

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

134th Legislative Day

June 25, 1986

Speaker Greiman: "The hour of 12:30 having arrived, the House will be in Session. Members will be at their chairs. The Chaplain for today will be the Reverend Derold Doughty, Pastor of First Apostolic Church of Mattoon. The Reverend is the guest of Representative Mike Weaver. Will the guests in the gallery join us for the invocation? Reverend."

Reverend Derold Doughty: "Thank you, Representative Greiman. Shall we bow our heads. Our Father, we thank You for this beautiful day and for life. We pray for the Representatives, that You would guide them in their decision, for it's through their authority that we have a peaceful life in this great State of Illinois. Grant them understanding, help them in their decisions to unite our great state. Now, unto Him that is able to keep you from falling and to present you faultless before the presence of His glory with exceeding joy, to the only wise God, our Savior, be glory and majesty, dominion and power, both now and forever, amen."

Speaker Greiman: "Yes, slightly different than our is our usual custom, I'd call on Representative Harris for a moment at this time. Representative Harris."

Harris: "Thank you, Mr. Speaker. I realize this is a little bit out of order, but having just prayed we made an announcement earlier this week that one of our colleagues and his wife, Representative McCracken and his wife, Peggy, had a little baby boy. There have been some complications. The child has been moved to Children's Memorial Hospital in Chicago, and having just prayed, I would ask that we keep them in our prayers as well because there is some cause for serious concern. Thank you."

Speaker Greiman: "Thank you, Representative Harris. The

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

134th Legislative Day

June 25, 1986

Gentleman from McLean, Mr. Ropp, for the Pledge of Allegiance."

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. 117 Members having answered to the Call of the Quorum, a quorum is present. Yes, Mr. Piel, are there any excused absences on the Republican side?"

Piel: "Yes, Mr. Speaker, Representative McCracken."

Speaker Greiman: "Thank you. The record will so note. Agreed Resolutions."

Clerk O'Brien: "Agreed Resolutions. House Resolution 1495, offered by Representative McNamara; 1496, O'Connell; 1498, Bowman; 1499, Matijevich - et al; 1500, Matijevich - et al; 1502, Hasara; House Joint Resolution 225, Parke; 226, Davis - et al; 227, Saltsman - et al; and 228, Olson."

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

Matijevich: "Mr. Speaker, the Resolutions have been examined. They are agreed and I move the adoption of the Agreed Resolutions."

Speaker Greiman: "The Gentleman from Lake moves for the adoption of the Agreed Resolutions. Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Resolutions are adopted. General... General... Death Resolutions."

Clerk O'Brien: "House Resolution 1494, offered by Representative Johnson, with respect to the memory of Dick Thompson. House Resolution 1501, offered by Representative Hasara, with respect to the memory of William Francis 'Franny' Ryan. House Resolution 1503, offered by Representative

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

134th Legislative Day

June 25, 1986

Davis... Daniels and Madigan, with respect to the memory of former Illinois Attorney General, William J. Scott."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich, on the Death Resolutions. Mr. Matijevich, moves for the adoption of the Death Resolutions. Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 1497, offered by Representative Brookins - et al."

Speaker Greiman: "Committee on Assignment. For what purpose does the Gentleman from Cook, Mr. Kulas, seek recognition?"

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. While there's a lull in the business of the House, I rise on a point of personal privilege. We have in the Speaker's gallery here with us 45 children, and there's counselors, from the American Ukranian Youth Association in Chicago. And I'd like you to all welcome them to Springfield. Welcome to Springfield."

Speaker Greiman: "Representative Braun, in the Chair."

Speaker Braun: "Committee Reports."

Clerk O'Brien: "'The Committee on Rules has met, and pursuant to Rule 29(c)3 the following Bills have been ruled exempt; House Bill 787 and House Bill 1467.' Signed John Matijevich, Chairman."

Speaker Braun: "A Calendar announcement, Mr. Clerk."

Clerk O'Brien: "Supplemental Calendar #1 is being distributed."

Speaker Braun: "For what reason does the Gentleman from Cook, Representative Keane, rise?"

Keane: "Thank you, Madam Speaker. For purposes of an announcement. I'm pretty sure that everyone received a memo that there will be a meeting in Room 114 tomorrow from 8:00 in the morning until 10:00 on the Procurement Code. We will have a... for all interested Members and staff, we

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

134th Legislative Day

June 25, 1986

will have a review of the Procurement Code by the Auditor General Cronson and by Doug Kane and by Members of the Audit Commission Subcommittee. I would invite and encourage everyone who has any questions regarding the Purchasing Act to come ask your questions. There'll be plenty of time to go into detail, and hopefully get your chance to have some input before we finish up with a final Conference Committee Report. Thank you."

Speaker Braun: "On page six of the Calendar on the Order of Concurrence, Special Order of Business - Consumer Protection, appears House Bill 3298. The Chair recognizes the Gentleman from Madison, Representative McPike. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3298, a Bill for an Act to amend the Private Detective, Private Alarm and Private Security Act, together with Senate Amendment #1."

Speaker Braun: "Representative McPike."

McPike: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill deals with the burglar alarm systems and the definition. The Senate Amendment gives the burglar alarm systems, as passed by the House, it gives the electrical contractors until 12/31/86 to apply for a license as a private alarm contractor, without complying with the experience requirements of the Act. And it provides that electricians installing or maintaining alarms under the supervision of an alarm contractor does not have to register under the Act. Under the current law, all the electricians involved in this activity have to register with the state. We had a meeting with the Department of R and E, the burglar alarm contractors, the electrical contractors and the IBEW. And we now have an agreement on all the provisions of the Bill. So, I move to concur in Senate Amendment #1 to House Bill 3298."

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

134th Legislative Day

June 25, 1986

Speaker Braun: "The Gentleman has moved for concurrence on House Bill 32... Senate Amendment #1 on House Bill 3298. And on that question, is there any discussion? The Chair recognizes the Gentleman from Lake, Representative Churchill."

Churchill: "Yes, Madam Speaker, is this a Special Order of Business?"

Speaker Braun: "It is Special Call - Consumer Protection."

Churchill: "And was this Special Call placed on the Calendar?"

Speaker Braun: "Representative Churchill, I've been advised by the Parliamentarian that pursuant to Rule 39(a)-1 that the Special Call is appropriate on the Order of Special... on the Order of Consumer Protection on the Order of Concurrences. Yes, Sir. Representative Churchill."

Churchill: "Madam... Madam Speaker, I believe that you said this was a Special Order of Business, not a Special..."

Speaker Braun: "I said Special Call."

Churchill: "Are there other Bills on this Special Call?"

Speaker Braun: "The printouts have been distributed."

Churchill: "And have they been... they've been distributed both sides. We only have one thing on our desk and that's a Supplemental Calendar. That's all that's here."

Speaker Braun: "You don't... Do you have your... the LIS printout should have been distributed on your side of the aisle."

Churchill: "No, I do not believe they have been."

Speaker Braun: "Could you check with the Chief Page and... we'll be at ease until they are distributed on your side of the aisle."

Churchill: "I appreciate that. Thank you."

Speaker Braun: "Representative McPike. Representative McPike, the special printout has not yet been distributed apparently on the Republican side of the aisle. We will hold your Motion until such time as that distribution takes

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

134th Legislative Day

June 25, 1986

place. They're presently being distributed.  
Representative Churchill."

Churchill: "Thank you, Madam Speaker. I think in one or two minutes here we'll have them passed out to all of the Members."

Speaker Braun: "Thank you. In the pendency of this Motion and while we are awaiting an opportunity for the Republican side to review the Special Call, former Representative Larry DiPrima is with us and would like to make an introduction and announcement. Representative DiPrima."

DiPrima: "Thank you, Speaker Braun, Ladies and Gentlemen of the House. It's a great pleasure for me to introduce the State Commander of the American Legion, Paul 'Breeze', and the Executive Director of the Amvets, Norman 'Jest'. Now, I'll have each of them say a few words, and then I would like to have, if possible, Lee Daniels and Madigan to receive their citation from the American Legion. Now, Commander 'Breeze' from the American Legion."

Paul 'Breeze': "Thank you very much, Speaker Madigan. I would like to bring you greetings from the Department of Illinois the American Legion and their 160,000 plus members. We appreciate your hard work on the veterans and for the veterans. We ask that you continue to do the good work and thank you for the opportunity to come before you. Thank you very much."

DiPrima: "And now the Executive Director of the Amvets, Norman 'Best'."

Norman 'Best': "Take just a moment to bring you greetings from our newly elected commander, 'Bobby J. Crow', from the Department of Illinois Amvets. And thank you people for the fine work you have been doing for the veterans and hope you have a very productive Session this afternoon."

DiPrima: "Thank you ever so much. Is Lee Daniels or Madigan

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

134th Legislative Day

June 25, 1986

available? We'll have to make the presentation in their offices. Now, those of you that are to be... supposed to take a picture with Commander 'Breeze' from the Legion or the Amvets come out in front of... in the rotunda there where that portrait is and that's where we're taking the pictures. There's many of you from the Amvets that have to come out there, too. Alright. Thank you."

Speaker Braun: "Thank you, Representative DiPrima. Representative Churchill, have you satisfied yourself that the Special Call is as it appears? Then we will return to Representative McPike to continue his Motion for concurrence on Senate Amendment #1."

McPike: "Well, thank you, Madam Speaker, Ladies and Gentlemen of the House. To repeat, the electrical contractors, the burglar alarm contractors, the Department of R and E and the IBEW met and agreed to the provisions of this Bill. Senate Amendment #1 gives electrical contractors until December 31 of this year to apply for a license without complying with the experience requirements of the current Act, and provides that electricians installing or maintaining alarms under the supervision of an alarm contractor do not have to register under the Act. I know of no opposition to the Bill, and I move for the... I move for concurrence on Senate Amendment #1 to House Bill 3298."

Speaker Braun: "The Gentleman has moved for concurrence to Senate Amendment #1 to House Bill 3298. And on that, is there any discussion? There being none, the question is... Oh, the Lady from Cook... from Champaign, Representative Satterthwaite."

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

Speaker Braun: "He indicates he will."

Satterthwaite: "Representative McPike, I don't know for sure that all of the people who currently install these alarm systems

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

134th Legislative Day

June 25, 1986

can be classified as an electrical contractor. Is it your intent that anyone who now installs these systems would be qualified under this Act to be grandfathered in?"

McPike: "No, that's not correct. The Act requires that they be electrical contractors and the electrical contractors, under the current Act... without changing the current Act, as an electrical contractor who has been installing these systems for a number of years and failed to register prior to January 1st of this year. In that situation, you would have to have one year experience working under a registered electrical contractor who installs burglary alarms. This waives that provision, and in essence, a number of contractors have discovered this year that they were not in compliance with law. And so what we are faced with is a number of people that have the experience to install these, but cannot get a license by the Department. So, we're really giving them an additional amount of time to apply for a license with the Department."

Satterthwaite: "Are we in some way prohibiting people who currently install from installing with this law?"

McPike: "Well, I don't understand your question. The current law says that you must register with the Department. That's the law. And all we're saying is we'll give you a little more time. We'll give you until December 31st of this year."

Satterthwaite: "And it's not prohibiting somebody who currently has the installation authority from continuing that?"

McPike: "If they have the authority, that means that they've already applied to the Department and are registered. Because technically if they haven't done that, they're in violation of the law. They are in violation. If anyone is installing burglar alarm systems today and they have not registered with the Department, then they're in violation



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

134th Legislative Day

June 25, 1986

of the state statutes."

Satterthwaite: "Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from DeWitt, Representative Vinson, or Ryder, as the case may be."

Ryder: "Thank you. Would the Representative yield for a question? Representative, has the Department of Registration and Education expressed to you a position on the Bill as it now stands?"

McPike: "They support it."

Ryder: "And the Amendment that we're asked to concur in, do they also support that, Representative? I'm sorry, Representative. I see that you are... I see that you were conversing with the future Congressman there."

McPike: "Repeat the question, please."

Ryder: "Does the Department of Registration and Education also concur in the Amendment that you're asking us to concur in?"

McPike: "Yes."

Ryder: "Okay."

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

Wolf: "Would the Sponsor yield to a question?"

Speaker Braun: "He indicates he will."

Wolf: "Representative McPike, in the Amendment from the Senate for concurrence, is there any provision in that Amendment that would eliminate the requirement of having errors and omissions coverage as contained in the present Act?"

McPike: "That is in a separate Bill. Not in this Bill, but we have two Bills and that will be corrected in a separate Bill."

Wolf: "Thank you."

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

134th Legislative Day

June 25, 1986

McPike: "1945."

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

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

Speaker Braun: "He indicates he will."

Churchill: "Representative, my analysis shows that the effect of the Senate Amendment is to exempt certain parties from the penalties for installation of burglar alarm systems. Is that correct?"

McPike: "I don't know what your analysis says."

Churchill: "Well, I'm just trying to find out were there penalties in the original provision that are now being exempted by the Amendment?"

McPike: "No. No, it only affects the... it delays the effective date from January 1 of this year until December 31st."

Churchill: "So, if the licensees that are regulated under Senate Amendment #1, if this were to pass, then those would not be regulated by the Department anymore. They would be exempted. Say for example, the issue of fingerprinting, right now they're required to be fingerprinted. If this Senate Amendment goes through, would they still be required to be fingerprinted?"

McPike: "If you're talking about the... the electricians, you are correct. If you're talking about the contractors who must register under the Act, no, you're not. They would still have to register with the Department."

Churchill: "Okay. Thank you."

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

Hastert: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill came out of the genesis of a problem

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

134th Legislative Day

June 25, 1986

about getting electrical contractors so they could do their business and install fire alarms. What's gone through here is a great deal of negotiation, because you have an a lot of different interest groups all over the horizon. I think Representative McPike has done an incredible job in trying to move this through the process, and I know what we have here is better than what we started with. And I would support the move to concur."

Speaker Braun: "The Chair recognizes the Gentleman from Madison to close."

McPike: "I would move to concur in Senate Amendment #1 to House Bill 3298."

Speaker Braun: "The question is, 'Shall the House adopt Senate Amendment #1 to House Bill 3298?' All in favor vote 'aye', opposed vote 'no'. This is final action. Voting is open. Have all voted? Have all voted? Have all voted who wish? On this question, there are 116 voting 'aye', none voting 'no', and the House does adopt Senate Amendment #1 to House Bill 3298. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Special Order of Call... for what reason does Representative Ryder seek recognition?"

Ryder: "I have an inquiry of the Chair, Madam Speaker."

Speaker Braun: "Yes."

Ryder: "My inquiry is that on this Special Call, it does not appear on the Calendar at any place, and I believe that you referred us to 39(a)-1 as authority, is that correct?"

Speaker Braun: "I'm sorry. Yes, 39... Rule 39(a)-1."

Ryder: "And how is it that that Bill (sic - rule) gives you authority to at your discretion allow such a Call?"

Speaker Braun: "The... I'm sorry. It should've been 39(a)-2, 'call Bills or Resolutions pertaining to similar subject for consideration at the same time or in consecutive order

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

134th Legislative Day

June 25, 1986

so that the House may consider and resolve the subject matter at one time'."

Ryder: "But it's my understanding, and I think that I'm correct in this, that at no time did anyone on this side of the aisle get any notice that you were going to do that. In fact, no one has allowed us to offer any suggestions for what Bills can be added to that, and so that the Chair has simply selected, and I would indicate that if one were to look at the kind of Bills that are on there, that by a ratio of about eight to one that they're Democratic Bills."

Speaker Braun: "Well, Representative Ryder, I'm sure no unfairness was intended, and insofar as we have the printout... you have the printout. Examine that, and I think it might be appropriate if you would confer. I was just told that's the ratio that came over from the Senate. This was not, if you will..."

