Section or description?"

Cullerton: "Which one's are you... no, by name. Which ones are you adding?"

Regan: "I'll have to get that. I got them. Okay. It's Section 11-5, contributing to the Section of delinquency of a minor. These are all in regards to delinquency as a minor and sexual abuse of minors. 11-6, indecent solicitation of a child. 11-15, solicitation of juvenile prostitution."

Cullerton: "I thought those were the Sections we eliminated last

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year."

Began: "I wasn't here last year, Representative Cullerton."

Cullerton: "Okay. Even if we did eliminate them ..."

Began: "Well now I'd like to put them back in. The object of the... No, these are not the ones that you eliminated. These are the ones... What you eliminated was 11-4 and 11-4.1."

Cullerton: "Okay, and what are you adding?"

Began: "11-5, 11-6, 11-15.1, 11-19.1, 11-20.1, 11-19.2."

Cullerton: "Okay. Double check 11-5."

Began: "11-5 is not in the Bill."

Cullerton: "Okay. Thank you. No further questions, Madam Speaker."

Began: "Madam Speaker, the suggestion by Representative Homer to include additional Sections in the law that were inadvertently left out I'm in full favor of. It helps the law. I stand forward on this Amendment. Please vote an 'aye'."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #3. Is there further discussion? There being none, all in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. So as to avoid any confusion, we will go to the Orders of Special Order of Business, proceed alphabetically through those Special Orders of Business and take those Bills which appear on Second Reading to move them to Third so they will be in a position for action next week. As such, on the Special Order of Business - Civil Law, on the Order of Second Reading... For what purpose does the Gentleman from Madison, Representative McPike, rise?"

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McPike: "Madam Speaker, we don't have an alphabetical list."

Speaker Braun: "Representative MCPike, it was apparently distributed earlier."

McPike: "We still don't have an alphabetical list."

Speaker Braun: "Would you like mine?"

McPike: "Yeah, we would. Ours is numerical."

Speaker Braun: "It's alphabetical by topic. Numerical by Bill number. Thank you, Representative MCPike. The first Bill then is House Bill 2369, Representative O'Connell. Representative O'Connell. Representative Johnson? Out of the record. The next... The next Special Order of Business for Bills on Second Reading is Counties, House Bill 2348, Representative Hoffman. On page 35 of the Calendar. Representative Hoffman, on House Bill 2348. Mr. Clerk, read the... Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2348, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Gentleman from Cook, Representative Bowman, on Amendment #1."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Amendment should be familiar to everybody by now, and if it isn't, it certainly will be. This is the... the Amendment that would prohibit the additional funding from being used in the support of the apartheid government in the Republic of South Africa. And I move for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1 to House Bill 2348. On that Motion, is there any discussion? The Gentleman from DuPage, Representative



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Hoffman."

Hoffman: "Thank you very much, Madam Speaker. Ladies and Gentlemen of the House, we have considered and defeated this Motion on other... numerous other pension Bills. I think the intent of the Amendment is very clear. It's not in the best interest of the pensioners and participants in the pension. And I would ask for a 'nay' vote on this Amendment."

Speaker Braun: "The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in support of the Gentleman's Motion. I have to correct the previous speaker. He indicated that we have defeated this Amendment on several occasions. ...we've also adopted it on certain Bills, and I can think of a no better Bill to adopt the exper... In fact, this would be a good place to experiment with this Amendment, since the Bill only deals with DuPage County. Since it... we could take the Pension Code of DuPage County and impose limitations for that any new money being invested in any industries that deal with South Africa and see how it works. And if it worked for DuPage County and apartheid ended, we could be a model county. This would be the county that the whole nation would look to, and I think for those reasons, this will be a very appropriate Bill to have this Amendment adopted on."

Speaker Braun: "Is there further discussion? The Gentleman has moved the adoption of Amendment #1 to House Bill 2348. All in favor say 'aye', opposed 'nay'. Roll Call. All in favor vote 'aye', opposed vote 'no'. The Gentleman from Cook, Representative Bowman."

Bowman: "Well, just to reiterate to Representative Cullerton's remarks. DuPage County is well-known as being one of the

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wealthiest counties in the entire nation. It's virtually a wash in money. And DuPage County could probably single handedly bring the apartheid regime to its knees. Now is the time to act."

Speaker Braun: "On this question, have all voted who wish? The Clerk will take the record. On this question there are 61 voting 'aye', 48 voting 'no'. This Motion is adopted. The Gentleman from DuPage... The Gentleman from DuPage, Representative Hoffman. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. The next Special Order of Business from which we will be taking the Bills on the Order of... on Second Reading is Criminal Law. The first Second Reading Bill on the Special Order of Criminal Law is House Bill 505, on page 29 of the Calendar. Representative Preston, on House Bill 505. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 505, a Bill for an Act to amend Sections of the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Preston, amends House Bill 505 on page one and so forth."

Speaker Braun: "The Gentleman from Cook on Amendment #1."

Preston: "Thank you, Madan Speaker, Ladies and Gentleman of the House. What this Amendment does is to keep the commitment that I made in Committee. The Bill itself is the Bill that strengthens or cleans up the act that was created to prohibit threatening the life of a public official and we're deleting by this Amendment, we're deleting the words 'or his or her family'. So, that was in keeping with the commitment I made in Committee, and I hope you'll adopt this Amendment."

Speaker Braun: "The Gentleman has moved the adoption of Amendment

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#1. Are there any questions? Is any discussion? There being none, all in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and Amendment #1 is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. The next Bill is House Bill 1841, on page 34 of the Calendar, Representative McCracken. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1801... 1841, a Bill for an Act to amend an Act in relation to the offenses involving the operation of vehicles while under the influence of alcohol or other drugs. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative McCracken and Cullerton."

Speaker Braun: "The Gentleman from DuPage, Representative McCracken, on Amendment #2."

McCracken: "Thank you, Madam Speaker. This is an Amendment which is purely technical in nature, changes syntax, grammar, things of that nature, changes one of the titles of the Subsections of the Bill, in conformance with an agreement with the judiciary, who participated in these negotiations. I move its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #2 to HB 1841. Is there any discussion? There being none, all in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On page 35 of the Calendar

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appears House Bill 2328. Representative Regan. That Bill is apparently... previously been called. Representative Regan. On the Special Order of Education Reform. Representative McCracken, apparently on House Bill 1848 which was just... 41 which was just moved to Third Reading, there has been a request for a correctional impact note. Gentleman from DuPage, Representative McCracken."

McCracken: "I've got the note in the file, Madam Speaker. I thought it had also been filed with the Clerk. I'll file it now."

Speaker Braun: "With the filing of the note, the Bill will remain on Third Reading."

McCracken: "Thank you."

Speaker Braun: "For what reason does the Gentleman from Will, Representative Regan, rise?"

Regan: "Well, Madam Speaker, I just like to verify 2328 is on Third Reading."

Speaker Braun: "Mr. Clerk."

Clerk O'Brien: "2328 had Amendment #3 adopted and moved to Third Reading."

Regan: "Thank you."

Speaker Braun: "On the Special Order of Business - Education Reform, on page 34 of the Calendar, appears House Bill 2165. Representative Berrios. The Gentleman from DuPage, Representative McCracken."

McCracken: "Does the Chair wish to consider 1252?"

Speaker Braun: "It's apparently, Representative, not on the printed list. It's up here, but we can go back to it. Representative Berrios. Representative Berrios. On page 35 of the Calendar appears House Bill 2387. Out of the record. House Bill 1252, Representative Madigan - Greiman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1252, a Bill for an Act to amend

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Sections of the School Code. Second Reading of the Bill.

No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Lady from Cook, on Amendment #1."

Currie: "Thank you, Madam Speaker and Members of the House. The proposal embodied in Amendment 1 to House Bill 1252 was a recommendation from the Bakalis Commission, which along with many other groups, has been making proposals to improve the quality at public elementary and secondary education in the State of Illinois. This particular Amendment would create a governor's education coordinating council to examine issues affecting all levels of public education, including curricula issues and fiscal issues. I will be happy to answer any questions and I move adoption of Amendment 1 to House Bill 1252."

Speaker Braun: "The Lady has moved the adoption of Amendment #1 to House Bill 1252. Is there any discussion? There being none, all in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

Speaker Braun: "The Lady from Cook, on Amendment #2."

Currie: "Thank you, Madam Speaker and Members of the House. This, too, is a recommendation from the Illinois Project for School Reform, directed by Dr. Bakalis. It provides for the State Board of Education to award five grants, grants to five different school districts to engage in planning a career ladder pilot program for school teachers. It's a limited price Amendment, and I would appreciate your support."

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Speaker Braun: "The Lady has moved the adoption of Amendment #2.

On that, is there any discussion? There being none, all in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' it. The Amendment is adopted. Further Amendments?"

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

Speaker Braun: "The Gentleman from Cook, on Amendment #3."

Preston: "Thank you. Thank you, Madam Chair... (sic - Speaker), Ladies and Gentlemen of the House. What Amendment #3 does is to require the school administrators to notify the state's attorneys if that school administrator suspects that a child that has been registered for school is an abducted child. The way this works and the problem this is aimed at is frequently throughout Illinois. A student would register for school - be brought in by his or her parents, and they will give the name of the previous school that the child attended and upon questioning or requesting transcripts and the records from that previous school, they find that that previous school had no record of that student ever being there. What may happen, is a child who is abducted in Illinois is reregistered somewhere else at a different school under a different name, and this Bill would require where there is a suspicion on the part of the administrator, that perhaps the child who is being registered is an abducted child, that that school administrator will contact the state's attorney to investigate the situation. It completely absolves the school district and the administrator from any civil or criminal liability should they have that suspicion and should that suspicion be unfounded. This came to my attention and to the attention of Senator Berman on the Senate side through a radio program, the 'Dave Bon' show in

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Chicago, and two discussions he had with his listening audience. And it was through that process that this Amendment came about. And I'd ask for your 'aye' vote."

Speaker Braun: "Is there any discussion? The Gentleman from McLean, Representative Ropp."

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

Speaker Braun: "He indicates he will."

Ropp: "Representative, can you tell me how many cases that we have known about either in Illinois or United States that deals with this particular Amendment?"

Preston: "I can't give you a number, but there are many, many cases, especially in the case of child snatching, if you will, by a noncustodial parent. In those situations where there is a divorce taking place, and the parent who has not been granted custody of a child will very often, unfortunately, too often snatch that child and travel elsewhere, either within that state or within the country to somewhere else, change the name - the use of the name and; of course, register that child in school. And the school on trying to get transcripts and records for that child now with a different name at the school that they were told the child previously attended finds no record - this school has no record of that child every being a student. And at that situation... unfortunately, is all too frequent."

Ropp: "Well, isn't it difficult to track those down if, by chance, that person moves out of state, let's say in the State of Wyoming? How are we going to really track down whether or not..."

Preston: "Well it's not... it's not a question of tracking down. It's right now in the process. Automatically, if you have a child that you take out of one school and you enroll that child in another school, the school that you enrolled the

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child into will ask you where did the student previously go to school and you tell them and they write for transcripts and records of that child. That's done right now. However, in the case of an abducted child, the school won't receive or receive a negative response - say, 'We have no record of this student.' And what this Bill will do in those cases where the answer is we have no record of this student, the administrator of the new school will contact the state's attorney to make an inquiry as to whether or not this student has been abducted."

Ropp: "Okay. Thank you."

Speaker Braun: "The Gentleman from... Representative Ropp, you concluded your... The Gentleman from Cook, Representative Cullerton. Representative Cullerton."

Cullerton: "Yes, Representative, would you please yield for a question or two?"

Speaker Braun: "He indicates he will."

Cullerton: "For the purpose of understanding if this would become law what you intend by some of the words here. The way it reads, if a pupil has been admitted in a school and school officials, does that mean the principal or just anybody in the..."

Preston: "Yes, the school administrator, whoever that is. That's generally the principal."

Cullerton: "They suspect that the pupil may have been abducted. What type of.. what does that mean? Give me..."

Preston: "Well, I thought I had explained that in response to Representative Ropp's questions. That is where a child is being enrolled in school and the parents of that child gives the school the place that that child previously went to school and when the new school asks for the records of this child, they get a response that we have no record of that student ever having been a student in our school."



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That means that there was erroneous information given by the parent to the new school and that may raise the question in their minds, has this child's name been changed or are they using a new name here to enroll someone other than the student that they are, you know, are saying that they are enrolling?"

Cullerton: "Okay. Now, do we have some examples of that being found out and those school officials not notifying the police or the state's attorney?"

Preston: "Yes, that is where it comes from. They do not, now, notify the police or the state's attorney."

Cullerton: "Okay. Now, the second thing then, what type... If they made this report in good faith, what type of liability could there be against the school officials who made the report?"

Preston: "None."

Cullerton: "...Without this Bill, what type of liability will there be?"

Preston: "Well, I don't know, but there was a concern on the part of school administrators and the Chicago Board that they might be open to liability. So, I wanted to make it crystal clear. I don't think if they did in good faith, there would be any liability, but I want to make it crystal clear so all parties are satisfied."

Cullerton: "Okay. I have asked in other Bills that the concept of criminal immunity... is what you have here you're correcting criminal immunity. And I don't... I can't imagine what type of criminal offense..."

Preston: "I can't either."

Cullerton: "So, I'm wondering why, you know, it should be..."

Preston: "I'm just... It was... I don't think it was needed, but there are people who had the concern. So, I wanted to make it crystal clear in the language that there would be no

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liability that, you know, they're immuned."

Cullerton: "Alright. Thank you."

Speaker Braun: "The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you very much. Will the Sponsor yield for a question?"

Speaker Braun: "He indicates he will."

Hoffman: "The language that you used doesn't prescribe any time frame. Do you have any... It says, if a pupil suspect that the person may be abducted, and you said that suspicion would be determined when you didn't hear from the inquiry to the previous school, you have any... and there's... there's no time frame involved in this."

Preston: "Right, I didn't know how to put a time frame on when a person has ignited within them that suspicion. Different school systems have different time frames within which they send out their transcripts of a student's record. So, when the suspicion arises, what... the reason this came about and this... I... I thought this was probably the most noncontroversial Amendment I've ever seen."

Hoffman: "It may be. Wait till we get to the next one."

Preston: "Okay. This came in response to some concerns that administrators will not and do not, even when they have that suspicion, they're somewhat reluctant to voice the suspicion because there is no direct authority for them to do it. And as I'm sure you're aware, everybody, including people in the school system, seems to be very gun-shy of lawsuits these days. And they wanted to be certain that they have the statutory authority to contact state's attorneys if they have that suspicion and they wanted to be absolutely certain that they don't incur any liability if they have the suspicion and they're wrong about it."

Hoffman: "Alright. Fine. The reason for the... for my... my

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inquiry is the fact that I'm... I teach in a suburban high school and the most difficult place to get records from is the Chicago school system. And we could request the records and it may be months before we get them, and I don't want to put anybody in... any school official in a situation where someone comes back saying, well, you didn't hear from them, you know, in two weeks or three weeks and therefore, you should be a suspect of this, you know, a person having been abducted."

Preston: "I... I understand your concern and that makes some sense. I don't think, however, that this Bill is overwhelmingly requiring great action on the part of anyone, but it's a little instruction... direction, if you will, to someone."

Hoffman: "Alright. So, in this Amendment, you are giving instruction rather than commanding that this happen. Is that correct?"

Preston: "Well, I... Right. I can't command someone to have a suspicion; but, if they do have it, I'm telling them with this legislation that they have statutory authority to go and to contact the state's attorney so they don't have a question whether or not they're authorized to do that."

Hoffman: "Alright. As long as that's clear on the record, I think that's... that's adequate and sufficient."

Preston: "Thank you, Representative."

Speaker Braun: "Is there further discussion? There being none, the Gentleman has moved for the adoption of Amendment #3 to House Bill 1252. All in favor say 'aye', opposed 'nay'. In the opinion of the Chair... All those in favor vote 'aye', opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment there are 91 voting 'aye', 7 voting 'no'. Amendment #3 is adopted. Further

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Amendments?"

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

Speaker Braun: "The Gentleman from Cook, Representative Preston, on Amendment #4."

Preston: "Madam Speaker, I'd ask leave to withdraw Amendment #4."