Ryder: "I suppose that's probably an increase because it was about 12 to one going over to the Senate, so we're getting better. But I don't think that it's fair of the Speaker or fair of the Chair to be that discretionary in the manner in which it's happening. It's another opportunity in which the Chair has simply taken upon itself not to allow Republican Bills to be called, and you know that to be the case, Madam Speaker."

Speaker Braun: "Representative... No, Sir, I did not and I would suggest to you that again no unfairness was intended. I will... you will have adequate notice to review the Bills which are intended to be called on any Special Call."

Ryder: "Madam Speaker, we had no input into the way the Bills were passed out under this Call. There's nothing that I know of that's going to indicate that we're going to have any better shot the next time around."

Speaker Braun: "Representative Ryder, I do hope you're not

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

134th Legislative Day

June 25, 1986

surprised by this. There is some historical background for moving to Special Call, and that background comes from the last time we had a Republican Speaker in this chamber. And I would advise you that if you want to check the record, you will find that the former Republican Speaker, Speaker Ryan... We have some historical tape we'd like to share with you at this time. So, if you will pay attention, Representative Ryder, we will give you the background of this. (Play tape of Speaker Ryan on Special Call matter)."

Speaker Braun: "Thank you, Representative Ryder. Alright, we seem to have engendered a little interest in the Call. Representative Ryder."

Ryder: "Well, Speaker, I appreciate you leading me down the primrose path so I could fall into that trap. I was going to indicate, before my Leader walked out here, that until this morning I thought that he was infallible, but obviously that tape has indicated otherwise. But since he's here, I won't say that. But perhaps it comes from standing at Vinson's desk that I could fall into that kind of trap. So, I'm glad that I could cooperate with you this morning. Anything else you need to do? The Republicans are here to cooperate, but not to necessarily get the short end of the stick, which is what we're getting this morning."

Speaker Braun: "Leader Daniels."

Daniels: "Well, I thank you for... for bringing that up, because we wanted everybody to know how the House is going to be run when we take over after November and; I mean, you know, we are obviously fair, and we're above board. I mean, we did create the Subject Matter of Call. There is no question about that, which is one of the reasons we object so vehemently on this side of the aisle when you do it. And one of the reasons, of course, that in my eternal

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

134th Legislative Day

June 25, 1986

vigilance for justice to prevail at all times, that when the Speaker was elected the Speaker three years ago, I committed him never to use the Subject Matter of Call, because I knew what it could do in abusing the rights of the Members. You see, Madam Speaker, as I used to sit where you're sitting, the phone used to ring and; unfortunately, the phone was on my left - I always wanted to move it to my right - and over the voice of the phone would come my instructions for the day, and I'd look at Alan Greiman and I'd say to Speaker Ryan, I said, 'You know, Greiman is going to go crazy as soon as I do this', and he says, 'I know, but go ahead and do it anyhow.' And I would turn on the switch, and I'd say, 'Subject Matter of Call', and the door would open and Mike would fly out with his shoe in his hand - you all remember when he banged on the desk with his shoe in his hand, Greiman took the Constitution, threw it up in the air and said, 'Mr. Speaker, what are you doing to the Constitution of Illinois, and who determines the rules around here?' And I remember one time I said to Alan, 'Alan, it comes over the phone,' and I picked up the phone and I said, 'These are the rules of the House in the phone.' Well, these are great times. These are wondrous times, the end of June. I found myself jogging with Sam Vinson this morning, two and a half miles, if you can believe that. Sam lied to me too by the way, John Cullerton, he said he'd jog slow and he left me behind him to go up that hill in Washington Park, but these are great times that we're faced with right now. And all I could tell you is that one of the things we want to do is we want to make sure that you are better than we were, and that's why you learn by your mistakes, Madam Speaker. And thank you, Gary, as you told me - I know you've been waiting four weeks to do this and play this

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

134th Legislative Day

June 25, 1986

tape, but you know, we're all here to add to a little humor the moment, and let's all learn by our past mistakes. Don't you do the mistakes in the future. Thank you."

Speaker Braun: "Thank you, Leader Daniels. Representative Piel, for what reason do you rise?"

Piel: "You know, many years ago, I heard somebody say that two wrongs don't make a right, and I'm still trying to figure that out. And I've got to compliment the Chair, because it must have been a very hard task finding that tape under all the old dust that probably had accumulated on it. But I'd like to ask the Chair, now I was always under the assumption that bringing a point out on the House floor that you weren't suppose to bring out tapes and things like this. Now, have we established another precedence, so that somewhere down the road when somebody wants to bring out a recording of something that has happened in Committee or one thing or another?"

Speaker Braun: "Representative Piel, consistency is the hobgoblins of small minds. So, we will proceed with the Calendar."

Ryder: "Oh, okay. Thank you. Thank you very much."

Speaker Braun: "You're welcome. House Bill 3302 on the Order of Consumer... on the Call of Consumer Protection, Representative Phelps. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3302, a Bill for an Act relating to home repair fraud against the elderly, together with Senate Amendment #1 and 2."

Speaker Braun: "The Chair recognizes the Gentleman from Saline, Representative Phelps, on concurrence on House Bill 3302."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Since we passed Senate Bill 1634 in the shape in which home repairs should be shaped, I move to table House Bill 3302 at this time."

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

134th Legislative Day

June 25, 1986

Speaker Braun: "The Gentleman has moved to table House Bill 3302.

On that, is there any discussion? There being none, the question is, 'Shall House Bill 3302 be tabled?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Bill is tabled. On the Special Call - Business Regulation, I will read out the numbers of the Bill and the Sponsor so that you will be... may be prepared to proceed with your legislation. House... House... We will proceed to the Order of Business Regulation; House Bill 523, Representative Mautino; 1556, Representative Flinn; 2486, Representative Stephens; 2644, Representative Capparelli; 3036, Matijevich; 3276, Capparelli; 3378, Nash; 3468, Representative Churchill. Returning to the first Bill in this Order, House Bill 523... Senate Bill 523, Representative Mautino. House Bill. Representative Mautino on House Bill 523."

Mautino: "Thank you very much, Madam Speaker. I move... I move that we concur in Amendments 1 and 3, and nonconcur in Amendment #2. I explained those Amendments yesterday. I believe that Amendment #1 was the definition of a 'master brewer', #3 was a 100 dollar per diem provision for those that sit on the Board of Appeals or the Appeals Board, and Amendment #2 addressed... nonconcur with Amendment #2, which addressed a situation was Navy Pier and riparian rights. And I move for concurrence of Amendments #1 and 3."

Speaker Braun: "The Gentleman has moved to concur in Senate Amendments 1 and 3 to House Bill 523. And on that, is there any discussion? There being none, the question is, 'Shall the House concur in Amendments 1 and 3 to House Bill 523?' All in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Now, Representative Mautino... Oh, I'm sorry. On this there are 101... 102..."



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

134th Legislative Day

June 25, 1986

113 voting 'aye', none voting 'no', and the House does concur in Senate Amendments 1 and 3 to House Bill 523. The Gentleman now moves that the House 'do nonconcur' in Amendment 2 to House Bill 523. On that, is there any discussion? There being none, the question is, 'Shall the House nonconcur in Amendment 2?' All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The House does nonconcur in Amendment 2 to House Bill 523. House Bill 1556, Representative Flinn. Representative Flinn. Representative Flinn, on House Bill 1556. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1556, a Bill for an Act to amend an Act in relation to certain credit transactions, together with Senate Amendments #2 and 3."

Speaker Braun: "The Chair recognizes the Gentleman from St. Clair, Representative Flinn."

Flinn: "Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, Senate Amendments #2 and 3 to House Bill 1556 is a cleanup Bill. We struck every... The Senate struck everything after the enacting clause on a vehicle Bill that was laying there since last year. And what it does is cleans up all the errors we made in 525 last year, in our haste to try to get a regional banking Bill. We just left debris strewn all over the place in 525, and this cleans up the entire Bill. I'll go through all of it, if necessary, but all the banking people, everybody concerned, is in support of this cleanup Bill. If anybody has any questions, I'll try to answer them, or if they wish, I'll go through all of what it does. But it does about 18 different things, and I can give you a 'resertation'(sic), but in the interest of time, I would just move to adopt... or concur rather in Senate Amendments #2 and 3."

Speaker Braun: "The Gentleman has moved that the House concur in

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

134th Legislative Day

June 25, 1986

Senate Amendments 2 and 3 to House Bill 1556. On that, is there any discussion? There being none, the question is, 'Shall the House concur in Amendments 2 and 3 to House Bill 1556?' All in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Have all voted? Have all voted? The Clerk will take the record. On this question, there are 115 voting 'aye', none voting 'no', and the House does concur in Senate Amendments 2 and 3 to House Bill 1556. House Bill 2486, Representative Stephens. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2486, a Bill for an Act to amend the Illinois Horse Racing Act, together with Senate Amendments #1 and 2."

Speaker Braun: "I'm sorry. The Gentleman from St. Clair, Representative Stephens."

Stephens: "Madam Speaker, would you take the Bill out of the record?"

Speaker Braun: "Out of the record. Representative Cullerton."

Cullerton: "Yes, Madam Speaker, as a courtesy, I... Well, let me ask a question. Is this... Has there been a Motion filed on this Bill?"

Speaker Braun: "He's taken it out of the record, Representative Cullerton."

Cullerton: "Well, the question is, is there been a Motion filed on the Bill? Anyone can file a Motion to concur."

Speaker Braun: "No Motions have been filed."

Cullerton: "So, the Sponsor has not filed a Motion, and he's wishing to take the Bill out of the record?"

Speaker Braun: "Apparently. Yes."

Cullerton: "So, if someone else filed a Motion, he would not be able to take the Bill out of the record. He'd have to go to that Motion. Is that correct, Mr. Parliamentarian?"

Speaker Braun: "That's correct."

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

134th Legislative Day

June 25, 1986

Cullerton: "Can we ask... Can I ask a question of the Sponsor as to why he's taking the Bill out of the record?"

Speaker Braun: "You may. Will the Gentleman yield? Representative Stephens."

Stephens: "Madam Speaker, the Bill is out of the record. I would be glad to talk to Representative Cullerton, if he wishes, but the Bill is out of the record at this point."

Cullerton: "I'm asking him why he's taking the Bill out of the record right now."

Speaker Braun: "Representative Stephens, would you yield to a question?"

Stephens: "It's my assumption... I've already taken the Bill out of the record, Madam Speaker."

Speaker Braun: "And so you will not yield to Representative Cullerton's question."

Stephens: "That's true."

Speaker Braun: "The Gentleman will not yield to your inquiry, Representative Cullerton."

Cullerton: "Okay. Thank you."

Speaker Braun: "You're welcome. House Bill 2644, Representative Capparelli. Are you prepared to proceed? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2644, a Bill for an Act to amend the Emergency Medical Services System Act, together with Senate Amendments #1, 3 and 4."

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

Capparelli: "Madam Speaker, I move to concur with Amendments 1, 3 and 4. Amendment 1 is the ambulance personnel and paramedics gave up their right to sue if a hospital fails to report contagious diseases and establishes fines in effort. Amendment #3 amends the Emergency Medical Service Act, authorizing physicians and certain qualified nurses to

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

134th Legislative Day

June 25, 1986

perform emergency services. And Amendment 4 adds the language from Senate Bill 2199, which passed out of here. The Department of Public Health requested this change to the Family Practice Residency Act to clarify that medical students who receive scholarships under that Act practice full time in a designated chosen area. I ask for a favorable Roll Call."

Speaker Braun: "The Gentleman moves that the House do concur in Senate Amendment #1, 3 and 4 to House Bill 2644. And on that, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendments 1, 3 and 4 to House Bill 2644?' All in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 115 voting 'aye', none voting 'no', and the House does concur in Senate Amendments 1, 3 and 4 to House Bill 2644. And this Bill, having received the Constitutional Majority, is hereby declared passed. As to House Bill 1556, that Bill received the required Constitutional Majority, and is hereby declared passed. House Bill 3036, Representative Matijevich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3036, a Bill for an Act to amend the Environmental Protection Act, together with Senate Amendments #2, 3, 4, 5, 7, 8, 9, 10 and 11."

Speaker Braun: "Representative Matijevich"

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House. House Bill 3036 is the comprehensive environment Bill that we have, and we are trying to keep the Bill, one which is sort of an agreed Bill, to work out the differences and there is one Amendment that we feel, if we keep that Bill on, it probably would force it into Conference. So, what I'm going to do is concur with Senate Amendments 2, 3, 4,

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

134th Legislative Day

June 25, 1986

5, 8, 9, 10 and 11 and nonconcur with Senate Amendment #7. Senate Amendment #7 is a controversial Amendment and would require that any person attempting to sell, lease or transfer commercial property which is or has been used to store hazardous materials must first notify the EPA of this fact. And it requires the EPA, upon such notification, to inspect the subject property to determine whether hazardous waste is present, and thereafter, notify the buyer. The EPA has expressed its concern as to the expense involved with this Amendment. And the Board of Realtors has expressed its concern on the burdens that this could place on many property owners. So, I would now move to nonconcur with Senate Amendment #7 to House Bill 3036."

Speaker Braun: "Representative Matijevich, have you first moved to concur in the other Amendments and then we'll..."

Matijevich: "I'll concur with all Senate Amendments except Senate Amendment #7."

Speaker Braun: "The Gentleman has moved that the House do concur in Senate Amendments 2, 3, 4, 5, 8, 9, 10 and 11 to House Bill 3036. On that, is there any discussion? The Chair recognizes the Lady from Marshall, Representative Koehler. Representative Koehler."

Koehler: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Would the Sponsor please yield for a question?"

Speaker Braun: "He indicates he will."

Matijevich: "Yes."

Koehler: "Representative Matijevich, most of your Motion I agree with, but would you please take the time to explain the effect of Senate Amendment #11. We do have some reservations about that?"

Matijevich: "Senate Amendment #11 was proposed... it would... it was proposed by the Pollution Control Board, as I understand, and would, after a final decision on a permit

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

134th Legislative Day

June 25, 1986

denial appeal, it would require the applicant to follow current rules and regulations upon reapplication or further permit request proceedings. This Amendment would ensure that the... such reapplication or request will follow up to date rules and regulations. And the reason for it being that permit appeals can take a very lengthy period of time and in that period, we feel that the PCB rules and regulations because they may... may change during that time period that they ought to be enforceable. That's the reason for it."

Koehler: "Well, Representative Matijevich, it would seem to me upon reading that and listening to your explanation that there are many circumstances under which a denial might be... might be issued. However, it might be just a technical problem that could be cleared up and to then require that the permit applicant go back through the local siting procedure seems very complicated lengthy and burdensome. So, I would object to Senate Amendment #11. I have no objection to the rest of your... to the rest of your Motion, but I think that Senate Amendment #11 we should review it somewhat more before we... before we agree to your Motion on Senate Amendment #11."

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

Churchill: "Madam Speaker, the board reads that we're dealing with Senate Amendment #7 on concurrence, is that correct?"

Speaker Braun: "That is not correct. Mr. Clerk. Mr. Clerk, the board... the Gentleman has moved to concur in Senate Amendments 2, 3, 4, 5, 8, 9, 10 and 11, not Amendment 7. And so the board is in error, if we could correct that. Thank you, Representative Churchill."

Churchill: "Madam Speaker, will the Gentleman yield for a

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

134th Legislative Day

June 25, 1986

question?"

Speaker Braun: "He indicates he will."