Speaker Braun: "Amendment #4 is withdrawn. Further Amendments?"

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

Speaker Braun: "Gentleman from Cook, on Amendment #5."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #5 we've heard debated and much discussed. It's a standing back... a backward position, if you will, from House Bill 711 which was previously heard in this House. What Amendment #5 to House Bill 1252 does is to require background checks on teachers, limiting those background checks to new teachers and to teachers that transfer from one school to another and further limits the results of those background checks to determining whether or not that teacher has been convicted of... in one or four categories or in just four categories of crimes. And those are convictions for the crimes of murder, of kidnapping, of sex related offenses and of aggravated battery of a child. Now, I think it's important since... I want to make it clear so nobody is confused on this. The Illinois Education Association is opposed to this Bill, and they're posted outside the door. And they were today calling people out telling them the evils of this Bill. What they didn't bother to tell you, however, is where the suggestion for this Bill came from. It came from the Illinois Education Association. Now, when we were debating House Bill 711, they were all concerned about that Bill and requiring background checks on all teachers and as a fall

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back position, not that they made the recommendation, but they said to me, 'Why don't you look at the possibility of including only new teachers and transfer teachers.' And well, they said, 'We probably would oppose it anyway. At least our opposition wouldn't be as strong as if including all teachers.' Well, I have to admit, I'm not satisfied with this Bill because being from the Chicago area and seeing in one week's period of time alone people who had previous records of sexual abuse of children, two in one case, in Lake County, two previous convictions for the sexual abuse of a child was nonetheless hired as a child... as a teacher and working as a teacher in the Waukegan school system when he was accused of yet a third instance of sexual abuse of a child and beyond that when the police had occasion to search this individual's apartment, they've found picture upon picture of nude children with names and dates. That was one instance. In another instance, the former number 2 man in the Chicago school system had been similarly implicated in the sexual abuse of children. A coach in Skokie, Illinois had been similarly indicated or accused of being involved in the sexual abuse of children and it goes on from there. Now, I don't mean to imply in anyway whatsoever that there's a rampant situation. And beyond that, I don't mean to imply directly or indirectly that teachers are a highly suspect category of occupational choice. In fact, the opposite is, indeed, true. I know of no occupation whose citizens are better citizens than teachers. I'm a former teacher. I'm a former member of the Illinois Education Association. I'm a former member of the Chicago Teachers Union, and I'm very proud of it or at least I was until I saw the nature of the opposition of the Illinois Education Association. And let me tell you about the nature of that opposition. When House Bill 711 was

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being considered and it passed out of Committee, the Illinois Education Association was up in arms over that Bill. And we had a meeting with their leadership and their lobbyist. And it was brought out at the meeting that this Bill was floating around for three and a half months and not once did anyone from that Association bother to come to see me to tell me they had any problems with the Bill or ask if we could work out some of their problems with the Bill. And it was brought up to them at that meeting that, you know, there is nothing wrong with being in opposition to something, everyone is in opposition to something, but what is wrong is when you have someone who is sponsoring a Bill and working very hard on it, not even to be notified by you that you're in opposition, that's really where a problem can always arise. And the leaders of this Illinois Education Association said, 'Well, you know, I suppose that's right, and I suppose we really should have contacted you.' Well, I introduced this Amendment after House Bill 711 failed and I went to the members of the Illinois Education Association, to their lobbyist, and I asked for their support and they said, 'No.' They wouldn't discuss it with me anymore. So, I'm hopeful that they will get a message here that that's not the way you operate with people who work on your behalf - people who are interested in child protection and have been your friends in the past. I'd ask for your 'aye' vote. I'd be glad to answer any questions."

Speaker Braun: "The Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Madam Speaker, Ladies and Gentleman of the House. The Gentleman is right. We've debated this Bill before - overwhelmingly rejected the concept. We reject the concept for very simple reasons. Number one, this Bill

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even applies to a teacher who was fingerprinted and background... checked last month and then transfers to a different school in the same system. He would have the law enforcement authorities investigate, finger print and background check that teacher again. That's the nature of how this kind of proposal is. Not only that, he has the teacher go out and pay for the background check and the fingerprinting themselves. That's the kind of harrassment that this Gentleman is interested in. Now, whatever you think... whatever you think about the concept of civil liberties, this Bill goes beyond it with, perhaps, the most conservative voting record in the House on the subject of civil liberties. I can reject this concept and I can reject it for a very simple reason. It presumes people guilty at the outset, and that's something that we should always reject in this society. And it particularly presumes people guilty who have evidence the greatest interest in working with and helping children. Presumes them guilty. It's wrong. It ought to be voted down overwhelmingly so to discourage the Gentleman from coming back with it again. I urge a 'no' vote."

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

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

Speaker Braun: "The Gentleman has moved the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Representative Preston, to close."

Preston: "Thank you, Madam Speaker. The previous speaker made reference to his outrage over the denial of civil liberties. The same outrage, unfortunately, wasn't expressed by the previous speaker when we were talking

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about day care center employees and the criminal background checks on those people which passed this House 110 to 1. Apparently, we reserve our outrage and our moral indignation for organizations that are heavy lobbying entities here, like the Illinois Education Association. I was disappointed that that organization wasn't at the forefront of support of this proposal as were organizations that represented the day care communities which were at the forefront of support for that proposal. This Bill is a compromised position that was originally brought to me by people from the IEA in their leadership. They suggested that, perhaps, we should look at this alternative to background checks on all teachers. The Gentleman made mention of a presumption of guilt. That is not the case whatsoever no more so than is the case when we require criminal background checks on police officers, on firemen, on taxicab drivers, on employees of race tracks, on tavern owners, on tavern operators, and in the City of Chicago, I am told, even garbage collectors. I agree that in those instances it's ridiculous and I'd be glad to support repeal of those in aimed positions. However, when we, by law, must give the custody of our children, our little children to people by law until those children are 16 years of age, and we don't even have the very modest assurance that that child is not having in his or her classroom an authority figure who has a history of convictions of sexually molesting children, that's a protection that parents deserve. And believe me this isn't pulling the problem out the air. It's a problem that's been appearing in paper after paper and if you look at the organizations that have endorsed this proposal overwhelmingly, organizations like the Illinois Congress of Parents and Teachers who unanimously endorsed this proposition, the newspaper



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statewide, the television station statewide, who have supported this proposal. And due today, I hope you will see the merits in it and give your 'aye' vote."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #5. All in favor say 'aye', opposed 'nay'. All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question... On this question there are 32 voting 'aye', 61 voting 'no'. This Amendment is failed. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On the Calendar, Special Order of Business - Elections, on the Order of Second Reading, appears House Bill 2477. Representative Olson. Hr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2477, a Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Daniels - Olson and Countryman."

Speaker Braun: "The Gentleman from Lee, on Amendment #1."

Olson: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. We discussed this at length yesterday. This is the Amendment that would have provided for an inventory of ballot boxes returned to precinct stations. I will not belabor the issue. We are asking that a favorable attention be given to this Amendment and I would ask for an affirmative vote - would accept questions."

Speaker Braun: "The Lady from Cook, Representative Alexander."

Alexander: "Yes, thank you. This Amendment is in reality House Bill 2170 which did not pass through the Committee system or receive a favorable review, and I would recommend to

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this side of the aisle that it receive a 'no' vote."

Speaker Braun: "Is there further discussion? The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Madam Chairman, Ladies and Gentlemen of the House. I'm surprised at the previous speaker, because I thought the problem with this Bill had been worked out. My understanding was that it was one of those Bills that got caught in the switches, so to speak, and a little Committee byplay that often does happen around here and we patch up later. I thought the problem had been patched up because I think the substance to the Bill is a good Bill. We ought to make sure that when the materials are returned to the election authorities on election night that the ballots are there and that they are not misplaced or lost. Indeed, one of our number... Membership sitting here today was elected in the primary election in which there are some ballots that are still missing. And I think that we ought to make sure that the... all election materials, including the ballots, most especially the ballots are returned on election night. I support the Motion."

Speaker Braun: "Is there further discussion? The Gentleman has moved the adoption of Amendment #1. All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The... The Gentleman... For what reason does the Gentleman from Cook, Representative Greiman, rise?"

Greiman: "Yes, well, as I understand if I could just... Who... whose Amendment is it? Mr. Olson, now, what is it exactly that they have to do when they bring the ballots in?"

Speaker Braun: "Gentleman from Lee, Representative Olson."

Olson: "Thank you very much. It's designed, Representative Greiman, that when the ballot boxes are returned before the judges issue the receipt that the box be inventoried - make

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sure there's something in the box."

Greiman: "Well... You know, I... because I'm... To the Amendment. I'm, I suppose, naive. I don't think most people who are clerks are in the process are stealing or cared up tamper or care to go to federal penitentiaries. And if I was the Representative from that County of Lee, I would probably say, well this is okay, we don't have too many people concerned. But if you ever seen the high school in the area where I live, when they bring in those ballots, if you have any sense of it, the cars are lined up... are just lined up. It looks like a four mile long parking lot. People bringing back the stuff. You know, it's very difficult to get people to be judges. Now, maybe, down home in Lee County people want to be judges; but, in Cook County in Chicago, we have a tough time. You know, you're making about 40 cents an hour, and it's really difficult to get people to really be judges. Now, we add on to that process... we... we... you know, the state of the art, the technology is... we cut down the counting of ballots so they don't have to sit there and count those paper ballots now. But what we've done by this Bill is to throw all that technology out and now extend that period onto night. Now, you may remember a couple of years ago, we added an hour. So that was thirteen hours. Maybe, they got to get up there a little early to set it up. So, right away there are 15... 16 hours. Now, Mr. Olson, wishes to extend that to make it a full 20 hours. What can we ask of these people? You know, that's just... that's a rhetorical question, Mr. Olson. Don't grab your microphone - rhetorical. I don't want you to ask... tell me what they can do. I think we've asked enough, and I believe that this Amendment, which is perfectly well intentioned, but perfectly unworkable in any urban area. We should defeat

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it, and I want a Roll Call to defeat it."

Speaker Braun: "The Lady from Sangamon, Representative Oblinger."

Oblinger: "Madam Speaker and Members of the House, I stand in support of this Amendment. As a former County Clerk, I'm going to tell you something that I don't know whether you realize or not. When those ballots... those materials were returned to me as County Clerk, and I think Mary Grace may have had some of the same experiences, sometimes they forget to put in the envelope with the spoil ballot, sometimes they forget to put in the ballot... the envelope with the ballots that they have counted are the absentee ballots. What we had to do as a result of their not stealing, but their misadventure, was to have those sealed and then have to convene the state's attorney, the County Clerk and a Judge to verify the results of those elections. I don't think you want to have us to have him to do that, holding up the election and the cost of the election because of somebody's forgetting something. Nobody's accusing anybody of stealing. It takes about five minutes. You have a checklist. You have them look at the checklist and check off the things. This doesn't take that kind of time. I think it's worthwhile in order that we don't have to convene the Review Board."

Speaker Braun: "The Gentleman from Cook, Representative Leverenz."

Leverenz: "Sponsor yield?"

Speaker Braun: "He indicates he will."

Leverenz: "Is this your registered receipt at the collection center Amendment again?"

Olson: "It's the election receipt. We discussed that short yesterday, Representative."

Leverenz: "This is... and this is on long Second Reading."

Olson: "Long Second Reading. Well, we would have moved it

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yesterday, but your side of the aisle asked us to take it out of the record, which we graciously did."

Leverenz: "Now, we're just going to kill it out right."

Olson: "Well, you're going to have an opportunity very soon, hopefully."

Leverenz: "Thank you. I hope that's true."

Speaker Braun: "The Gentleman from DuPage, Representative McCracken."

McCracken: "Will the Gentleman yield?"

Speaker Braun: "He indicates he will."

McCracken: "How long does this take, Myron, when everything is organized? How long is the procedure that we're talking about?"

Olson: "Well, it's an interesting thing. I'm a former Circuit Clerk who was pressed into service in my County on election night, along with the Democratic Treasure to accept these units as they come back in to break the seal with a long nose pliers to make sure everything was in the box. I think what we have to look at, Representative McCracken, is the integrity of an election, not the speed with which we can complete it. I think Representative Greiman is playing with the fact that in Cook County, 1982, there were 62 indictments for vote fraud, 58 convictions. I think it's more important that we have a quality election, not a speedy election."

McCracken: "To the Amendment. I couldn't agree more with Representative Olson. It isn't downstate that has the problem of making sure that the elections are conducted in a fair and impartial manner. This is a very speedy process. It's not burdensome to the judges - will not result in the judges being reluctant to participate and is merely a good government Bill, and we ought to pass it. It should have passed out of Committee and it ought to pass

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out of here."

Speaker Braun: "The Gentleman from Cook, Representative Nash."

Nash: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. A question of the Sponsor?"

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

Nash: "Representative Olson, you indicated you stayed a few minutes earlier that you and the County Treasurer broke the seal."

Olson: "Circuit... Circuit Clerk."

Nash: "Now..."

Olson: "May I answer that? The County... Well, let me just answer that. I was a Circuit Clerk and on election day the Democratic County Treasurer and I, the Circuit Clerk, were put into service by the County Clerk to accept these ballot boxes as they came back from the respective precincts."

Nash: "Alright. What was to prevent you and the County Treasurer, after you broke the seal, from changing those ballots when we had a recount, if there was a recount?"

Olson: "It's not likely because my County Treasurer is an attractive Democrat."

Nash: "But that isn't... that isn't my question. That this... This Amendment is no good because right now the ballots... the seal is broken when there is a recount."

Olson: "Well, I understand that there been on certain cases, not only in Chicago, Representative Nash, where ballot boxes are returned, receipts are given; but, when they finally get to inventory, they're empty. This is merely designed to give us a good audit trail."

Speaker Braun: "Is there further discussion? The Gentleman from Jefferson, Representative Hicks."

Hicks: "Yes, Madam Speaker, Ladies and Gentlemen of the House. I stand in favor of the man's Amendment to the Bill. I think it's a good precedent he's asking to set here, on the

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House, and I'd urge the Members to vote and adopt this Amendment."

Speaker Braun: "Is there further discussion? The Lady from Lake, Representative Stern."

Stern: "Madam Speaker, and Members of the House, I, too, believe it is a good Amendment. We did it in Lake County which is certainly an urban area. We have arrived at the point in life now where we can bank by mail. We line up. We bank through drive-ins. We can line up and through the window hand out the box. We have a system of checking there, with watchers and challengers in attendance. There is no risk of fraud. There is no delay. If there is someone who is not included, one of the envelopes that Representative Oblinger referred to, they are shunted to the side so they don't hold up the line. There is no problem in it. It is a good government Bill, and I urge my colleagues to vote 'aye'."

Speaker Braun: "Further discussion? The Gentleman from Cook, Representative Shaw."

Shaw: "Yeah, Madam Speaker, will the Sponsor yield for a couple of questions?"

Speaker Braun: "Indicates he will."

Shaw: "Yes, Representative, in this seal that you're talking about what... in this Amendment, what you're going to do... am I to understand that when the judges of election seal up the equipment at the close of the polling place and sign the, all five of them, sign the envelopes in the boxes and whatever, then when they get back to the turn in station then, which is only two judges... Is that right? It would only be two?"

Speaker Braun: "Representative Olson."

Olson: "Alright. Yes."

Shaw: "One from each party?"

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Olson: "Right."

Shaw: "Now, you going to break that seal and... who else is going to be there?"

Olson: "Poll watchers would be there."

Shaw: "The poll watchers."

Olson: "And then it would be resealed after they make sure there is something in the box."

Shaw: "Wait a minute. You're going to bring the poll watchers from the polling place over to the turn in station."

Olson: "The election authority have people there, Representative Shaw."

Shaw: "...on the... We had a situation up in DuPage County in the last election."

Olson: "Have you been talking to Representative Cullerton, Bill?"

Shaw: "No, but I want to know, it seems as though to me that this would enhance the type of situation that we had up in DuPage County back in '82."

Olson: "This situation will enhance the election law all over the State of Illinois. It's not designed to inhibit election processes in Chicago. If it slow it down, it's just designed to make... We have good quality election every place."