Churchill: "Representative, on the effect of Senate Amendment #11, is the way I read this is that, if there were a denial of the final permit for any cause, that the whole process would have to be started over to obtain permit for a landfill, is that correct?"

Matijevich: "Madam Speaker, I've talked to the few on this and we're going... I'm going to change my Motion to nonconcur with this and the Senate Amendment 7... Amendment #11. 7 and 11, that's a good number to throw the dice to. 7 and 11 we are going to nonconcur and concur with all the rest."

Speaker Braun: "The Gentleman has now moved that the House do concur in Senate Amendments 2, 3, 4, 5, 8, 9 and 10. On that, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendments 2, 3, 4, 5, 8, 9 and 10?' All in favor vote 'aye', opposed vote 'no'. This is final action. Have all voted? The Clerk will take the record. On this question, there are 117 voting 'aye', none voting 'no', and the House does concur in Senate Amendments 2, 3, 4, 5, 8, 9 and 10 to House Bill 3036. Now, the Gentleman now moves that the House nonconcur in Amendments 7 and 11 to House Bill 3036. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House does nonconcur in Senate Amendments 7 and 11. House Bill 3276, Representative Capparelli. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3276, a Bill for an Act in relation to state monies, together with Senate Amendment #2."

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

Capparelli: "Thank you, Madam Speaker. Senate Amendment... I would like to concur with. In 1983, the General Assembly

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

134th Legislative Day

June 25, 1986

granted the State Treasurer the authority to pass administrative costs of handling wire transfers from bank to bank. At that time, JCAR stated the Treasurer was subject to Administrative Code and that it hadn't made up its rules for implicate... implementation of this statute. When the Treasurer filed his rules with JCAR, JCAR stated the Treasurer did not have the rule making authority. So, thus the Amendment grants the authority to the State Treasurer in compliance with JCAR request. I ask for concurrence."

Speaker Braun: "The Gentleman has moved to concur in Senate Amendment 2. On that, is there... to House Bill 3276. On that, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 2 to House Bill 3276?' All in favor vote 'aye', opposed vote 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 115 voting 'aye', none voting 'no', and the House does concur in Senate Amendment 2 to House Bill 3276. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 33... House Bill 3378, Representative Nash. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3378, a Bill for an Act to amend the Real Estate License Act, together with Senate Amendment #1."

Speaker Braun: "Representative Nash."

Nash: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1. It's a technical Amendment."

Speaker Braun: "The Gentleman has moved that the House do concur in Senate Amendment #1 to House Bill 3378. And on that, is there any discussion? There being none, the question is,



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

134th Legislative Day

June 25, 1986

'Shall the House concur in Senate Amendment #1 to House Bill 3378?' All in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 111 voting 'aye', none voting 'no', and the House does concur in Senate Amendment #1 to House Bill 3378. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3468, Representative Churchill. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3463, a Bill for an Act to amend the Real Estate License Act, together with Senate Amendment #1 and 2."

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

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The original Bill was the Department of Registration and Education's omnibus cleanup Bill. The Senate added two Amendments. Senate Amendment #1 was solely a clarification Amendment. Senate Amendment #2 took the Time Share Registration Fund and dissolved it, allowing the monies that were collected under that fund to go into the Real Estate Administration Fund. Apparently, to date only about 3,000 dollars have been collected under the Time Share Registration Act. I would at this time move to concur in Senate Amendments #1 and 2."

Speaker Braun: "The Gentleman has moved that the House do concur in Senate Amendments #1 and 2 to House Bill 3468. And on that, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 3468?' All those in favor vote 'aye', opposed vote 'no'. This is final action. Voting is open. Have all voted? Have all voted who wish? On this

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

134th Legislative Day

June 25, 1986

question, there are 112 voting 'aye', none voting 'no', and the House does concur in Senate Amendments #1 and 2 to House Bill 3468. And this Bill, having received the Constitutional Majority, is hereby declared passed. We'll be at ease for an announcement, just for a couple of minutes. Representative Keane in the Chair."

Keane: "Thank you, Madam Speaker. It gives me a great deal of pleasure to introduce a long time personal friend of mine and the Gentleman who served as the Chairman of the Chicago Vietnam Veteran Parade Committee in Chicago. I'm sure you all read about it. It was the largest parade of its kind in the nation honoring the Vietnam veterans. Tom Stack, who is the Chairman, served in Vietnam through 1968 and 1969 with the 9th Infantry Division. While in service, he was awarded two bronze... three bronze stars and two silver stars. Tom has long been active in our community. He has been active both in the community affairs and in veteran's affairs. It gives me a great deal of pleasure to introduce Tom Stack to the Illinois House. Tom."

Tom Stack: "Thank you, Jim. Thank you, Members of the House and other speakers and guests. Well, on June 13, 1986, Chicago and I think that nation experienced one of the most cathartic events in the history of this country. Americans from 43 states and from two countries, Australia and Korea, South Vietnam, came into our city and into our state and went through the greatest showing of brotherhood, love and comradery that I think this country ever experienced in our welcome home parade. Obviously, this parade was needed. That was proven by the overwhelming support. Citizens of Chicago showed out and the thank you letters. The response going along that parade route, what it did for veterans. You people work hard for your constituents. What that parade did was to mobilize a lot of your constituents to

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

134th Legislative Day

June 25, 1986

feel good about themselves, to get more involved in their community, to feel good and never apologize for being a Vietnam veteran. So, it's going to have a far-reaching effect as far as civic pride and as far as involvement of citizenship. So, there was that tremendous need and this was demonstrated. It was truly an unbelievable event. It will have a far-reaching, positive, tangible effect on Americans. It was great for our city, great for this state and great for our country. It focused and it successfully focused on the successes of the Vietnam veteran. They are in government. They are in this House. They are in the Senate. They are in journalism. They are in every white collar and blue collar job across the United States. It was important for people to realize that, as opposed to the negative image, that all too often has been portrayed. Also, it focused on the needs and those needs have to be addressed. You, as Legislators, in doing your jobs, you have to address those needs. Some of you have addressed them quite well, and we must continue to do so. Another offshute important element of this parade was to show the unity of the veteran community and the unity of the Americans. I was criticized for this when we put this up as a subtheme, but the veteran community came together. We are united. World War II, Korean and Vietnam and Vietnam era veterans marched together in that parade down the streets of Chicago and marched with pride. The Women's Memorial, the Korean Memorial, which we all support. There were over 250,000 marchers from across the United States. Seven hundred thousand people viewed the parade. It was the largest parade of that type in our history. We are more self-assured now as veterans and as citizens, as Americans. There is a factor that has to be addressed. We must sensitize ourselves and look at the unity of the

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

134th Legislative Day

June 25, 1986

veteran community and the accountability factor to our issue... our issues. Those issues are beyond a parade. It's the issue of jobs. It's the issue of employability and training. They are not burnt out Vietnam veterans. They are veterans who have served their country. They did not run to Canada. They answered the call. They are deserving of equity and accountability to them as far as jobs. Also, the Agent Orange issue and POW/MIA issue. There are alive Americans being held against their will in Southeast Asia. There's tangible data there. I ask all of you to investigate that. I say this in closing, I want to thank you on behalf of the veteran community for your support of Senate Bill 2061, which resurrects a need, a tremendous need, for the Atomic Relief Act for atomic veterans and also Dioxin Poisoning Advisory Council. The generational impact that dioxin poisoning is having in this country and had on Vietnam veterans should never be overlooked. Also, another big issue is a memorial. A beautiful memorial that's going to be in Oakridge Cemetery. I thank you. We understand that 500,000 dollars in matching grant funds has been granted. That's great. That memorial will represent those 58... actually 2,928 from our state who paid the supreme sacrifice, were killed in Vietnam defending our country, 104 families who still wonder, is my son alive or dead? Is he being tortured? Whatever. The POW/MIA families, 104 families across this state. Also, that memorial embodies the living, the needs of the living. So, I thank you for those 500,000 dollars in grants. It will be in a central location. The Chairman, Mike Ferguson, has worked hard on it as a Vietnam veteran. I thank you for your support. I hope that you will continue to sustain your efforts in support for us as veterans, as Americans so we get on with the future. The

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

134th Legislative Day

June 25, 1986

Vietnam War is over. Let's march on with the future.  
Thank you very much."

Speaker Braun: "Special Order of Call - Criminal and Civil Law, the Bills to be considered include House Bill 2409, Representative Greiman; 2573, Representative McNamara; 2581, Representative Preston; 2648, Representative Saltsman; 2738, Representative Cullerton; 3017, Representative Matijevich; 3207, Representative Steczo; 3271, Representative Vinson; 3521, Representative Friedrich. The Gentleman from DeWitt, Representative Vinson, for what reason do you rise?"

Vinson: "I heard you mention my name and I wondered in what connection you mentioned it."

Speaker Braun: "Representative Vinson, in connection with House Bill 3271."

Vinson: "Yes, and that's a good Bill. You're a Cosponsor of it."

Speaker Braun: "Okay. Moving right along."

Vinson: "So, are you calling that Bill? Is that what you're doing?"

Speaker Braun: "Representative Vinson, I was reading off the Bills which will be considered as part of the Order, Special Call - Criminal and Civil Law, that was one of the Bills."

Vinson: "I see. Oh, we're back to these Special Orders."

Speaker Braun: "We never left them."

Vinson: "I'm sure. Where do you get the authority for that?"

Speaker Braun: "Precedence. Precedence. 2409 we'll take out of the record until Representative Greiman returns. Proceeding House Bill 2573, Representative McNamara. Representative McNamara. Is the Gentleman in the chamber? Alright. Out of the record. 2581, Representative Preston. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2581, a Bill for an Act to amend the

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

134th Legislative Day

June 25, 1986

Code of Criminal Procedure, together with Senate Amendment #1."

Speaker Braun: "The Gentleman from Cook, Representative Preston, on House Bill 2581."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I'd... I ask the House to concur in Senate Amendment #1. The Bill itself allows the introduction of videotaped statements of a juvenile witness victim in a sex abuse trial. The Senate tacked on an Amendment which would add as an exception to the hearsay rule under certain very guarded circumstances out of court statements by a juvenile as... and allow that to be admitted into evidence providing that there are safeguards for the accused, such as the availability of that juvenile witness to testify and be cross examined in open court and so on. And I'd ask for your 'aye' vote on my Motion to concur."

Speaker Braun: "The Gentleman has moved that the House do concur in Senate Amendment #1 to House Bill 2581. And on that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Braun: "He indicates he will."

Cullerton: "Representative, this Senate Amendment that they put on over in the Senate, do you have any idea as to whether or not this was a subject matter of a Bill this year, either a Senate Bill or a House Bill?"

Speaker Braun: "Representative Preston."

Preston: "Thank you. I do not know the answer to that, Representative. I don't know if this was subject of a Senate Bill."

Cullerton: "I think maybe..."

Preston: "I need a file on 258..."

Cullerton: "I know I've got the file I think you need, and I... I

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

134th Legislative Day

June 25, 1986

think maybe we both have an analysis here. I'll give you an analysis of the Amendment. It's a very broad Amendment, and I know you don't want to jeopardize your video tape Bill a second year in a row. But I think we should just take a close look at what the Senate Amendment did. First of all, it... it appears that it allows this pretrial video taping in delinquency trials in juvenile court. Is that your understanding?"

Preston: "That is correct."

Cullerton: "And do you know why we did not have that, or why you did not have that in your Bill?"

Preston: "I did not intend to have that in my Bill. My Bill was not meant to pertain to juvenile proceedings and juvenile court, but..."

Cullerton: "Was there a policy reason?"

Preston: "I never entertained having that in my Bill. My Bill was designed to attack the problem of child abuse."

Cullerton: "But now you're willing to accept it..."

Preston: "That is correct."

Cullerton: "... to be effective in juvenile court. And I'm just wondering, what are the ramifications of doing that? Greatly expands it, I imagine."

Preston: "Well, we have a... right now we have a number of existing exceptions to the hearsay rule. This would add one additional exception and from the... from the Amendment that it... the Senate adopted, there has to be very strict guidelines complied with before that out of court statement is admissible and on page two of the Senate Amendment it identifies some of those guidelines which is it the child either testifies at the proceeding is unavailable as a witness and there is corroborative evidence of the act which is the subject of the statement and so on."

Cullerton: "Now, you're talking about a whole different Section

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

134th Legislative Day

June 25, 1986

of the... of the Amendment. I was only talking about the video taping and having it be applicable to juvenile delinquency trials. So, I'll get to that second part. I just wanted to find out if there were any policy reasons why we not accept it. The second part of their Amendment, it deals with your original Bill, that is the video tape Bill, seems to strike a portion of your bill which would've allowed the defendant to request that the direct and the cross-examination of a witness be conducted in a location other than the courtroom and telecast live into the courtroom during the trial."

Preston: "That's not unlike my bill. That's what my Bill in its original form required also."

Cullerton: "Why was your bill changed?"

Preston: "Where do you see in here that it changed that portion of my Bill? I'm looking at... at the Senate Amendment."

Cullerton: "Right. And the Senate Amendment apparently strikes a portion of your Bill. And I will... Okay, so I think if you will look at the House Bill... I think if you look at the House Bill, you'll see that they deleted the..."

Preston: "I know which paragraphs you're referring to."

Cullerton: "Okay. Now, again, since we don't have the benefit of a Committee to go through these changes, I just wondered if you could explain..."

Preston: "The change that the Senate made is that in the original Bill... the original Bill said that the video tape shall be made on the Motion of any part... of any party, either the defense or the prosecution. The Senate deleted that language, so that under the Senate version as amended only the state can make a Motion for the preparation of the video taped statement. That is the way the Bill was originally last year. I made the change to coincide with what the Governor's Amendatory Veto Message recommendation



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

134th Legislative Day

June 25, 1986

was, and the Senate has seen fit to change it to their own desire."

Cullerton: "So, we're likely to see that portion perhaps. Unless the Governor has changed his mind, he may amendatorily veto that back in."

Preston: "The Governor may do whatever the Governor does. The Governor, I think, was ill-advised by his staff to amendatorily veto it last year. I hope he is better advised this time, and I believe that his staff sees more benefit to this Bill this year than they did last year."

Cullerton: "Okay. So, for the purposes of legislative intent, by adding this juvenile court trials in delinquency proceedings, are we talking about all delinquency proceedings or are we talking about only those in which the crime is one of the enumerated sex offenses?"

Preston: "Okay. Well... The... My intent in the Bill in its amended version is to limit the applicability of these provisions to those certain enumerated offenses and to those only."

Cullerton: "Okay. Now, with regard to the admissibility of hearsay statements, you're familiar with the process by which a Judge could determine that a child witness is incompetent to testify, 'let's say the child witness is two years old or something like that. If such a determination is made that the child victim is incompetent to testify and unavailable as witness, what would happen if the prosecution sought to admit the child's statement under this new change in the law? What would... What would happen with that statement? This is now... a witness who has been determined by a Judge as not competent to testify. Now, the state comes in and says, well we want to introduce hearsay testimony from this incompetent witness."

Preston: "It would not be under... under existing law, and under

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

134th Legislative Day

June 25, 1986

existing case law on hearsay, that if the statement of the witness who is unavailable is deemed to be incompetent and inadmissible because of that incompetence, it would not be... the incompetence of that testimony would not be cured by the fact that there was some other party delivering the testimony. So, it would still be inadmissible. If in a situation where a... this two year old child you're referring to made some statement to a police officer, if the child is incompetent to testify, the police officer certainly would not be competent to testify to what that child had told him."

Cullerton: "Well, my understanding is that he would not be allowed to consider the competency of the person making the statement. He will only be considered... he will only be allowed to consider the time, the content, and the circumstances of the statement."

Preston: "Under existing law, the..."