Shaw: "Well, I don't really... Well, to the Amendment. It seems as though to me that back in '82, it's not only Cook County, it's DuPage and... County and some of the other counties around this state. A candidate won... elected office for... with a little more than five thousand votes and that candidate didn't sleep for two weeks as a result of the outcome of that election. And what we... what it seems to me here, is that we are trying to add some more leverage to that and where that we can let the... these candidates sleep a little better. I think this is a bad Amendment. I think that the Amendment should be defeated



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for the interest of good government here."

Speaker Braun: "Chair recognizes the Gentleman from Cook, Representative Giglio."

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

Speaker Braun: "The previous is moved. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The previous question is moved. The Gentleman has moved the adoption of House Amendment of Amendment #1 to House Bill 2477. All in favor vote 'aye'. I'm sorry, Representative Olson, to close."

Olson: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. Let's not confuse the issue what we're talking about. We're not talking about moving things rapidly through anybody's voting system. Rapidity does not count. Getting elected does. What we are suggesting that everybody who is a candidate for election should have a valid audit trail on how those ballots move. We can't any longer exercise anything out of the norm relative to quality elections to people, who in the State of Illinois, are telling this by their absence from the polls that they are not happy with the system. So, therefore, I would ask for an affirmative vote to this Amendment on House Bill 2477."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1. All in favor vote 'aye', opposed vote 'no'. The Gentleman from Cook, Representative Huff, to explain his vote."

Huff: "Yes, Madam Speaker, my 'no' vote reflects my attitude about this Amendment. I recall in the 1982 election, it was documented that some of the judges in DuPage County took the ballots home to dry, and I was going to ask Representative Olson if he knew of the deposition of that action. I don't know of any convictions arising from those

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judges that took the ballots home to dry. I think that this Amendment implies that all counties are equal but some are more equal than others."

Speaker Braun: "Have all voted who wish? The Clerk will take the record. On this question there are 81 voting 'aye', 26 voting 'no'. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Olson - Daniels and Countryman."

Speaker Braun: "Gentleman from Lee, on Amendment #2."

Olson: "Thank you very much, Madam Speaker. Well, I want to make a concession to the Majority side. This Bill was offered in Committee twice - was turned down on the straight party line votes on the interest of moving things along. I withdraw Amendment #2."

Speaker Braun: "Amendment #2 is withdrawn. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. For what purpose does the Gentleman from Knox, Representative McMaster, rise?"

McMaster: "Thank you, Madam Speaker. I hesitate to take the time of the House; but, since we are in a momentary lull, I would like to introduce some children from Eova school and their teacher Retta Sonberger in the aisle on the Democrat side of the House. Will you recognize them?"

Speaker Braun: "We missed a Bill that was on the Order of... the Special Order of Business - Criminal Law. House Bill 2368, Representative McGann. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2368, a Bill for an Act to amend an Act relating to firearms and firearm ammunition. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

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Rea."

Speaker Braun: "Gentleman from Franklin, on Amendment #1."

Rea: "I wish to withdraw Amendment 1."

Speaker Braun: "Amendment #1 is withdrawn. Are there further Amendments?"

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

Speaker Braun: "Gentleman from Cook, Representative McGann, on Amendment #2."

McGann: "Thank you, Madam Speaker and Members of the Assembly. Amendment #2 to House Bill 2368 is an initiative from the Department of Law Enforcement. It adds to the devices hypodermic tranquilizers used by veterinarians or animal control officers and it also defines mental hospital in this Amendment. Other than that, this Amendment has the approval of the National Rifle Association along with the proposal by the Department of Law Enforcement. I'd ask for its approval... the vote."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #2. Mr. Clerk, this is Amendment 2? The Gentleman has moved the adoption of Amendment #2. On that question, is there any discussion? The Gentleman from Cook, Representative Bowman."

Bowman: "Gentleman yield for a question?"

Speaker Braun: "Indicates he will."

Bowman: "Representative McGann, am I correct that this Amendment completely abolishes the firearm owners identification cards?"

McGann: "No. No. No. Amendment #1 which has been withdrawn, Representative Bowman, that was going to repeal the Act. This..."

Bowman: "Okay, good. I'm beginning to feel better already. What does Amendment #2 do again, I'm sorry."

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McGann: "Representative Bowman, #2, which was an initiative of the Department of Law Enforcement adds to the devices used exclusively for firing hypodermic tranquilizers used by veterinarian or animal control officers. It also defines mental hospital because it's been a question on that in the existing Act, and they had to have a clarification. So, it's a definitive item."

Bowman: "Okay. Fine."

McGann: "That's all it does. The Amendment does."

Bowman: "Fine. I feel much better already."

McGann: "Thank you."

Speaker Braun: "Is there further discussion? The Gentleman has moved the adoption of Amendment #2 to House Bill 2369. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Rea - McGann and Hannig."

Speaker Braun: "The Gentleman from Franklin, on Amendment #3."

Rea: "Thank you, Madam Speaker and Members of the House. Amendment 3 provides that all previously issued firearm owners identification cards will be valid until 30 days after notice of expiration has been forwarded by the Department of Law Enforcement. This Amendment is acceptable with the National Riflemen Association, the Department of Law Enforcement and with the Sponsor and is designed to prevent two of the abuses of the firearm owner identification card system. There has been great delays in the issuance of FOID cards. This Amendment allows the applicants to hunt and shoot while their applications are pending. It allows them to continue to own firearms while the Department is processing their applications. The present state law requires the Department to provide notice

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30 days prior to expiration of the ID cards. This Amendment will prevent seizure of firearms, occasion by the Department's delay in complying with the present state law. This is an Amendment that has been agreed upon and I would ask for its passage."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #3. Is there any discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Cullerton: "Representative Rea, the way the FOID card system works is that they are valid for what, five years?"

Rea: "Yeah, five."

Cullerton: "They're good for five year. So, what happens then is the Department of Law Enforcement sends out a notice of expiration. They are suppose to do that 30 days before the five years is up?"

Rea: "That's correct. But this..."

Cullerton: "And apparently, the problem is that these notices are not being sent out in time."

Rea: "They have never sent the notices out period. So, the person with a card is not notified that there is an expiration. So, what happens is that you go down to buy shells or you go to, maybe, prepare to go hunting or go out to a trap shooting range and you find that it's invalid and that really you came in..."

Cullerton: "Now, when your drivers license expires and you haven't renewed your drivers license, do you still get to drive?"

Rea: "You get a notification through the Secretary of State's Office of your expiration. You have a certain period of time to renew it, and so this here is on the same premises."

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Cullerton: "Okay, but this says that..."

Rea: "The difference is, Representative Cullerton, is that you're notified on your drivers license and you're not on the gun identification card."

Cullerton: "Okay. So, you're trying to force the Department of Law Enforcement to do what they're suppose do and that is send out notices or to act upon applications, and what you're doing is you're saying that if they don't act or send out this notice, that your old FOID card is going to remain valid."

Rea: "Now, this simply asks them to conform to the law that we've already passed."

Cullerton: "Okay. Now, the real problem is we learned in Committee is that the Department of Law Enforcement has not appropriated enough money. Am I right? Isn't that what they say, they don't have enough money to..."

Rea: "This has been one of the... one of the problems, I understand, they are going to work towards getting additional monies for it. And... They've also made the statement that if they should not have the monies, they're better off not, as I understood it, better off not to have the system."

Cullerton: "Okay. So, by passing this Amendment, we will put increased pressure on them to try to get enough money to do what they're supposed to do under the law now."

Rea: "To administer their program properly."

Cullerton: "Now what... Do they take a position on this particular Amendment?"

Rea: "They, as I understand it, the Department of Law Enforcement is in agreement with this Amendment."

Cullerton: "Fine. Thank you."

Speaker Braun: "Is there further discussion? The Gentleman from Macon, Representative Tate."

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Tate: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of Amendment 3. As the previous speaker had eluded to. This is simply putting the correct statute in a conformative... conformity. It requires the Department of Law Enforcement to notify people. We've had... all of us as Legislators have had individuals in their districts that have been concerned about or had problems previously with the Department of Law Enforcement in either obtaining a FOID card or having a FOID card expire. This, I think, it would certainly expedite the process. It would allow for citizens to be notified and also would... would, therefore, I think improve the system substantially. And I move for its... encourage an 'aye' vote."

Speaker Braun: "The Chair recognizes the Gentleman from Winnebago, Representative Giorgi."

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

Speaker Braun: "Gentleman has moved the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Gentleman from Franklin, to close."

Rea: "I think this would simply require the... is already needed and certainly, would alleviate many of the problems that are faced today in terms of the administration of the FOID, and I would ask for a favorable Roll Call."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #3 to House Bill 2368. All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On the Special Order of Call - Environmental Protection, on the Order of Second Reading,

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appears House Bill 2251. Representative Currie. Mr. Clerk. What about this? On the same Order of Call appears House Bill 2407. The Gentleman from Champaign, Representative Johnson. 2407. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2407, a Bill for an Act to amend Sections of the Illinois Drainage Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "Gentleman from Champaign, on Amendment #1."

Johnson: "This is just a technical Amendment - reinserts deleted provisions relating to public highways and roads being included within drainage districts. I move for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1 to House Bill 2407. All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Braun: "Recognize the Gentleman from Lake, Representative Peterson, on Amendment #2."

Peterson: "Madam Speaker, leave to withdraw Amendment 2."

Speaker Braun: "Amendment #2 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On the Special Order of Business - Gasohol, appears House Bill 753, Representative Steczo. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 753, a Bill for an Act to amend an Act in relation to taxation on gasohol. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"



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

Speaker Braun: "Gentleman from Cook... Mr. Clerk, this Bill will be taken out of the record. On the same Order of Business appears House Bill 1090, Representative Hannig. Out of the record. On the Special Order of Business - Governmental Reorganization, appears House Bill 720, Representative Madigan, Representative Greiman. 720. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 720, a Bill for an Act to create the citizens assembly and the citizens advocacy councils. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Motions or... Floor Amendment #2, offered by Representative Rea."

Speaker Braun: "The Gentleman... For what purpose does the Gentleman from DeWitt, Representative Vinson, rise?"

Vinson: "Madam Speaker, I wonder if this Bill could be taken out of the record for now."

Speaker Braun: "Representative Greiman."

Greiman: "We like to proceed with the Bill."

Speaker Braun: "We are, then, on the second Amendment on Amendment #2 to House Bill 720. Representative... the Gentleman from Franklin, one second, Representative Rea. The Chair recognize the Gentleman from Cook, Representative Madigan."

Madigan: "To address myself to Mr. Vinson. Mr. Vinson, Mr. Daniels and I spoke about this Bill this morning. I would like to do the Second Reading today and then put it on Third Reading."

Speaker Braun: "Representative Vinson."

Vinson: "If you're representing to me that you and Mr. Daniels

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agreed on this subject, then I have no problem with that."

Madigan: "No, I'm not representing there is an agreement. Mr. Daniels has expressed the view to me and I understand his point. I don't agree with it, but this is either an agreed Bill or it's not. So, I would prefer to move it to Third Reading."

Speaker Braun: "Chair recognize the Gentleman from Franklin, Representative Rea, on Amendment #2."

Rea: "Thank you, I wish to withdraw Amendment 2."

Speaker Braun: "Amendment #2 is withdrawn. Further Amendments?"

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

Speaker Braun: "Gentleman from Cook, Representative Shaw, on Amendment #3."

Shaw: "I wish to withdraw Amendment #3."

Speaker Braun: "Amendment #3 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On the Special Order of Business, on page 27 of the Calendar, appears House Bill 1582, Representative Brookins. 1582. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 15... We've moved that to Third already. We had a Floor Amendment on it."

Speaker Braun: "This Bill will be taken out of the record. On the Special Order of Business - Human Services, on page 27 of the Calendar, appears House Bill 94, Representative White. Out of the record. We are now going to the Order of Public Utility Regulation, on page 34 of the Calendar, appears House Bill 1814. Representative Hastert. Representative Hastert. Out of the record. Representative Hastert. Representative Hastert, on 1814. Oh, you do want it out of the record. Alright. On the Order of State and Local Government Administration, page 28 of the Calendar, appears House Bill 312. 312. Representative Soliz. Mr.

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Clerk, read the Bill."

Clerk O'Brien: "House Bill 312, a Bill for an Act to provide justice for all citizens and residents of Illinois. Second Reading of the Bill. Amendments 2 and 3 were adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Has the fiscal note been filed, Mr. Clerk?"

Clerk O'Brien: "Fiscal note has been filed as amended by Amendment 2."

Speaker Braun: "For what purpose does the Gentleman from DuPage, Representative McCracken, rise?"

McCracken: "Parliamentary inquiry. Was a fiscal note requested as amended by Amendment #3?"

Clerk O'Brien: "There is a fiscal note in here for House Bill 312 with Amendment 3. I don't believe there was a request for it, though."

McCracken: "That was requested and is filed."

Clerk O'Brien: "Okay. Fiscal note is here."

McCracken: "Okay. Thank you."

Speaker Braun: "Third Reading. On the Special Order of Business - State Personnel, appears House Bill 2182, Representative Churchill. 2182. Out of the record. On the Special Order of Business - State Regulation, on page 33 of the Calendar, appears House Bill 1198, Representative Kirkland. Representative Kirkland. Mr. Clerk. Out of the record. House Bill 1884, Representative Vinson, page 34 of the Calendar. Out of the record. House Bill 1902, Representative Vinson. Out of the record. House Bill 2139, Representative Churchill. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2138, a Bill for an Act to create the

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Illinois Corporate Take-Over Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 was withdrawn. Floor Amendment #2, offered by Representative Churchill and Matijevich."

Speaker Braun: "Chair recognize the Gentleman from Lake, Representative Churchill, on Amendment #2."

Churchill: "Thank you, Madam Speaker. Amendment #2 deletes the original Bill and changes the method by which we are going to change the take-over process. It does three things. It provides that when a corporation which is to take over another corporation that is an Illinois corporation, that there'll be a higher vote requirement for changing any of the internal regulations within the corporation. It provides for a fairness in pricing so that all shareholders receive the same price in the take-over bid, and it provides that payment be made in the same form by the corporation which is taking over. I move for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #2. Is there any discussion? Gentleman from Cook, Representative Cullerton. Is there any discussion? There being none, the Gentleman has moved the adoption of Amendment #2. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On the Special Order - Transportation and Motor Vehicles on the Second Reading, on page 33 of the Calendar, appears House Bill 1279, Representative McPike. Representative McPike, on 1279. Page 33 of the Calendar. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 1279, a Bill for an Act to amend Sections of the Regional Transportation Authority Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Braun: "Third Reading. We will now go to the Order of Motions, Senate Joint Resolutions. And on that Order of Business appears Senate Joint Resolution... a Motion with respect to Senate Joint Resolution 54, Representative Farley. Mr. Clerk, read the Motion."

Clerk O'Brien: "A Motion. Pursuant to Rule 43(a), I move to bypass Committee and place Senate Joint Resolution 54 on the Speaker's Table for immediate consideration. The Resolution has been reproduced and distributed on the Members desks, signed by Representative Farley."

Speaker Braun: "The Chair recognize the Gentleman from Cook, Representative Farley."

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. What Senate Joint Resolution 54 is, is a Resolution... Resolution directing the Space Needs Commission to conduct hearings for the purpose of purchasing land for our capitol complex area. We passed this Resolution every Session. It's a formality. We need a formal Roll Call on it, and I have talked to Representative Vinson about this. And I would move for immediate consideration on this item."

Speaker Braun: "The Gentleman has moved to bypass Committee and for immediate consideration of Senate Joint Resolution 54. On that Motion, is there any discussion? There being none, the question is... have leave to bypass Committee and for immediate consideration of Senate Joint Resolution 54? Leave is granted by the Attendance Roll Call. Gentleman from Cook, Representative Farley, on Senate Joint

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Resolution 54."

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I did explain the purpose of the Senate Joint Resolution, and I would now ask for a Roll Call on the Resolution."

Speaker Braun: "The question is, 'Shall Senate Joint Resolution 54 be adopted?' All in favor vote 'aye', opposed vote 'no'. Voting is over. This takes Two-Thirds of the Members elected. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 101 voting 'aye', 3 voting 'no'. This Resolution, having received the Extraordinary Majority, is hereby declared adopted. Representative McPike. The Chair recognizes the Gentleman from Madison, Representative McPike."