Cullerton: "Under this Bill... under this Amendment."

Preston: "Well, this Bill doesn't change... this Bill only deals with one portion. It doesn't change all of the requirements for admissibility of evidence, and one of the requirements for the admissibility of testimony by any witness is that that witness is deemed competent by the court to testify as with all testimony from a youthful witness."

Cullerton: "Okay, now, the... the language in this new Bill that the Senate tacked on says that, 'An out of court statement is admissible only if it pertains to an act, which is an element of the offense'. What is your understanding of this as to what that means?"

Preston: "Would you ... would you tell me where you see that language?"

Cullerton: "Line 12 of the Senate Amendment."

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

134th Legislative Day

June 25, 1986

Preston: "Alright now, would you repeat your question?"

Cullerton: "Okay, the out of court statement is admissible only if it pertains to an act, which is an element of an offense."

Preston: "Right."

Cullerton: "Now, here is the problem. What if the defendant wanted to... defendant's attorney wanted to introduce statements regarding the identity of the perpetrator, the venue of the act, or the fact that the act took place beyond the statute of limitations, those items... the subject matter of those statements does not pertain to an act, which is an element of offense, so it would appear that the defendant would be precluded from introducing any of that testimony. Is that what your reading of the..."

Preston: "Well, I think the word 'act' there should be interpreted broadly to pertain to as it says, to any element, any portion of the offense which has been committed or allegedly committed."

Cullerton: "But venue is not an element of the offense and whether or not it came under the statute of limitations is not necessarily an element of offence unless we can determine if that's what your intent is by concurring."

Preston: "Well, you mean, whether or not it's my intent to make venue an element of the offense? No, that is not my intent."

Cullerton: "Okay. No further questions. Thank you."

Speaker Braun: "Is there further discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 01 to House Bill 2581. All in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Have all voted? Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 104 voting 'aye', 2 voting 'no', and the

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

134th Legislative Day

June 25, 1936

House does adopt Senate Amendment #1 to House Bill 2581, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2648, Representative Saltsman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2648, a Bill for an Act to amend the Unified Code of Corrections, together with Senate Amendment #1."

Speaker Braun: "The Gentleman from Peoria, Representative Saltsman."

Saltsman: "Thank you, Madam Speaker. I move to concur with Senate Amendment #1."

Speaker Braun: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 2648. And on that, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2648?' All in favor vote 'aye', opposed vote 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', none voting 'no', and the House does concur in Senate Amendment #1 to House Bill 2648. And this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 2738, Representative Cullerton. Representative Cullerton. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2738, a Bill for an Act to amend an Act in relation to counties, together with Senate Amendments #1, 2, 3, and 4."

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

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I would move to concur in Senate Amendments #1, 2, 3 and 4. The original Bill dealt with allowing the counties to increase their fees... or fines, I'm sorry, to

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

134th Legislative Day

June 25, 1986

increase a fee that's added to a fine for drunk driving, and the... that's what the original Bill did. Now what the Amendments are is basically a cleanup of the drunk driving Bill that we passed last year. The Amendments have been worked on between representatives of the Secretary of State's Office, and the Chicago Bar Association and they are of a technical nature and they have been agreed by both of those parties. I would move to concur in Senate Amendments #1, 2, 3 and 4."

Speaker Braun: "The Gentleman has moved to concur in Senate Amendments 1, 2, 3 and 4 to House Bill 2730. And on that, is there any discussion? The Chair recognizes the Gentleman from DeKalb, I'm sorry, the Gentleman from Knox, Representative Hawkinson."

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

Speaker Braun: "He indicates he will."

Hawkinson: "Representative, I haven't had an opportunity to discuss this with Representative McCracken, but are these provisions that been contained in prior agreements, and ones that he approves of?"

Cullerton: "Right. The negotiators were Lou Lowder from the Secretary of State's office, Representative McCracken, Jim Ahern, and Joe 'Luevy' from the Chicago Bar Association and myself. And Representative McCracken and I are in concurrence with the Motion here to concur."

Hawkinson: "Thank... thank you."

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

Young: "Will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Young: "In regard to Senate Amendment #4, will that result in

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

134th Legislative Day

June 25, 1986

another fee or fine being paid by the defendant in addition to the \$30 added... fee added by the original Bill?"

Cullerton: "I'm sorry, I couldn't... I was reviewing what the Amendment did and I didn't hear your question."

Young: "I said, in regards to Amendment #4, will that Amendment result in the person convicted of the DUI paying an additional fee, a fee in addition to the \$30 added by the original Bill?"

Cullerton: "Yes, but... right. It's a fee, though, for the evaluation that's required by the law. Yes, probably... my understanding is that that's what's done right now. This just codifies it."

Young: "Alright. Thank you."

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

Countryman: "Thank you, Madam Speaker. Will the Gentleman yield?"

Speaker Braun: "He indicates he will."

Countryman: "Can you tell me, was Senate Amendment 1 the one that really cleaned up the DUI?"

Cullerton: "Yes, Senate Amendment #1 is a very large 53 page Amendment, but as I indicated, it's generally considered to be a cleanup of the DUI language. If you have a specific question, I do have a synopsis that would point out which pages and lines and a brief explanation."

Countryman: "I'm somewhat unclear as to what happens, it... my analysis says, it clarifies that a hearing is not required prior to reinstatement of driving privileges after the period of summary suspension. Was there some question that there was a hearing required there?"

Cullerton: "Could you tell me what page that language refers to, because I have a..."

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

134th Legislative Day

June 25, 1986

Countryman: "I'm sorry, I'm dealing from our concurrence analysis, and it... it just is one of the things that's said in here and that's why I'm raising the question. I..."

Cullerton: "Could you... could you... I'll try to find it here. Could you repeat the question again, please?"

Countryman: "It says, it clarifies that a hearing is not required prior to the reinstatement of driving privileges after the period of summary suspension. I guess the question I had was, it... I guess it's paragraph 6-208.1, my staff tells me, but I thought that a hearing had to be held. The summary suspension is the 90 day period and that if you..."

Cullerton: "Here's my... here's my explanation, in an attempt to clarify that there is no statutory requirement for a judicial hearing prior to the restoration of driving privileges subsequent to a statutory summary suspension unless the courts have evidence, the person should be disqualified. This Amendment contains several editorial changes, including substituting reason to believe, rather than the word 'evidence'. That's all it does. It think it's on page 6... 43, line 30 of the Amendment."

Countryman: "So, he would go the 90 day period and the license would come back to him automatically. Is that right?"

Cullerton: "Unless the Judge has..."

Countryman: "Ruled otherwise."

Cullerton: "Right."

Countryman: "Okay. In the underlying Bill, the \$30 fee is still in... is still in existence."

Cullerton: "Yes, right. That was the... you may recall, it passed overwhelmingly here in the House, that was..."

Countryman: "Yeah, I think I was probably one of the few who voted against it."

Cullerton: "Very... very possible, but, as you know, the state's

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

134th Legislative Day

June 25, 1986

attorneys have come to us and said, that either they need more Judges or they need more money to help pay for the additional time it takes to have hearings on judicial driving permits. We felt that the people who are either convicted or receive supervision for drunk driving should be the ones that should have to pay for that additional cost to the taxpayers, rather than have to raise income taxes, or sales taxes or property taxes."

Countryman: "Did you say that Jim Ahern was involved in this process?"

Cullerton: "Oh, yes, that's right."

Countryman: "Well, I'm certain if he was involved in it, he is one of the most knowledgeable individuals in this area and did a good job. So, even though I didn't support the Bill initially, I'll support the Amendments."

Cullerton: "Thank you."

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

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

Speaker Braun: "He indicates he will."

Dunn: "What does this Bill do now, with the Senate Amendments on it?"

Cullerton: "Well, I have a two page synopsis of about 20 different minor changes to the DUI Bill. I could start reading them for you."

Dunn: "I'd be happy to read them myself, but I don't... I have no idea where they might be."

Cullerton: "Okay, I'll start. It removes superfluous language which isn't necessary in order to still have juvenile convictions for DUI and reckless homicide entered into the record; permits courts to accept out-of-state evaluations to determine if a driver has a chemical dependency if a



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

134th Legislative Day

June 25, 1986

person is a nonresident. It defines drivers license. It defines probationary license to drive."

Dunn: "What is the definition of a probationary license to drive?"

Cullerton: "It's on page 12, line 32 of the Amendment. I'll be happy to read it to you."

Dunn: "You might as well. I don't have any idea where it is here."

Cullerton: "Probationary license to drive is defined as a conditional license granting driving privileges during a period of suspension imposed pursuant to Subsection 2 of Paragraph A of Section 6-206."

Dunn: "Of what, the Vehicle Code, I suppose?"

Cullerton: "Yes."

Dunn: "...Okay..."

Cullerton: "Do you want me to continue?"

Dunn: "Yeah, go ahead."

Cullerton: "Permits the Secretary of State to send drivers abstracts to the courts without charging a fee. It provides the same consideration of a person who refuses to submit to chemical tests subsequent to a valid DUI arrest in another state as we do for a like refusal in this state; permits the effective person to have access to his or her drivers abstract, including court supervisions in remedial or rehabilitated programs..."

Dunn: "Who... who has access to that?"

Cullerton: "The defendant."

Dunn: "Okay."

Cullerton: "Permits the Secretary of State to use the same criteria for issuing an RDP after revocation action as he is currently doing now as to suspension actions; clarifies that a suspension or revocation of a driver's license nullifies all driving privileges, including those issued

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

134th Legislative Day

June 25, 1986

pursuant to a JDP. It reiterates that a JDP can only be issued to provide transportation for employment or medical purposes to relieve undue hardship when by no other means of transportation is reasonably available. It maintains the quasi confidentiality of the judicial driving permit, except during the actual period that JDP is valid. It states that any JDP which contains insufficient data or does not comply with the law cannot be entered into the driver's file; further stipulates that the Secretary of State must return the document to the issuing court with a copy to the effected driver. It says, that beginning January 1, 1987, instead of the courts issuing the JDP document itself, they will merely issue a court order directing the Secretary of State to issue the JDP. So, the JDP will actually be issued by the Secretary of State pursuant to that court order."

Dunn: "Is that... that's a 'shall' or not... no discretion of the Secretary of State issue those if... if the court orders?"

Cullerton: "Yes, that was Amendment #3 which clarified that. It changed 'authorized' to 'directing', so they're directed to issue the JDP."

Dunn: "How much time does the Secretary of State have to issue a JDP..."

Cullerton: "Well, that's... it's..."

Dunn: "After court orders..."

Cullerton: "It doesn't... it doesn't specify, but you remember that the JDP can't go into effect until after that 30 day hard suspension. So, in most cases, the request for the JDP is made within the first 45 days of arrest, then there is another 30 days they have to wait before it actually goes into effect. The Secretary of State's Office, I think, said that it takes about four or five days for them to get the court order and then issue the JDP. So, unless

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

134th Legislative Day

June 25, 1986

that request for the JDP was made, you know, the last day of the... or four or five days before the hard suspension went into effect, the driver would... there would be no delay in the driver getting his JDP."

Dunn: "Okay."

Cullerton: "Now, I'll continue. The... the Secretary of State will mail the confirmation of summary suspension direct to the effected driver with a copy to the court of venue starting January 1 of '87. There's two Sections in here that are for DASA, and it amends the Section title to more accurately reflect the activities of the Department and it clarifies the Department may by rule, establish and assess penalties for violation of their Act, and that's it."

Dunn: "Okay. Thank you."

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

Ropp: "Thank you, Madam Speaker. I wonder if the Sponsor would yield?"

Speaker Braun: "He indicates he will."

Ropp: "Representative Cullerton, as I read this analysis, I want to find out whether or not the probationary license, is that a new license that is issued while you are theoretically without a license during that kind of cooling off period or what is a probationary license?"

Cullerton: "Right. A... it's called a judicial driving permit. Under..."

Ropp: "Does the Judge give that or the Secretary of State issue it?"

Cullerton: "The Judge rules on whether or not it should be given. If the Judge orders that it be given, under this Amendment, we're saying that the Secretary of State will actually issue it."

Ropp: "Okay, then, how long from the time the Judge would say

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

134th Legislative Day

June 25, 1986

that an individual should receive it does it take for the Secretary of State to finally issue it?"

Cullerton: "About three or four days. It... it... it doesn't require a hearing at the Secretary of State, it's just a paperwork. It's just a matter of the court order being received by the Secretary of State. They enter it on the computer and they send... and they send back the judicial driving permit."

Ropp: "Okay, does that mean, then, that while that person has a probationary license, that he also may or would be required to go to an alcohol assessment program to, let say, dry out or at least go through that..."

Cullerton: "Well, that's part of the hearing for... conducted before the Judge to determine whether or not a judicial driving permit should be given, and I believe that the law requires that such an evaluation be made prior to that judicial driving permit hearing."

Ropp: "Oh, so they go through the assessment process first..."

Cullerton: "Right. Then they go to..."

Ropp: "...And then come back and the Judge will say, okay, you need... you would or should receive a probationary license until the balance of your six months comes where you will be reinstated a full license."

Cullerton: "Right. It could either be six months if they refuse to take the breathalyzer or three months if they took it and they failed. Remember, though, that the first 30 days are... you can't get any judicial driving permit. So, the first 30 days of that three months or that six months is called a hard suspension. That's the real crux of the drunk driving Bill that we passed last year."

Ropp: "Okay. Okay. I'm for that. The other thing clarifies that the Department of Alcohol and Substance Abuse may, by rule, establish and assess penalties for violation of the

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

134th Legislative Day

June 25, 1986

Alcoholism and Substance Abuse Act. Does that... does that have anything to do with the DUIs? And what are their penalties? What... what kind of penalties would they..."

Cullerton: "Yes... yes, the people... the people who perform these evaluations, in order to upgrade them, in our bill last year, we required that they be approved by DASA. And so..."

Ropp: "You mean, kind of like licensed?"

Cullerton: "Well, let's see. I'm not sure what the language is."

Ropp: "I know they're attempting to get some uniform standards for those individuals who are giving the instruction for..."

Cullerton: "It's in the Alcohol and Substance Abuse Act. They... they may be licensed. I'm not... I'm not certain, but in either case, all the Amendment says is they may establish fees by rule and may assess a financial penalty for violations of the Act. So, it just says... it gives them control over the people who they're supposed to be evaluating, who are the evaluators of the..."

Ropp: "Well, they... they don't... they don't... what are the penalties that they would issue? I mean, if you are... if you are a person..."

Cullerton: "Well, let's say... let's say that they... let's say you have a... an evaluation program that you're sending these defendants to. Well, let's say that the DASA, according to their Act, has some minimal qualifications that they can impose on that entity. Let's say that they... the people who are evaluating the people charged with drunk driving aren't qualified. Well, this would allow them to establish rules and that would allow them to fine the people who are violating the Act."

Ropp: "In other words, those people who are supposedly giving instruction to the people who are drunk to get them shaped

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

134th Legislative Day

June 25, 1936

up, if they're not complying with the..."

Cullerton: "Yeah. Let's say... yeah, sure. Let's say there was some evaluation and the person who was doing the evaluating ended up coming to work drunk all the time."

Ropp: "That's not good."

Cullerton: "And they said, oh, you okay. You look straighter than I am. You know, let's say, that was discovered by DASA, then they would, in effect, be allowed to be fined for that violation of the Act."

Ropp: Okay, then, DASA actually is the one that will establish the penalties and the guidelines and the criteria for the instruction to..."

Cullerton: "By... by rule. Right."

Ropp: "Okay."

Cullerton: "And that, of course, goes through JCAR, as you know."

Ropp: "Alrighty. Thank you."