McPike: "Thank you, Madam Speaker. Allowing the Clerk perfunctory time to receive Senate messages, I move the House stands adjourned until Monday at the hour of 3:00 p.m."

Speaker Braun: "All in favor say 'aye', opposed say 'nay'. House stands adjourned until Monday at 3:00 p.m."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Speaker... Mr... Mr. Wright, 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 of the following title, to wit; House Bill #370, together with Senate Amendments #1, 2 and 3, passed the Senate as amended May 17, 1985. Kenneth Wright, Secretary.' A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolutions, the adoption of which I am instructed to ask concurrence of the House of

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Representatives, to wit; Senate Joint Resolution #57, 58, and 60, adopted by the Senate May 17, 1985. Kenneth Wright, Secretary.' Senate Bills First Reading. Senate Bill 38, Mautino and Breslin, a Bill for an Act to amend an Act in relation to foreign trade zones. First Reading of the Bill. Senate Bill 74, Deuchler, a Bill for an Act to amend the Child Passenger Protection Act. First Reading of the Bill. Senate Bill 83, Vinson, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 86, McAuliffe... Hannig and McAuliffe, a Bill for an Act to amend the Humane Care for Animals Act. First Reading of the Bill. Senate Bill 108, McCracken, a Bill for an Act to amend an Act authorizing certain counties to make local improvements. First Reading of the Bill. Senate Bill 137, Kubik and Nash, a Bill for an Act to amend an Act relating to the use of automobile repairs and rebuilders... repairers and rebuilders. First Reading of the Bill. Senate Bill 148, Hicks, a Bill for an Act to amend the Consumer Fraud and Deceptive Pract... Business Practice Act. First Reading of the Bill. Senate Bill 151, Van Dyne, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 155, Homer, a Bill for an Act to amend the Code of Criminal Procedure. First Reading of the Bill. Senate Bill 176, Stephens, a Bill for an Act establishing the Community Fire Protection Grant Program. First Reading of the Bill. Senate Bill 190, Barnes - Homer and McAuliffe, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 796, Slater, a Bill for an Act to amend the Civil Administrative Code of Illinois. First Reading of the Bill. Senate Bill 229... Senate Bill 234, Homer, a Bill for an Act to amend an Act relating to admissability of blood tests and evidence. First Reading of the Bill.

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Senate Bill 238, Currie and White, a Bill for an Act to create an Act in relation to the consignment of work... works of fine art. First Reading of the Bill. Senate Bill 239, Flinn - Hicks and Richmond, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 259, Churchill - Cullerton and Matijevich, a Bill for an Act to amend the Business Corporation Act of 1983 to create the Illinois Shareholder Protection Law. First Reading of the Bill. Senate Bill 265, Churchill, a Bill for an Act to create the Taxing District Reserve Fund Act. First Reading of the Bill. Senate Bill 291... Senate Bill 291, a Bill for an Act in relation to the regulation of the rivers, lakes, streams of Illinois. First Reading of the Bill. Further Introduction and First Reading of Senate Bills. Senate Bill 295, White, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. First Reading of the Bill. Senate Bill 305, Pangle and LeFlore, a Bill for an Act to amend the Illinois Lottery Law. First Reading of the Bill. Senate Bill 315, McCracken, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 319, Hartke, a Bill for an Act relating to the Department of Commerce and Community Affairs. First Reading of the Bill. Senate Bill 335, McCracken, a Bill for an Act relating to the responsibility of certain incurred expenses of arrestees. First Reading of the Bill. Senate Bill 337, Didrickson, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 348, Hartke, a Bill for an Act to amend an Act to revise the law in relation to fences. First Reading of the Bill. Senate Bill... Senate Bill 354, Didrickson, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 394, Berrios, a Bill for



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an Act to amend an Act in relation to certain municipal taxes. First Reading of the Bill. Senate Bill 413, Koehler and Johnson, a Bill for an Act reappropriating Judicial Districts and Judicial Circuits. First Reading of the Bill. Senate Bill 443, Ryder, a Bill for an Act in relation to reports of child abuse and neglect. First Reading of the Bill. Senate Bill 501, Hartke, a Bill for an Act to amend an Act in relation to bonds from contractors entering into contracts for public construction. First Reading of the Bill. Senate Bill 517, Countryman and Deuchler, a Bill for an Act to amend the Consumer Fraud and Deceptive Practice... Business Practice Act. First Reading of the Bill. Senate Bill 553, McPike and Nash, a Bill for an Act to amend the Real Estate License Act. First Reading of the Bill. Senate Bill 554, McPike and Nash, a Bill for an Act to amend the Real Estate License Act. First Reading of the Bill. Senate Bill 562, Panayotovich, a Bill for an Act to amend an Act to create the Illinois Union Label Act. First Reading of the Bill. Senate Bill 563, Churchill and Nash, a Bill for an Act to amend the Bill of Rights for Victims and Witnesses of Violent Crime Act. First Reading of the Bill. Senate Bill 568, Nash, a Bill for an Act to amend the Dental Service Plan Act. First Reading of the Bill. Senate Bill 583, Rea and Churchill, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 604, Tate, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 605, Breslin, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 625, Brunsvold, a Bill for an Act to amend the Metropolitan Civic Center Act. First Reading of the Bill. Senate Bill 647, Pedersen, a Bill for an Act to amend the Violent Crime Victims Assistance Act. First

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Reading of the Bill. Senate Bill 655, Tate, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. Senate Bill 673, Keane and Friedrich, a Bill for an Act to amend an Act relating to the control of travel by state personnel. First Reading of the Bill. Senate Bill 674, Keane and Friedrich, a Bill for an Act to amend the Civil Administrative Code. First Reading of the Bill. Senate Bill 675, Keane and Friedrich, a Bill for an Act to make confidentiality requirements governing state agencies applicable to data centers and electronic data processing contractors. First Reading of the Bill. Senate Bill 676, Keane and Friedrich, a Bill for an Act to amend an Act in relation to state finance. First Reading of the Bill. Senate Bill 677, Keane and Friedrich, a Bill for an Act to amend the State Property Control Act. First Reading of the Bill. Senate Bill 678, Keane and Friedrich, a Bill for an Act to amend the Illinois Emergency Services and Disaster Agency Act. First Reading of the Bill. Senate Bill 679, Keane and Friedrich, a Bill for an Act to amend an Act relating to the St. Louis Metropolitan Area Airport Authority. First Reading of the Bill. Senate Bill 699, Churchill, a Bill for an Act to amend the Uniform Commercial Code. First Reading of the Bill. Senate Bill 762, Homer, a Bill for an Act to amend the Physical Fitness Service Act. First Reading of the Bill. Senate Bill 765, Turner, a Bill for an Act in relation to reports of child abuse and neglect. First Reading of the Bill. Senate Bill 770, Nash, a Bill for an Act to amend the Illinois Nursing Act. First Reading of the Bill. Senate Bill 798, Parke, a Bill for an Act concerning the Department of Labor. First Reading of the Bill. Senate Bill 792, Deuchler, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 795, Tate and Ronan, a

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Bill for an Act to amend certain Acts in relation to the State Rail Freight Service Program. First Reading of the Bill. Senate Bill 796, Slater, a Bill for an Act to amend the Civil Administrative Code of Illinois. First Reading of the Bill. Senate Bill 801, Kubik and Nash, a Bill for an Act to amend an Act in relation to victims of violence and abuse. First Reading of the Bill. Senate Bill 815, Deuchler and Klemm, a Bill for an Act to amend an Act creating the Energy and Natural Resources Act. First Reading of the Bill. Senate Bill 816, Klemm and Deuchler, a Bill for an Act in relation to wildlife habitat land. First Reading of the Bill. Senate Bill 818, Kubik and Nash, a Bill for an Act to amend the Illinois Horse Racing Act. First Reading of the Bill. Senate Bill 823, Churchill, a Bill for an Act to amend an Act relating to the Military and Naval Code. First Reading of the Bill. Senate Bill 829, Nash, a Bill for an Act to amend the Medical Practice Act. First Reading of the Bill. Senate Bill 831, Churchill, a Bill for an Act in relation to the conveyance of public lands. First Reading of the Bill. Senate Bill 838, Hensel, a Bill for an Act to amend the State Property Control Act. First Reading of the Bill. Senate Bill 839, Churchill, a Bill for an Act to amend the State Property Control Act. First Reading of the Bill. Senate Bill 840, Churchill, a Bill for an Act to amend the Civil Administrative Code. First Reading of the Bill. Senate Bill 841, Kubik and Nash, a Bill for an Act to amend the State Employees Group Insurance Act. First Reading of the Bill. Senate Bill 843, Churchill, a Bill for an Act to amend an Act in relation to criminal records. First Reading of the Bill. Senate Bill 853, Churchill, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 855, Parke, a Bill for an Act to