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

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

Speaker Braun: "He indicates he will."

Homer: "Representative Cullerton, our staff analysis here, I think, is deficient in that it does have the analysis of Senate Amendment #3, but let me... let me just see if I understand, basically, what the Bill as amended in the Senate would try to do. First of all, with regard to the \$30 fee that was a subject matter of the original Bill. Where is... What's the status of the Bill with respect to that \$30 fee?"

Cullerton: "Oh, that's still in there."

Homer: "Where does it go, the \$30?"

Cullerton: "The \$30 fee goes to the county board, and the thought was that the DUI changes that we made last year have

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

134th Legislative Day

June 25, 1986

resulted in longer hearings in court and as a result, that means that the state's attorneys have to work longer, the Judges have to work longer, the clerks and the sheriffs, and so, all of those people are funded... the exception of the Judges, are funded through the county board budget. So, what we're doing with this Bill is to allow the county board by ordinance to increase the fee, which they now get five dollars, this increases it to \$30, and they can do this by ordinance and they will get the money. There was some talk about whether the money should be directed to the state's attorneys office or directed to the clerks office in... since the... those budgets are all approved by the county board anyway, it just made sense to put it into, you know, the general revenue fund of the county."

Homer: "Alright. Alright."

Cullerton: "And that's what the Bill does..."

Homer: "Alright, then the second question or the second part, the portion that deals with the authority to grant a judicial driving permit, under current law, the court now, as a result of legislation we passed last year, the Judge has the authority to off... to grant a judicial driving permit to a DUI offender who has been suspended. What the Bill now in its final form would do, as I understand it, would be to say that the Judge retains the right to make that determination, but that the Secretary of State would be ordered to grant the permit when the Judge has so indicated. Is that the..."

Cullerton: "Right. That's what Amendment #3 does. It changes 'authorize' to 'directed'. So, in other words... instead of... we're not authorizing the Secretary of State to issue a JDP. We are directing him through court order to issue the JDP."

Homer: "Okay."

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

134th Legislative Day

June 25, 1986

Cullerton: "The reason for the... and the Secretary of State's Office agrees with this Amendment because they did not want to act as an Appellate Court to the trial Judge who issues a restricted driving permit. They just wanted to have a better handle in their computer as to who it is that has a JDP and who doesn't. And so, they wanted to be the ones to actually issue it, but it's only for that purpose."

Homer: "Okay. The... But the Amendment analysis that we do have indicates that... that Amendment #1 removed the authority of a Judge to grant JDPs, but you're saying Amendment 3 put... put that authority back."

Cullerton: "Well, the Judges still have the authority to grant the judicial driving permit. That's why it's called the judicial driving permit. They still have that authority. It's not going back to the Secretary of State. That was, as you know, the major portion of the Bill that we passed last year. This just... the reason why I... I characterize it as technical is because it only... the only purpose of this change is to say, that when a Judge issues a judicial driving permit, he notifies and directs the Secretary of State to actually issue it. The Judge orders it to be issued by the Secretary of State."

Homer: "Alright, other than those two substantive provisions of the Bill, what other substantive provisions is there now in the Bill?"

Cullerton: "Well, I just read to Representative Dunn the different changes that the Bill was made. I read all of them, as a matter of fact. There is about twenty of them. I'd be happy to..."

Homer: "Are those the ones that are listed in Amendment analysis number... Senate Amendment 1?"

Cullerton: "Actually, I've got this synopsis from the... it was a product of the... the meetings between the Bar



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

134th Legislative Day

June 25, 1986

Associations and the Secretary of State's Office. We have different definitions, allows the Secretary of State to send drivers' abstracts to the courts without charging a fee. You know, minor... minor changes..."

Homer: "Alright."

Cullerton: "Agreed to by both... by both people."

Homer: "Alright. Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from St. Clair, Representative Flinn. Representative Flinn, your light is on."

Flinn: "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 say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the previous question is put. Representative Cullerton, to close."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. I once again ask for your support of House Bill 2738 which establishes a fee to be added to all fines imposed for violation of the drunk driving statute. Because of the additional cost that this has imposed on our counties, we are saying with this Bill that the people who are violating the drunk driving statutes should be the ones to pay for this additional cost on the system. I also have... move to concur with with the Senate Amendments that we have had an extensive debate on which indicates and reflects an agreement between the Secretary of State's Office and the Chicago Bar Association Committee on Traffic. And for those reasons, I would appreciate your support and send this Bill to the Governor."

Speaker Braun: "The Gentleman has moved that the House concur in Senate Amendments 1, 2, 3 and 4 to House Bill 2738. All in favor vote 'aye', opposed vote 'no'. This is final action."

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

134th Legislative Day

June 25, 1986

The voting is open. Have all voted? Record Representative Mautino as 'present'. Mautino 'present'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 104 voting 'aye', 6 voting 'no', and the House does adopt Amendments 1, 2, 3 and 4 to House... Senate... to House Bill... Senate Amendments 1, 2, 3 and 4 to House Bill 2738. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3017, Representative Matijevich. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3017, amends an Act transferring certain functions of the administrative offices of the Illinois courts to the Illinois Supreme Court, together with Senate Amendment #1."

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

Matijevich: "Thank you. Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Amendment #1 is a technical Amendment which deletes a repeal Section of the probation Act, and I would, therefore, move to concur with Senate Amendment #1 to House Bill 3017 and appreciate your support."

Speaker Braun: "The Gentleman has moved that the House concur in Senate Amendment #1 to House Bill 3017. On that, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3017?' All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no', and the House does adopt Senate Amendment #1 to House Bill 3017. And this Bill, having received the Constitutional Majority, is hereby declared passed. House

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

134th Legislative Day

June 23, 1986

Bill 3207, Representative Steczo. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3207, a bill for an Act to limit the liability of certain persons who handle hazardous materials, together with Senate Amendment #1."

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

Steczko: "Thank you, Madam Speaker, Members of the House. House Bill 3207 deals with the indemnification of state response action contractors. Senate Amendment #1 changed the definition of those contractors to clarify that only those contractors not liable for the creation of the problem would be covered under this law. It also makes the indemnification applicable only for state funded contracts of the issue of federally funded contracts is not being resolved at the federal level as per the discussions on the Super Fund Reauthorization Legislation. In addition, Madam Speaker, at the behest of the Attorney General, language was provided that specifies that the Attorney General shall conduct his defense in the best interest of the state as well as that of the contractor. And Amendment #1 also makes some minor changes that were suggested by LRB. Number one, that the payment of the award will not be made until all appeals have run their course; number two, that interest on an award is an allowable expense when so ordered by a court as per our Code of Civil Procedure, and it also permits the Department of Insurance to consider availability of insurance for asbestos and pollutant cleanup separately. I would move for the adoption... or the passage of... or concurrence, Madam Speaker, of Amendment #1 to House Bill 3207."

Speaker Braun: "The Gentleman has moved for concurrence in Senate Amendment #1 to House Bill 3207. On that, is there any

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

134th Legislative Day

June 25, 1986

discussion? The Chair recognizes the Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Madam Speaker, I wonder if the Sponsor would yield for a question?"

Speaker Braun: "He indicates he will."

Vinson: "I don't... I still don't quite understand the impact of the Senate Amendment. Could you give that to us one more time, Representative?"

Steczo: "Representative Vinson, number one, the Senate clarified that in the definition of a response action contractor, that a person can't be indemnified if he, in any way, helped create the problem. That... that's one thing the Senate insisted on and one thing that we insisted on early on in the process. Number two, we provided that the indemnification is only applicable for state funded contracts. Presently, under the Super Fund Reauthorization Legislation in Washington, they're discussing indemnification of federal action response contractors. Number three, we discussed with the Attorney General the - included in this - the fact that when the Attorney General conducts a defense that he should take into consideration the best interest of the state as well as that of the contractor and; in addition to that, there were three technical changes proposed by LRB."

Vinson: "Can you explain to me why it is that the Attorney General is determining conflicts of interest and is there any relief for a party so determined?"

Steczo: "Representative Vinson, would you clarify or repeat that for me, please?"

Vinson: "Well, my understanding of the Bill is that the Attorney General shall defend response action contractors unless he determines there is a conflict of interest or that the contractors actions were intentional and willful and wanton

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

134th Legislative Day

June 25, 1986

misconduct. Now, my question is, why would you have the Attorney General make a final determination on that and is there relief from the determination of the Attorney General in the event that it might be wrongfully made?"

Steczo: "Representative Vinson, I would have to double check to make certain, but if the Attorney General was... was of the opinion that since he's an elected state officer and has the responsibility of, you know, providing a defense for the state, that that be taken into consideration when making those determinations."

Vinson: "What is your estimate of the cost of this proposal, Sir?"

Steczo: "Representative Vinson, no fiscal note was requested. Oh, I'm sorry, I do have a fiscal note from the Capital Development Board as the Bill passed the House, and the fiscal note indicates that due to the nature of this legislation, that design professionals and contractors can't get insurance because insurance companies can't calculate the risk, it's impossible to determine the fiscal impact of House Bill 3207. I would also ask you to keep in mind that the indemnification is also in place only until insurance for these response action contractors is available. At such point, such indemnification would cease."

Vinson: "Wouldn't this require an increase in staff of the Attorney General?"

Steczo: "Representative Vinson, the indemnification would only... would only take place if there were a problem. If the... if the response action contractors are indemnified and we can get the quality people out there to do the jobs, we would hope not. We would hope that there would not be a time when this kind of a thing would be used."

Vinson: "Well, if that's the case, then we don't need the Bill,

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

134th Legislative Day

June 25, 1986

right?"

Steczo: "You never know, Representative Vinson."

Vinson: "If it's not going to be... if it's not going to occur very often, then we don't need it."

Steczo: "You never know. Things happen and things have to be taken care of and this is the way to protect... to protect the contractors who are sta... who are responsible for cleaning up state funded projects and addresses a problem dealing with hazardous wastes and asbestos, which we need to take care of as quickly as possible."

Vinson: "So, the answer is that you don't know how many big law firms the Attorney General will have to hire?"

Steczo: "How many... how many what?"

Vinson: "How many big law firms the Attorney General will have to hire to enforce this... the provisions of this law."

Steczo: "Oh, I'm not certain, but I think that I could ask a person or two about big law firms, Representative Vinson. I think it's just impossible to say."

Vinson: "Okay. Finally, the Bill provides that the contractor will not be indemnified and represented in the event of intentional or willful and wanton misconduct. Is that not correct?"

Steczo: "That's correct."

Vinson: "What about reckless conduct?"

Steczo: "The determination, Representative Vinson, not being... not being an attorney was that that... that language sufficed."

Vinson: "Can you direct me to the place in the Bill where that distinction is made?"

Steczo: "About?"

Vinson: "About the fact that the only... the only actions not indemnified are willful and wanton?"

Steczo: "Representative Vinson, I'm looking..."

STATE OF ILLINOIS  
34th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

134th Legislative Day

June 25, 1986

Vinson: "I see it. I think it's in..."

Steczo: "...On the original copy of the Bill. Do you have the...  
do you have the site for me?"

Vinson: "I think it's on page two, lines 25 through 29. Now, I'm  
looking at the unamended Bill, and I think... I don't think  
the Senate Amendment amended those lines. So it's  
dishonest, fraudulent, criminal acts or omissions are those  
of a knowingly wrongful nature committed intentionally.  
Those are the only ones which are excluded from  
indemnification, isn't it?"

Steczo: "That's correct."

Vinson: "Okay, Madam Speaker, Ladies and Gentlemen of the  
Assembly, to the Motion that the House do concur in Senate  
Amendments... Amendment #1 to House Bill 3207. I would ask  
Members to recognize that we're dealing here with what  
would be final action on this Bill and would send this Bill  
to the Governor. As a consequence, you have to consider  
whether you approve of, not only the Senate Amendments, but  
what is in the actual Bill itself prior to the Senate  
Amendments. The question I would raise for the Membership  
is whether the basic policy is right in regard to the  
reckless conduct. What the Bill calls for is for the  
Attorney General to indemnify and represent response action  
contractors, but it says that they won't be indemnified and  
represented if what they did was illegal or intentionally  
done. For nonlawyers, sometimes it's very difficult to  
determine whether somebody intentionally did something or  
just recklessly did something. Think about the situation  
driving a car because it's somewhat analogous. If it...  
most of the accidents that you most berate and criticize  
and you bring the most infamy on the situation are reckless  
conduct, not intentional conduct, but reckless conduct can  
be indemnified, and the Attorney General has to represent

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

134th Legislative Day

June 25, 1986

somebody under this Bill who is engaged in reckless conduct. Do you think that we ought to indemnify people who engage in reckless conduct in handling hazardous wastes? I think that's a real factor that you ought to consider. I don't think we should. And for those reasons, I'd urge a 'no' vote."

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

Klemm: "Would the Sponsor yield for a question?"

Speaker Braun: "He indicates he will."

Klemm: "Representative Steczo, I guess I was going to follow through with the line of questioning that Representative Vinson had, and mine was, what about negligence by a contractor, if that is, indeed, covered?"

Steczko: "Representative Klemm, in answering your question - and I would try to put this whole problem in perspective - we are dealing in House Bill 3207 with what we call response action contractors. These are people who the state will contract with to clean up a problem that already exists, and we, in terms of... in the deliberations on the Bill and after having had the Bill discussed with by... by all parties, determine that the language that is in the Bill was the most appropriate."

Klemm: "Well, if they're cleaning up a location that certainly has been deemed hazardous and must take certain actions, wouldn't you think they would also and should also be responsible for, even though not knowingly, they're negligent in where they disposed of the waste, for example, where they dump it on the way to an approved site, let's say, and we didn't know about it. Someplace it seems to me that if we're concerned about the cleanup, we also better be concerned that those contractors are going to be



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

134th Legislative Day

June 25, 1986

responsible for irresponsible actions, and since knowingly, wanton, willful are wonderful terms, I know in my area, I'd be concerned about negligence. Whether they knew it or not, they just didn't take the safeguards. They didn't know they didn't maybe take them, but obviously reasonable people should have done it, they would be held not being responsible for that. I don't know if that's in the best interest of the State of Illinois, that's all. I'm not arguing with your intent, I'm just wondering if the definition has gone far enough to give us as citizens the safeguards we're looking for. As I read it, I don't feel that comfortableness that you may feel in that. And therefore, I guess, to the question, Madam Speaker, I feel that we should not concur and we should ask for these safeguards in the particular Bill. I see the Sponsor is trying to do an adequate job in providing us with this. I commend him for it. I support him for it. I just think we need a few more safeguards for those contractors if, in fact, they are negligent. They do something that goes beyond what we think. I don't think we should hold them harmless, and then, the citizens of Illinois have to pay for that mistake when they in turn are making it. So, I would think we should not concur, get that clarified and then concur with the corrected form. Thank you very much."

Speaker Braun: "Is there further discussion? The Chair recognizes the Lady from Marshall, Representative Koehler."

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

Speaker Braun: "He indicates he will."

Koehler: "Representative, if you might answer a question for me. The legislation requires the state to defend and indemnify and hold harmless contractors which are employed by a state agency to handle, store or dispose of pollutants. I am

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

134th Legislative Day

June 25, 1986

wondering if this is not setting a precedent of some type. Are there other instances whereby the state is required to defend a contractor under these circumstances, for example, if the state employees are contracted to build a building and is the Attorney General required to defend them?"

Steczo: "Representative Koehler, I can't answer your question. All I can tell you is that under present circumstances, we do have a problem with hazardous waste that has to be cleaned up, and the Legislature has said it's policy of the state that asbestos should be cleaned up as quickly as possible. In an attempt to do that... because the hazardous... or the response action contractors that would be doing those cleanups can't get the insurance that they need to be able to do that job quickly that it was thought that, because the state has an overriding interest in doing that, that the state indemnify those. In terms..."

Koehler: "Well, thank you, Representative Steczo, and I certainly agree with you that it is important that we... clean up hazardous waste sites and all kind of toxic waste sites where there might be a problem. However, that is not the question. The question is, are we establishing a precedent here, a very expensive precedent whereby the state is going to be defending contractors who can be determined to have committed willful and wanton misconduct? Now, is this going to establish a means whereby the Attorney General is going to be called in on all different types of cases if we're doing it in the case of hazardous waste, will we be doing it in the case of many other types of situations? And furthermore, I think it would be very difficult for the Attorney General himself to arbitrarily decide what is willful and wanton conduct... misconduct, and this Bill also provides that if the Attorney General says, no, I don't... we cannot defend this case, well then, they can go

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

134th Legislative Day

June 25, 1986

out and hire a private attorney to defend them and that would mean even more cost to the State of Illinois. So, Ladies and Gentlemen, I would rise in opposition to this piece of legislation and hope that you will join me in rejecting this Motion."

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

Leverenz: "The Sponsor yield?"

Speaker Braun: "He indicates he will."

Leverenz: "Does this... these are just contracts that are given out by governmental agencies?"

Steczo: "Representative Leverenz, in response to problems regarding hazardous wastes and asbestos, yes, state fund... these are state funded projects."

Leverenz: "Okay. Then, as the Capital Development Board does, why then cannot the governmental entity hold back monies until everything has been certified that it's clean or it's been disposed of properly, like the Capital Development Board does now? It appears if they... what it says here, if they can't get insurance or something to take care of the problem, we're going to pick the problem up for them. And more and more, we're simply being asked to pick up the problem or the cost of the problem for someone that can't handle it themselves. Is that correct?"

Steczo: "Representative Leverenz, I should bring to your attention that the Bill does provide that 5% of all the... the amounts of the contracts would be set aside and put in an indemnification fund. So, that probably deals with the same situation that you're speaking of as it relates to the Capital Development Board."

Leverenz: "Okay. Thank you."

Speaker Braun: "Is there further discussion? There being none,

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

134th Legislative Day

June 25, 1986

the Chair recognizes the Gentleman from Cook, to close."

Steczo: "Thank you, Madam Speaker, Members of the House, I, again, would make my Motion to concur with Amendment #1 to House Bill 3207. As I had indicated earlier, the state does have a problem with the clean up of hazardous waste sites and with the cleanup of asbestos. What has happened over the last year is that those contractors that we would normally contract with to clean up these sites have not been able to get liability insurance. Therefore, because it's a compelling state interest that this be done, we had decided in House Bill 3207 to indemnify those contractors up until such time as liability insurance is available. There are protections and safeguards we think that adequat... adequat... adequately provide and protect the state. In response to Representative Leverenz's question, there is 5% of all the contract that is taken from that contract itself and placed in an indemnification fund to try to control the cost and provide the state those monies for those purposes. We have a serious problem. We have to deal with that problem. And every day that we delay makes that problem worse and worse and worse. I don't want to be the one responsible for saying, I'm the one that contributed to the delay in cleaning up a hazardous waste site. I don't want to be the one to say I contributed to the delay in cleaning up a school that's been identified as having a big asbestos problem. This is the way that we can provide that we're go forward and keep it in the hands of reputable contractors so we won't have problems later on. I think it's a responsible thing that we do, and I would ask for concurrence in Amendment #1 to House Bill 3207."

Speaker Braun: "The Gentleman has moved that the House do concur in Senate Amendment #1 to House Bill 3207. All in favor vote 'aye', opposed vote 'no'. The voting is open. This

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

134th Legislative Day

June 25, 1986

is final action. Have all voted? Have all voted who wish?  
The Clerk will take the record. For what reason does the  
Gentleman from DeWitt, Representative Vinson, rise?"

Vinson: "To request a Verification of the Affirmative Roll Call,  
because the Bill appears to have gotten the requisite  
Majority, and I don't think it really... there are that  
many people there."

Speaker Braun: "The Gentleman has requested a verification.  
Representative Steczo requests a Poll of the Absentees.  
Mr. Clerk, proceed verification."

Clerk Leone: "Poll of those not voting. Representatives  
Cullerton and McPike."

Speaker Braun: "Proceed with the... Representative Christensen  
changes his vote to 'aye'. Representative Martinez changes  
his vote to 'aye'. Are there any further changes.  
Representative Cullerton votes 'aye'. Representative  
Cullerton. The Gentleman is in the well. Proceed with the  
verification, Mr. Clerk."

Clerk Leone: "Poll of the affirmative. Alexander. Berrios.  
Bowman. Braun. Breslin. Brookins. Brunsvold. Bullock.  
Capparelli. Christensen. Cullerton. Curran. Currie.  
Daley. DeJaegher. DeLeo. Dunn. Farley."

Speaker Braun: "Excuse me, Mr. Clerk. Representative McPike  
votes 'aye'. Proceed."

Clerk Leone: "Flinn. Flowers. Giglio. Giorgi. Greiman.  
Hannig. Hartke. Hasara. Hicks. Homer. Huff. Keane.  
Krska. Kulas. Laurino. LeFlore. Leverenz. Levin.  
Martinez."

Speaker Braun: "Excuse me, Mr. Clerk. Representative McPike and  
Representative Turner request leave to be verified.  
Representative Rice requests leave to be verified. Any  
further request? Proceed, Mr. Clerk."

Clerk Leone: "Matijevich. Mautino. McGann. McNamara. McPike.

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

134th Legislative Day

June 25, 1986

Mulcahey. Nash. O'Connell. Panayotovich. Pangle.  
Phelps. Preston. Rea. Regan. Rice. Richmond. Ronan.  
Saltsman. Satterthwaite. Shaw. Slater. Steczko. Stern.  
Sutker. Terzich. Turner. Washington. White. Wolf.  
Anthony Young. Hyvetter Younge. And Mr. Speaker."

Speaker Braun: "Representative Vinson, any challenges of the affirmative votes? I already asked if he had any challenges. Do you have any challenges of the affirmative vote?"

Vinson: "Thank you. I like the use of the microphone in doing that. I know it's not absolutely necessary all the time, but it's nice. Mr. Berrios."

Speaker Braun: "Representative Berrios. Representative Bullock requests leave to be verified. Representative Berrios."

Vinson: "He hasn't been here for the debate. He doesn't know what he's voting on."

Speaker Braun: "Representative Berrios is in the middle of the aisle in the back of the chamber."

Vinson: "Mr. Bowman."

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

Vinson: "Mr. Curran."

Speaker Braun: "Representative Curran. Is the Gentleman in the chamber? Representative Curran. He appears not to be. Remove his vote. Representative Curran. The Gentleman is in the chamber."

Vinson: "Mr. Farley."

Speaker Braun: "Representative Farley. Is the Gentleman in the chamber? He appears not to be. Remove his vote."

Vinson: "Mr. Giglio."

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

Vinson: "Mr. Giorgi."

Speaker Braun: "Representative Giorgi. The Gentleman is at the

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

134th Legislative Day

June 25, 1986

well."

Vinson: "Where?"

Speaker Braun: "Here in the front."

Vinson: "Mr. Huff."

Speaker Braun: "Representative Huff. Representative Huff. Is the Gentleman in the chamber? He appears not to be. Remove his vote."

Vinson: "Mr. Levin."

Speaker Braun: "Representative Ellis Levin. Representative Levin. Is the Gentleman in the chamber? Representative Levin. He appears not to be. Remove his vote."

Vinson: "Mr. Nash."

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

Vinson: "Mr. Panayotovich."

Speaker Braun: "Representative Panayotovich. Is the Gentlemen in the chamber? Representative Panayotovich. He appears not to be. Remove his vote."

Vinson: "Mr. Rea."

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

Vinson: "What?"

Speaker Braun: "He's in the chamber on your side of the aisle."

Vinson: "Where?"

Speaker Braun: "By Representative Goforth."

Vinson: "He's... he's improving. Mr. Shaw."

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

Vinson: "But he's been asleep. How can he vote on something where he didn't hear the debate?"

Speaker Braun: "Return Representative Huff to the Roll Call."

Vinson: "Mr. Sutker. Mr. Sutker."

Speaker Braun: "I'm sorry, Representative Vinson, you seem to

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

134th Legislative Day

June 25, 1986

have disturbed the bee hive. Representative Shaw."

Shaw: "Yes, Madam Speaker, and a point of personal privilege. How did Representative Vinson know I was sleep? He's being dilatory here in calling all of these names that I've been sitting... listening to him for a half an hour. He's done enough to put us to sleep when he should be getting about the business of trying to get out of here."

Vinson: "Well, Madam Speaker, in response to the Gentleman's question..."

Speaker Braun: "I don't think that a response is appropriate, Representative Vinson. Proceeding..."

Vinson: "I know he was... but I know that he was sleeping because Mr. Ronan held..."

Speaker Braun: "Representative Vinson. Is Representative Sutker in the chamber? The Gentleman is at his chair. And Representative Levin and Panayotovitch have returned to the chamber. Return their votes. Further questions?"

Vinson: "Mr. Washington."

Speaker Braun: "Representative Washington. Is the Gentleman in the chamber? He appears not to be. Remove his vote."

Vinson: "Mr. Terzich."

Speaker Braun: "Representative Terzich. Is the Gentleman in the chamber? He appears not to be. Remove his vote."

Vinson: "Mr. Krska."

Speaker Braun: "Representative Krska. Is the Gentleman in the chamber? He appears not to be. Remove his vote."

Vinson: "Mr. Mulcahey."

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

Vinson: "Supposed to be in his seat during a verification. Mr. McGann."

Speaker Braun: "Representative McGann. The Gentleman is at his seat."



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

134th Legislative Day

June 25, 1986

Vinson: "Mr. Homer."

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

Vinson: "Mr. Cullerton."

Speaker Braun: "Representative Cullerton. The Gentleman voted personally and was verified earlier. Have you further questions?"

Vinson: "Does that mean that some people didn't vote personally?"

Speaker Braun: "Have you further questions of the affirmative vote, Representative Vinson? There being none..."

Vinson: "Not just now."

Speaker Braun: "On this question there are 65 voting 'aye', 48 voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 3207, and this Bill, having received the required Constitutional Majority, is hereby declared passed. The Clerk for Messages from the Senate."

Clerk Leone: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of the following Bills together with Amendments in the adoption of which I am instructed to ask concurrence of the House of Representatives, to wit; House Bills 2625, 2688, 2878, 2974, 2975, 2978, 2979, 2981, 2982, 2983, 2984, 2988, 2990, 2991, 2992, 2994, 2995, 2996, 2997, 2999, 3001, 3003, 3004, 3005, 3006, 3035, 3050, 3090, 3091, 3092 and 3093, passed the Senate as amended June 25, 1986. Kenneth Wright, Secretary.'"

Speaker Braun: "Calendar announcement."

Clerk Leone: "Supplemental Calendar #2 is now being distributed."

Speaker Braun: "Returning to this Order of Business appears House Bill 3271, Mr... Representative Vinson. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3271, a Bill for an Act to amend the

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

134th Legislative Day

June 25, 1986

Illinois Public Aid Code together with Senate Amendment #1."

Speaker Braun: "The Chair recognizes the Gentleman from DeWitt, Representative Vinson, on House Bill 3271."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly."

Speaker Braun: "Representative Vinson, please hold while we get the board corrected."

Vinson: "I'm sorry. I couldn't hear you."

Speaker Braun: "The board is in error."

Vinson: "Oh, okay."

Speaker Braun: "Alright, now it's alright. Okay. Proceed."

Vinson: "Thank you. House Bill 3271 as it passed the House amended a variety of Acts that dealt with provisions on the withholding of income to secure payment for child support and family support. It specified that an employer to be served an income withholding notice regardless of an employee's payment of arrearage. It made changes concerning the last date on which an employer can deduct support from an employee's earnings and... and provided for conformity with the Federal Consumer Credit Protection Act in that regard. It permitted a penalty for willfully failing to withhold income and it make changes to allow for withholding for support orders prior to January 1, 1984, and it provided for the allocation of income in cases where the obligor have multiple withholding orders. The effect of the Senate Amendments, Senate Amendment #1, was to delete the provisions limiting the court in regard to inquiries on administrative orders filed by Public Aid pertaining to the child and family support orders. I don't know... I know of no opposition to the Bill in its present form and would ask that this House do concur in Senate Amendment #1 to House Bill 3271."

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

134th Legislative Day

June 25, 1986

Speaker Braun: "The Gentleman has moved that the House do concur in Senate Amendment #1 to House Bill 3271. And on that, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3271?' All in favor vote 'aye', opposed vote 'no'. This is final action. Voting is open. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no'. House Bill... and the House does concur in Senate Amendment #1 to House Bill 3271. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3521, Representative Friedrich. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3521, amends the Mental Health and Developmental Disabilities Code, together with Senate Amendment #1."

Speaker Braun: "Representative Friedrich."

Friedrich: "Madam Speaker, this Bill was given to me by the Department of Mental Health. It's a result of a recent court decision which eliminated and removed the Illinois ability assess fees against parents and children residing in community placement, and this Bill would eliminate the legal responsibility of parents to pay for children of the state operated mental health facility. The Bill was amended here in the House, and the Senate decided to say the same thing in a different way. Actually, the Bill has not been changed, and I would move to concur in the Senate Amendment."

Speaker Braun: "The Gentleman moves that the House do concur in Senate Amendment #1 to House Bill 3521. And on that, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3521. All in favor vote 'aye', opposed vote 'no'."

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

134th Legislative Day

June 25, 1986

Voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 115 voting 'aye', 1 voting 'no', and the House does concur in Senate Amendment #1 to House Bill 3521. And this Bill, having received the required Constitutional Majority, is hereby declared passed. On the Special Call - Revenue, appear the following Bills: House Bill 1130, Representative Keane; 1675, Representative Young, 2552; Representative Curran; 2770, Representative Giorgi; 2917, Representative Bowman; 2937, Representative Vinson; 2958, Representative Braun; 3309, Representative Friedrich; 3328, Representative Keane; and 3476, Representative Olson. Before we proceed to that Order of Business, however, we will go back to Representative McNamara's Bill which is on the Civil and Criminal Law Order. House Bill 2573, Representative McNamara. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2573, a Bill for an Act concerning missing children, together with Senate Amendment #1."

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

McNamara: "Thank you, Madam Speaker, Members of the House. I move to nonconcur with Senate Amendment #1."

Speaker Braun: "The Gentleman has moved to nonconcur in Senate Amendment #1 to House Bill 2573. And on that, is there any discussion? Representative Regan."

Regan: "Will the Sponsor yield for a question, please?"

Speaker Braun: "He indicates he will."

Regan: "What... what did they do to you?"

McNamara: "Senate Amendment #1 made some changes that were very faulty as far as the Bill is concerned. The first portion is a minor change, which I wouldn't mind at all, which was changing the age instead of 17 years of age and under to 18

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

134th Legislative Day

June 25, 1986

years. Eighteen years is an adult. The second change they made was to they inserted... inserted the words 'born in Illinois' in one Section of the Bill which means that only missing children born in Illinois would be reported, according to the Bill. The third Section of the Bill that I disagreed with was a Section where they deleted the notification and provided a warning to the people that are the potential or the alleged abductors of the children..."

Regan: "That's good enough. Thank you very much. I'll go along with that for sure."

McNamara: "Thank you."