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amend an Act in relation to the protection against exposure to radiation. First Reading of the Bill. Senate Bill 856, Churchill, a Bill for an Act to amend the Illinois Human Rights Act. First Reading of the Bill. Senate Bill 857, Parke, a Bill for an Act to amend the Minimum Wage Law. First Reading of the Bill. Senate Bill 858, Hensel, a Bill for an Act to amend the Child Labor Law. First Reading of the Bill. Senate Bill 862, Ryder, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 865, Olson, a Bill for an Act in relation to conveyance of public lands. First Reading of the Bill. Senate Bill 866, Kubik and Nash, a Bill for an Act to amend the Illinois Horse Racing Act. First Reading of the Bill. Senate Bill 874, Wojcik - Kubik and Nash, a Bill for an Act to amend the Illinois Clinical Laboratory Act. First Reading of the Bill. Senate Bill 876, Parke, a Bill for an Act to amend an Act relating to salvage warehouses and salvage warehouse stores. First Reading of the Bill. Senate Bill 877, Churchill, a Bill for an Act to amend the Structural Pest Control Act. First Reading of the Bill. Senate Bill 878, Tate, a Bill for an Act to amend the Illinois Purchasing Act. First Reading of the Bill. Senate Bill 879, Wojcik - Kubik and Nash, a Bill for an Act to amend the Emergency Medical Service System Act. First Reading of the Bill. Senate Bill 883, White, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 891, Nash, a Bill for an Act to amend the Pharmacy Practice Act. First Reading of the Bill. Senate Bill 892, Kubik and Nash, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 893, Hastert, a Bill for an Act to amend the Illinois Income Tax Act. First Reading of the Bill. Senate Bill 894, Hastert, a Bill for an Act to amend an Act

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relating to certain debts owed to the state. First Reading of the Bill. Senate Bill 895, Mays, a Bill for an Act to amend the Illinois Highway Code. First Reading of the Bill. Senate Bill 896, Hawkinson, a Bill for an Act in relation to conveyance of public lands. First Reading of the Bill. Senate Bill 909, Keane, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 920, Giorgi, a Bill for an Act to amend the Illinois Public Library District Act. First Reading of the Bill. Senate Bill 933, Kubik and Nash, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 935, Nash, a Bill for an Act to amend the Nursing Home Care Reform Act. First Reading of the Bill. Senate Bill 936, Nash, a Bill for an Act to amend an Act concerning abuse to the elderly. First Reading of the Bill. Senate Bill 937, Panayotovitch, a Bill for an Act to amend an Act in relation to certain projects financed through the issuance of certain bonds. First Reading of the Bill. Senate Bill 942, Johnson, a Bill for an Act to amend the Medical Practice Act. First Reading of the Bill. Senate Bill 943, Nash, a Bill for an Act to amend the Baccalaureate Assistance Law. First Reading of the Bill. Senate Bill 956, White - Deuchler and Alexander, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 983, Turner - Braun and Soliz, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 992, Breslin, a Bill for an Act to amend an Act regulating transfers of property to minors. First Reading of the Bill. Senate Bill 1003, Deuchler, a Bill for an Act to amend the Intergovernmental Missing Child Recovery Act. First Reading of the Bill. Senate Bill 1044, Churchill, a Bill for an Act to amend the Township Open Space Act. First Reading of the Bill.

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Senate Bill 1046, LeFlore and White, a Bill for an Act to amend the Illinois Act on Aging. First Reading of the Bill. Senate Bill 1047, LeFlore and White, a Bill for an Act to amend the Illinois Act on Aging. First Reading of the Bill. Senate Bill 1060, Levin, a Bill for an Act to amend an Act relating to the Military and Naval Code. First Reading of the Bill. Senate Bill 1064, Countryman, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. Senate Bill 1082, Wojcik, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1091, Panayotovich, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1095, Hallock, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1098... Senate Bill 1102, Daniels - Madigan and Vinson, a Bill for an Act to amend the Business Corporation Act. First Reading of the Bill. Senate Bill 1085, McAuliffe - Ronan - Mays - Churchill and Berrios, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1103, Davis, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 1106, Davis, a Bill for an Act to amend the Secretary of State Merit Employment Code. First Reading of the Bill. Senate Bill 1111, Mays and Ronan, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1115, McCracken, a Bill for an Act to amend an Act in relation to the Supreme Court and Appellate Courts. First Reading of the Bill. Senate Bill 1121, Churchill and Tate, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 1123, Soliz, a Bill for an Act to amend the Juvenile Court Act. First Reading of the Bill. Senate Bill 1124, W. Peterson, a Bill for an Act to amend the Park

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District Code. First Reading of the Bill. Senate Bill 1125, Turner - Braun and Soliz, a Bill for an Act to amend the Hospital District Law. First Reading of the Bill. Senate Bill 1127, Turner and Braun, a Bill for an Act relating to public institutions of higher education. First Reading of the Bill. Senate Bill 1137, Parke and Regan, a Bill for an Act in relation to labeling of sex (sic - sexual) materials involving minors. First Reading of the Bill. Senate Bill 1151, Wojcik, a Bill for an Act in relation to swimming pool safety. First Reading of the Bill. Senate Bill 1183, Turner and Soliz, a Bill for an Act in relation to infant mortality. First Reading of the Bill. Senate Bill 1189, Kubik and Nash, a Bill for an Act to provide for confidentiality in organ transplant procedures. First Reading of the Bill. Senate Bill 1208, Soliz, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practice Act. First Reading of the Bill. Senate Bill 1238, Churchill, a Bill for an Act creating the Council for the Blind. First Reading of the Bill. Senate Bill 1248, Hoffman, a Bill for an Act to amend an Act relating to forest preserve districts. First Reading of the Bill. Senate Bill 1249, Hoffman, a Bill for an Act relating to counties. First Reading of the Bill. Senate Bill 1284, Churchill, a Bill for an Act to amend an Act relating to adoption of children. First Reading of the Bill. Senate Bill 1285, Levin, a Bill for an Act to amend an Act relating to missing children. First Reading of the Bill. Senate Bill 1289, Parke and Regan, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 1295, Kubik and Nash, a Bill for an Act to amend an Act in relation to the Illinois Life and Health Insurance Guaranty Association. First Reading of the Bill. Senate Bill 1325, Slater, a Bill for an Act to amend the

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Code of Civil Procedure. First Reading of the Bill. Senate Bill 1337, Bullock, a Bill for an Act to amend the Hotel Operators' Occupation Tax Act. First Reading of the Bill. Senate Bill 1380, Turner, a Bill for an Act relating to child custody and visitation rights. First Reading of the Bill. Senate Bill 1385, Turner and Braun, a Bill for an Act to amend an Act relating to the Board of Higher Education. First Reading of the Bill. Senate Bill 1413, Churchill, a Bill for an Act to amend the Uniform Disposition of Unclaimed Property Act. First Reading of the Bill. Senate Bill 1449, Van Dwyne, a Bill for an Act to amend an Act in relation to the sale of tickets to certain places of entertainment and amusement. First Reading of the Bill. Senate Bill 1462, Nash, a Bill for an Act to amend an Act in relation to the licensing of various professions by the Department of Registration and Education. First Reading of the Bill. Senate Bill 244, Weaver, a Bill for an Act to amend the Vehicle Code and the Motor Fuel Tax Law. First Reading of the Bill. Senate Bill 530, Weaver, a Bill for an Act to amend the Downstate Public Transportation Act. First Reading of the Bill. Senate Bill 643, Weaver, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. There being no further business, the House now stands adjourned."



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