Speaker Braun: "Is there further discussion? There being none, the question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 2573?' All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does nonconcur in Senate Amendment #1 to House Bill 2573. On the Order of Revenue appears House Bill 1130, Representative Keane. Representative McGann."

McGann: "Thank you, Madam Chairman (sic - Madam Speaker), Members of the Assembly. House Bill 1130 as amended in the Senate was a Committee... Revenue Committee Bill that went out of the House with a large plurality and it was amended. It refinded one part of it... of the Section in regards to Illinois vehicle use tax by Senate Amendment #1 in the Senate Revenue Committee. It's in... the Bill is in perfect shape now, and I would move to concur with House Bill 1130. I'd answer any questions."

Speaker Braun: "The Gentleman has moved that the House concur in Senate Amendment #1 to House Bill 1130. On that, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1130?' All in favor vote 'aye', opposed vote 'no'. This

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

134th Legislative Day

June 25, 1986

is final action. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no', and the House does concur in Senate Amendment #1 to House Bill 1130. And this Bill, received the Constitutional Majority, is hereby declared passed. House Bill 1675. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1675, a Bill for an Act to amend an Act relating to the state collection of certain locally imposed taxes, together with Senate Amendment #1."

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

Young: "Thank you, Madam Speaker, Ladies and Gentleman of the House. Senate Amendment #1 is a technical Amendment that changes the time the accelerated dispersements are made to units of local government from on or before March 31 to the end of March, and I move that we concur."

Speaker Braun: "The Gentleman has moved that the House do concur in Senate Amendment #1 to House Bill 1675. On that, is there any discussion? There being none, the question is, 'Shall the House concur in Amendment #1 to Senate Bill 1675?' All in favor vote 'aye', opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? On this question there are 115... 115 voting 'aye', 2 voting 'no', and the House does concur in Senate Amendment #1 to House Bill 1675, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2552, Representative Curran. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2552, a Bill for an Act to amend the State Comptroller Act and the School Code, together with Senate Amendments #1 and 2."

Speaker Braun: "The Gentleman from Sangamon on Senate... House

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

134th Legislative Day

June 25, 1986

Bill 2552."

Curran: "Madam Speaker, thank you. I move to concur with Senate Amendments #1 and 2. The net effect of which is simply to... to limit to 25% of the net amount of any regular wage or salary payment, the amount which the Comptroller could withhold from... could withhold from some state employee's check."

Speaker Braun: "The Gentleman has moved the House concur in Senate Amendments #1 and 2 to House Bill 2552. And on that, is there any discussion? The Chair recognizes the Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Madam Speaker, I wonder if the Sponsor might yield for a question."

Speaker Braun: "He indicates he will."

Vinson: "Representative, we... we passed a Bill at the behest of the Comptroller and the Attorney General, I believe, and as a result of an Audit Commission report a House Bill, that dealt with a comprehensive coordinated loan collection program for the state last month and sent it over to the Senate, and my only question is, does your Bill properly dovetail with that, does it conflict with that and is that other vehicle still alive and well, do you know?"

Curran: "Representative, I do not... Is that the extent of your question?"

Vinson: "Yes."

Curran: "I do not know if the other Bill is still alive. I have been in constant contact with the Comptroller's Office and with other state agencies that might be involved, such as the Department of Public. The Department of Public tells me that they are not particularly interested in this Bill one way or the other. The Department of Revenue tells me that they have no objection to the Bill, and I have been assured that there's no opposition to it. I do not know of

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

134th Legislative Day

June 25, 1986

the other Bill that you're speaking of, however."

Vinson: "Scholarship Commission's okay on your Bill?"

Curran: "Scholarship Commission is fine with this Bill."

Vinson: "Okay. I have no other questions."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Sangamon to close. Oh, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I think that the Senate Amendment #2 offered by Senator Demuzio... Is this a new Act? I think that the Senate Amendment may be defective. Nothing is underlined. The Bill is underlined. It's... Maybe it creates a new Act. It doesn't create a new Act, and the... nothing on the Amendment is underlined. And so, I just wondered if maybe... you might want to take it out of the record for a second so we can determine whether or not it's satisfactory."

Curran: "That's... that's fine. Take it out of the record."

Speaker Braun: "Out of the record. And Representative Breslin in the Chair."

Speaker Breslin: "Senate Bill 2770, Representative Giorgi. Representative Giorgi."

Giorgi: "2757?"

Speaker Breslin: "2770."

Clerk Leone: "House Bill 2770, amends the Criminal Code together, with Senate Amendments #1 and 2."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, I move that we concur with Senate Amendments #1 and 2 to House Bill 2770. What it does is it cleans up the language and allows any printer in Illinois to advertise... to manufacture lottery tickets and allow broadcasters in Illinois to advertise other lottery games of the surrounding states."

Speaker Breslin: "The Gentleman has moved that the House concur



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

134th Legislative Day

June 25, 1986

in Senate Amendments #1 and 2 to House Bill 2770. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2770?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open."

Giorgi: "'Aye' votes."

Speaker Breslin: "This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 101 voting 'aye', 8 voting 'no', and none voting 'present', and the House does adopt Senate Amendments #1 and 2 to House Bill 2770. House Bill 2917, Representative Bowman. Clerk, read the Bill."

Clerk Leone: "House Bill 2917, amends the Senior Citizens' and Disabled Persons' Property Tax Relief and Pharmaceutical Assistance Act, together with Senate Amendments #1, 2 and 3."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendments 1, 2 and 3 to House Bill 2917. These Amendments were added in the Senate to make this Bill identical to Senate Bill 2042 which this House has already passed. Basically, Amendment #1 is a... an Amendment which represents an agreement with the Illinois Pharmacists' Association and which is also agreed to by the Department of Revenue which changes the professional dispensing fees for pharmacies, clarifies and simplifies provisions that require updating of the dispensing through fees to annual surveys. Amendment #2 expands the scope of the Bill to include anti-arthritis medications, and Amendment #3 is simply a language change with regard to the insulin provision in the original Bill. It is technical in nature. I move for concurrence in these three Amendments."

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

134th Legislative Day

June 25, 1986

Speaker Breslin: "The Gentleman moves that the House concur in Senate Amendments #1, 2 and 3 to House Bill 2917. And on that question, Representative Vinson."

Vinson: "Yes, Madam Speaker, Ladies and Gentlemen of the House. I wonder if the Sponsor might yield for a question."

Speaker Breslin: "He indicates he will."

Vinson: "Representative, they seem to be turning the microphone down when you speak. And as a consequence, I was unable to hear what you had to say, and I wonder if you might repeat it so that the Members really have an idea of what we're doing here."

Bowman: "Well actually, Representative Vinson, they're not turning down the microphones. It is just that I'm grad..."

Vinson: "What you say?"

Bowman: "...I'm a graduate of Zeke Giorgi's school of allocution, and I have a certificate to prove it, but if you're really interested in what the Amendments do, I'll be happy to recite them for you. Would you like?"

Vinson: "Thank you. Thank you."

Bowman: "Okay. The three Amendments taken together make this Bill identical to one that we have already passed, Senate Bill 2042. Amendment #1, change... or is a... an Amendment requested by the Pharmacists' Association and it makes changes in the reimbursement fee and the annual survey procedures. Amendment #2 expands the scope of the Bill to include anti-arthritic medications, and the... Amendment #3 is technical in nature and simply changes the language with regard to insulin to make it to with the other Bill. If you want me to go into more detail on any one of those Amendments, I will be happy to do so."

Vinson: "What... why is it that... did you say there was another Bill passed that was just like this?"

Bowman: "Yes, well as amended."

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

134th Legislative Day

June 25, 1986

Vinson: "And why is it that we're cloning bills this Session?"

Bowman: "Now, would you please repeat that question, I couldn't hear..."

Vinson: "Why is it that we're cloning Bills this Session?"

Bowman: "Actually, Representative Vinson, I think if you look at the record, this... this one was introduced before the other one, and so, this is just to make sure that..."

Vinson: "Interesting theory."

Bowman: "We tie up all the loose ends."

Vinson: "Now, is it your suggestion that this emergency needs two solutions?"

Bowman: "Yes, absolutely. Why not?"

Vinson: "Now, as I recall the history of this concept, you came in two years ago with a program to provide this kind of circuit breaker pharmaceutical relief for some people, and it was beaten, and then, last year you came in and got the program passed. Is that about right?"

Bowman: "Well, you're almost right. Actually, the first time we passed it, and the Governor vetoed it, then we brought it back and... in a stripped down version and it passed, the Governor signed it, and at the time, we acknowledged that we were planning to take this step-by-step so that we would add, every year we would expand the program a bit more."

Vinson: "So, we'll start... we put the fends on the car this year. What goes on it next year?"

Bowman: "Well, that decision hasn't been made yet, but I think what we have been doing is seeing what the track record is like and then modifying the program accordingly. We'll just have to see next year what it brings."

Vinson: "Is the greatest amount of lobbying on what new drugs are going to be included in this program done by sick people or done by pharmaceutical manufacturers?"

Bowman: "Actually, it's done by senior citizen organizations, and

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

134th Legislative Day

June 25, 1936

I have not been contacted by any pharmaceutical manufacturers on this."

Vinson: "Okay. Thank you."

Speaker Breslin: "Is there any further discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1, 2 and 3 to House Bill 2917?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', 2 voting 'no', and none voting 'present, and the House does concur in Senate Amendments #1, 2 and 3 to House Bill 2917, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2937, Representative Vinson. Clerk, read the Bill."

Clerk Leone: "House Bill 2937, a Bill for an Act in relationship to bonds pertaining to state occupation, use and motor fuel taxes together, with Senate Amendment #1."

Speaker Breslin: "Representative Vinson."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. When this Bill passed the House, it had been amended so as to say that people who are required to file surety bonds with Revenue - and those are... what we are dealing with are retailers and motor fuel distributors - to... for the purpose of ensuring the payment of their various excise taxes, would be exempt from the requirement of filing the surety bond if they had done so for two years and for those two years had been in continuance... continuous compliance with the various excise tax laws applicable. In the Senate, the Bill was amended to add a provision of... of a Bill that Representative Cullerton had introduced in the House and passed in the House, but was killed in Senate Rules. And that particular provision

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

134th Legislative Day

June 25, 1986

amended the Motor Fuel Tax Act to allow taxpayers to take a credit against current tax liability for amounts due them from the Department of Revenue in lieu of a credit memorandum or a refund. Distributors who lose motor fuel through any cause or who use motor fuel in nonhighway methods are presently entitled to claim a refund of taxes already paid on such fuel. Revenue may either issue a refund or a credit memorandum. If credit is given, it is taken against tax due or likely to become due soon. This Bill allows the taxpayer the option of requesting a credit or refund. The Department would retain a right of final decision. Motor carriers who do not use in Illinois all the special motor fuel, that is diesel fuel, purchased in the state for which taxes have been paid may be issued a credit memorandum or a refund. That's to deal with the situation where you may have interstate carriers who buy fuel in Illinois, but don't use all the fuel in the gas tank that they purchased while they are still in Illinois. The credit or refund is currently applied to the next calendar quarter. The Bill allows that... those taxpayers to have the option of taking a credit for the current calendar quarter. I don't think there's any controversy in regard to this. I think Mr. Cullerton researched this matter pretty carefully and just couldn't get his Bill out of Senate Rules, perhaps because of some of the personalities involved and I'm very willing to help him here. And I would move that the House do concur in Senate Amendment #1 to House Bill 2937."

Speaker Breslin: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 2937. Is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2937?' All those in favor vote 'aye', all those opposed vote 'no'."

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

134th Legislative Day

June 25, 1986

Voting is open. This is final passage. Have all voted who wish? Representative Tate, on the question. One minute to explain your vote. Representative... Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 2937, and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2956. Representative Braun. Clerk, read the Bill."

Clerk Leone: "House Bill 2958, amends an Act concerning direct deposit of public assistance payments, together with Senate Amendments #1 and 3."

Speaker Breslin: "Representative Braun."

Braun: "Thank you. I'd move that the House do concur in Amendments 1 and 2... 1 and 3 to House Bill 2958. Essentially, the... these two Amendments are Senate cleanups... are cleanup Amendments to the Payroll Deductions Act that we passed last year and it simply cleans up and tightens up that Act. I ask for your support."

Speaker Breslin: "The Lady has moved for the concurrence with Senate Amendments #1 and 3 to House Bill 2958, and on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, I wonder if the Sponsor might yield for a question?"

Speaker Breslin: "She indicates she will."

Vinson: "Representative, as I recall the Bill as it passed the House, it was designed to place the public aid recipient on the same basis as, for instance, the social security recipient that can have their check mailed to their bank. Is that not more or less true?"

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

134th Legislative Day

June 25, 1936

Braun: "Right."

Vinson: "Now, I don't understand this Senate Amendment."

Braun: "Okay, I'll explain it to you."

Vinson: "Okay."

Braun: "Essentially, we... last year, we passed legislation which allows for a check off for voluntary deductions for charities. What this Amendment does is clean up some parts of that Act in that it calls for the... for reporting by the charities that are participating in the check off in the amount of contributions that they receive."

Vinson: "Give me that one more time."

Braun: "The charities that participate in the check-off are called upon by these Amendments to report the amount of the contributions that they receive for purposes of the Comptroller monitoring compliance with the original Act. In order that the Comptroller can monitor whether or not a charity participating in the check off has complied with the original Act, this just requires some reporting by them."

Vinson: "Well, how is that germane to your Bill?"

Braun: "It's... has to do with public charities. The Senate thought it was germane and there was no issue of germaneness raised in the Senate..."

Vinson: "Well, Madam Speaker... You're sure of that?"

Braun: "... and quite frankly, yes, and they both relate to the Comptroller's Act. And so, for that reason, it just gives the Comptroller, again, a monitoring tool that the Comptroller does... did not previously enjoy."

Vinson: "Thank you. Madam Speaker, on point of order."

Speaker Breslin: "State your point."

Vinson: "The Lady has just pointed out that the Senate did not deal with the germaneness of the Senate Amendment to the underlying House Bill. She points out the Senate did not

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

134th Legislative Day

June 25, 1986

deal with germaneness. Very clearly..."

Braun: "Wait, Representative Vinson. Representative Vinson, we don't know that the Senate did not deal with the issue of germaneness. I'm saying to you that an objection on the basis of germaneness was not raised."

Vinson: "Yes."

Braun: "Yes."

Vinson: "That's my... exactly my point. I think, Madam Speaker, you might recall that former Speaker Redmond, occupying that Chair at one time, in regard to a Bill that dealt with the Unified Code of Corrections, was called upon..."

Speaker Breslin: "Representative Vinson, state your point."

Vinson: "That's what I'm doing."

Speaker Breslin: "What is your point?"

Vinson: "... was called upon to rule in the same regard; and, insofar as that Amendment is clearly not germane to the Bill, which dealt with the direct deposit of public assistance payments and the Amendment deals with policing deductions on state income tax forms, I believe, you have a situation where the Amendment is not germane and I would ask the Chair, insofar as the Senate has not ruled on the matter, to rule that the Amendment is not germane."

Braun: "Madam Speaker... Madam Speaker, I think the Gentleman is raising a specious and frankly insincere point. The fact is that both the Amendment and the Bill relate to the State Comptroller's Act and amend the same Act."

Speaker Breslin: "We'll look it over. The Gentleman from Will, Representative Vinson, as soon as the Clerk has the Bill in the House's possession, we will look it over and look over the Amendments and get back to you. Meanwhile..."

Vinson: "Madam Speaker."

Speaker Breslin: "Yes, Sir."

Vinson: "Do I understand the Bill is not in the House's



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

134th Legislative Day

June 25, 1986

possession?"

Speaker Breslin: "That's what the Clerk tells me."

Vinson: "Well, then, we've to got a real problem."

Speaker Breslin: "It is... It is in... physically in the Journal Room. They are sending it down to us now..."

Vinson: "I see."

Speaker Breslin: "I understand that's common procedure. Representative Davis, on the question of whether or not the House concurs in these Amendments."

Davis: "Well, no, Madam Speaker. To the point raised by Representative Vinson, for just a moment, if I may. I might direct the Parliamentarian's attention to last year, at approximately this same time, when a Senate Amendment to one of my Bills was ruled not germane, using the Redmond ruling precedent, and the Parliamentarian should recall that very clearly."

Speaker Breslin: "Representative Davis, there has been no contest with the precedents set in this House. We are looking at the Bill and we will make a determination on germaneness."

Davis: "Well, I'd merely make the point that that particular, both items mended... amended Chapter 38 in the Criminal Code and it was a creative ruling and we would hope for the same precedent and creativity out of the Parliamentarian."

Speaker Breslin: "Representative Braun, for what reason do you seek recognition?"

Braun: "Thank you, Madam Speaker. I was just advised that my previous remarks were in error. Germaneness apparently was raised in the Senate, I have been advised, and the Senate... the Chair ruled that it was germane in the Senate. Now, I have no direct knowledge of this. I have been advised that it... that the issue of germaneness... germaneness was raised and that it was ruled germane in the Senate."

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

134th Legislative Day

June 25, 1966

Speaker Breslin: "Representative Vinson, for what reason do you seek recognition?"

Vinson: "Madam Speaker, did I understand the Lady to say that there had been a ruling on germaneness in the Senate?"

Speaker Breslin: "That's what she said."

Vinson: "I have... I have examined the Amendments much more carefully and if she can now represent to the Assembly that that is the case, that there was a ruling in the Senate, then the Redmond ruling would not be applicable in the House under its very terms. I looked at the Amendments and I don't see anything particularly wrong with the Amendments and if the Senate did, in fact, rule that they were germane, then I think it would be a mistake for the House to place itself in the position of second-guessing the chamber in which they were offered and deliberated in and I would withdraw my point of order."

Speaker Breslin: "Regardless of that... Okay, Representative Braun, the Gentleman has withdrawn his point of order, so the question before this House is, 'Shall the House concur in Senate Amendments #1 and 3 to House Bill 2958?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendments #1 and 3 to House Bill 2958, and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 3309, Representative Friedrich. Clerk, read the bill."

Clerk Leone: "House Bill 3309, amends an Act in relationship to the taxation of certain mineral rights, together with Senate Amendments #1 and 2."

Speaker Breslin: "Representative Friedrich."

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

134th Legislative Day

June 25, 1986

Friedrich: "Madam Speaker, Members of the House, this is a Bill that I think you are familiar with. We have been working on it for about a year, which has to do with the assessment of coal and it's been agreed upon by the Farm Bureau, the Supervisor of Assessment, the Department of Revenue and the coal companies. In the Senate, they added an Amendment at the request of Tom Hines, who is the Supervisor of Assessments in Cook County, which also includes quarries, which was a problem in that area. I think there is no opposition. I would move that we concur in the two Amendments."

Speaker Breslin: "The Gentleman moves that the House concur in Senate Amendments #1 and 2 to House Bill 3009 (sic - 3309). On that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 3309?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 116 voting 'aye', none voting 'no' and none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed since the House has concurred in Senate Amendments #1 and 2. House Bill 3328, Representative Keane. Clerk, read the Bill."

Clerk Leone: "House Bill 3328, a Bill for an Act in relationship to accounts of state agencies, together with Senate Amendments #1, 2 and 3."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. I move to concur with Senate Amendments 1, 2 and 3 to House Bill 3328. Senate Amendment #1 authorizes the... and this Bill, the basic Bill, deals with the procedures for recordkeeping and writing off bad

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

134th Legislative Day

June 25, 1986

debts. It's an Audit Commission Bill. Senate Amendment #1 authorizes the Comptroller, with the approval of the Governor, to provide for the creation of special funds for the deposit of certain collections of overdue accounts by state agencies. In certain cases, it's permitted to use... the use of part of the collected funds for further collection efforts. Senate Amendment #2 is a technical Amendment which removes repeated language. Senate Amendment #3, last year, we inadvertently deleted part of the Department of Revenue's ability to write off claims and that puts it back in. I'd be happy to answer any questions. Ask for favorable..."

Speaker Breslin: "Representative Keane has moved for the concurrence with Senate Amendments #1, 2 and 3 to House Bill 3328, and on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, I wonder if the Sponsor might yield?"

Speaker Breslin: "He indicates he will."

Vinson: "Representative, do you recall my Amendment #3 to the Bill, which I withdrew and you said would be done in the Senate?"

Keane: "Pardon me?"

Vinson: "You might recall that I agreed at your behest to withdraw House Amendment #3 on your representation that it would be added to the Bill in the Senate and my question is, was it added to the Bill in the Senate?"

Keane: "As I remember... I don't see any reason why... Why did I ask you to withdraw it so we could put it on in the Senate?"

Vinson: "Yeah, you wanted to get the Bill out before the deadline and you said you would just take care of that problem in the..."

Keane: "I... I apologize. I blew it. If I said that, I just

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

134th Legislative Day

June 25, 1986

blew it."

Vinson: "Could we send this Bill to Conference Committee and get that Amendment added in?"

Keane: "Hold on a second. Can I take this out of the record for a second?"

Speaker Breslin: "Surely. Out of the record. House Bill 3476, Representative Olson. Clerk, read the Bill."

Clerk Leone: "House Bill 3476, amend an Act in relationship to funds receiving monies pursuant to the Illinois tax check... checkoff system, together with Senate Amendment #1."

Speaker Breslin: "Representative Olson."

Olson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendments 1 and 2 to House Bill 3476. The..."

Speaker Breslin: "Excuse me, Representative. The board shows only Senate Amendment #1. Are there two Amendments you are concurring in?"

Olson: "There are two Amendments."

Speaker Breslin: "Would you correct the board, Mr. Clerk?"

Olson: "There are two elements to the Amendment, I would... yeah. Two elements to the Amendment, Madam."

Speaker Breslin: "Okay, tell us what the two Amendments do, please."

Olson: "Alright. The underlying... the underlying Bill in the House was to provide the ability for DCFS and the veterans' agencies to receive unsolicited monies to go into grant funds. Senate Amendment #1, with two elements, included the Department of Public Aid and the Department of Public Health to accept..."

Speaker Breslin: "Representative Olson..."

Olson: "Yes?"

Speaker Breslin: "Excuse me for interrupting again, but the Clerk

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

134th Legislative Day

June 25, 1986

has shown me the Message from the Senate. That indicates that they sent us only one Amendment, Senate Amendment #1."

Olson: "It was combined into one, Madam Speaker."

Speaker Breslin: "Okay, proceed on Senate Amendment #1."

Olson: "Okay, again, let me repeat, Senate Amendment #1, which has two elements, provided for unsolicited private donations to be accepted by the Department of Public Aid for the use in its Homeless Fund and also for the Department of Public Health to accept such deposits for the grant program pursuant to this Act in the Alzheimers Disease Research Fund. The underlying Bill provided for that ability by the Department of Children and Family Services as well as the Amendment in Committee for the Veterans' Fund. I would move for the adoption of this Concurrence Motion."

Speaker Breslin: "The Gentleman has moved for concurrence in Senate Amendment #1 to House Bill 3476, and on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, Madam... Thank you, Madam Speaker. I would ask you to remind your friends that we are working down here and we have a lot of business to do and we can't take time off, especially when you are in the Chair, that's, you know..."

Speaker Breslin: "They understand that, Sir."

Cullerton: "... have private personal conversations. Now, would the Sponsor yield for a question?"

Speaker Breslin: "He will."

Olson: "Yes."

Cullerton: "On the original Bill, I had a question. This Bill would allow interest earned on the Fund to be retained by the Fund, is that correct?"

Olson: "That's correct. Child... Child..."

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

134th Legislative Day

June 25, 1986

Cullerton: "Who is earning the... who is earning the interest now?"

Olson: "Well, this would... these would be from private donations."

Cullerton: "Why don't you explain to me how it works? The Child Abuse Prevention Fund. It's administered by DCFS, then there is an income tax checkoff."

Olson: "Right."

Cullerton: "And the... So, the money, once it's checked off, it's transferred from the General Revenue Fund?"

Olson: "The interest currently being earned goes into GRF and this allows private donations."

Cullerton: "Oh, so we're taking... We're taking money out of the General Revenue Fund and allowing this Fund to get more money."

Olson: "This would permit private donations to the Fund."

Cullerton: "Well, but I mean the question is the interest, that part of the Bill that authorizes the Fund to retain the interest earned. We are giving the Fund more money by allowing them to retain... right now they don't get the interest."

Olson: "That's correct."

Cullerton: "The State General Revenue Fund gets the interest."

Olson: "That's correct."

Cullerton: "So, we are taking money out of the General Revenue Fund and we are transferring it to the Child Abuse Prevention Fund, right?"

Olson: "It would be staying in the Fund, Representative."

Cullerton: "Well, it stays in the Fund right now... the interest that's earned on this Fund is retained by the State General Revenue Fund."

Olson: "Correct."

Cullerton: "Now, we are transferring that interest to the Child

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

134th Legislative Day

June 25, 1936

Abuse Prevention Fund."

Olson: "Correct."

Cullerton: "How much money was that interest estimated to be?"

Olson: "I don't... I don't have that answer."

Cullerton: "Doesn't anybody around you know?"

Olson: "The estimate is about \$10,000 annually."

Cullerton: "Now, what about the other checkoff funds that we have? Do you know whether or not they are allowed to retain the interest?"

Olson: "You mean such as Conservation and the others of that nature? I'm not familiar with that, no."

Cullerton: "Does anybody around you know that answer either?"

Olson: "To those that are on the check..."

Cullerton: "I'm reminded that the late Senator Bloom used to always call them handlers. My handlers haven't given me the proper answers. So, what does your handler tell you?"

Olson: "My handler does not have knowledge of those others that you are describing that are already in the checkoff. We..."

Cullerton: "This could be... this could be the only fund then that is allowed to retain interest from the General Revenue Fund. But then again, maybe all of the other funds are allowed to retain interest and this is the only one left."

Olson: "Well, there are three other proposals in this bill that would be..."

Cullerton: "Which are more important than this little \$10,000 I'm talking about."

Olson: "Well, we don't know what the funds that they generate might include because we don't have any... any criteria in which to operate."

Cullerton: "Well, as long as people know that there's a possible loss in money to the General Revenue Fund and you know we do have a problem funding increased number of prisons and



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

134th Legislative Day

June 25, 1986

the education reforms that we passed last year and, so it's just a consideration should be taken..."

Olson: "Well, I think the offset of that, Representative, would be more than made up by the value which DCFS, the veterans, the Public Health provision which would fund the Alzheimers and Public Aid for the homeless and the shelter would be more than offset."

Cullerton: "Well, plus the Child Abuse Prevention Fund is getting more money."

Olson: "That's right."

Cullerton: "Right, thank you."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3476?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Representative Leverenz, one minute to explain your vote. The Gentleman indicates he does not wish to explain his vote. Representative Braun wishes to vote 'aye'. Mr. Clerk, take the record. On this question, there are 114 voting 'aye', none voting 'no', and 4 voting 'present'... and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 3476, and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Friedrich has made a request for a Republican conference. Representative Friedrich, we have two more Bills on this Order of Business. Would you mind if we finished this Order of Business and then broke for a conference?"

Friedrich: "I thought we were finished with it."

Speaker Breslin: "Okay, no, we have two more Bills that were taken out of the record that we are ready to go back to."

Friedrich: "Okay, thank you."

Speaker Breslin: "Okay, that Bill... the first Bill is House Bill

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

134th Legislative Day

June 25, 1986

2552, Representative Curran. Clerk, read the Bill."

Clerk Leone: "House Bill 2552, amends the State Comptroller Act and the School Code, together with Senate Amendments #1 and 2."

Speaker Breslin: "Representative Curran."

Curran: "Thank you, Madam Speaker. I move to concur in Senate Amendments #1 and 2. I think all the questions have been cleared up. I think there's no opposition and I move to concur in Senate Amendments #1 and 2 to House bill 2552."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendments #1 and 2 to House Bill 2552. Is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2552?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendments #1 and 2 to House Bill 2552, and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Keane, are you ready on Senate Bill... House Bill 3328? Clerk, read the Bill."

Clerk Leone: "House Bill 3328, a Bill for an Act in relationship to the accounts of state agencies, together with Senate Amendments #1, 2 and 3."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. We have cleared or resolved the problem and I move to concur in Senate Amendments #1, 2 and 3."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendments #1, 2 and 3 to House Bill 3328. And on that question, is there any discussion? Hearing none, the

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

134th Legislative Day

June 25, 1986

question is, 'Shall the House concur in Senate Amendments #1, 2 and 3 to House Bill 3328?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendments #1, 2 and 3 to House Bill 3328, and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Friedrich is recognized for a Motion."

Friedrich: "Madam Speaker, I'd like to ask for a 30 minute recess for the purpose of a Republican conference in Room 118 immediately. And I would appreciate it if the Republicans would be prompt."

Speaker Breslin: "Representative... Excuse me. There will be a Republican conference, Ladies and Gentlemen, in Room 118 for 30 minutes. We will return to the floor at ten minutes to five, whereupon we will continue with the Special Subject Matter Call dealing with State Administration. Representative Friedrich."

Friedrich: "I would appreciate it if the Republicans would be prompt so we can be back on time."

Speaker Breslin: "I agree. Please be prompt, Ladies and Gentlemen. This House stands in recess until ten minutes to five. All Members should return to the House floor at ten minutes to five. Thank you. Ladies and Gentlemen, the hour of 5:00 has arrived. The House is preparing to come back from recess. All Members should return to the House floor. The House will come to order. Mr. Clerk. Messages from the Senate."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House

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

134th Legislative Day

June 25, 1986

of Representatives that the Senate has concurred with the House of Representatives in passage of the following Bills, together with Amendments, the adoption of which I am instructed to ask concurrence of the House, to wit: House Bills #2987, 3255, 3257, 2976, 2980, 2998, 3000, 3002, 3191 and 2989, passed the Senate as amended June 25, 1986. Kenneth Wright, Secretary.' Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their Amendments to the following Bills: Senate Bill 1320, 1517, 1552, 1565 and 1809. Action taken by the Senate June 25, 1986. Kenneth Wright, Secretary.'"

Speaker Breslin: "Supplemental Calendar announcement."

Clerk O'Brien: "Supplemental Calendar #3 is being distributed."

Speaker Breslin: "Representative Davis, can you tell us whether or not you believe your side is prepared to go forward now?"

Davis: "No, I couldn't tell you that."

Speaker Breslin: "Representative Ryder? We don't want to start unless you are all ready. Are you ready?"

Ryder: "I don't think so."

Speaker Breslin: "Representative Hallock, can you tell us if we are ready? Is your side ready? You were supposed to be ready twenty minutes ago."

Hallock: "Up those stairs... It's a long walk up the stairs... five minutes."

Speaker Breslin: "A lot of other... a lot of other people have made it up the stairs..."

Hallock: "Well, they ran... they ran up the stairs. Some have more enthusiasm than others."

Speaker Breslin: "I see. Ladies and Gentlemen, we are going to go to the Order of Subject Matter Call dealing with State

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

134th Legislative Day

June 25, 1986

Administration. The first Bill on that Order is House Bill 1446. Representative Alexander. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1446, a Bill for an Act to amend the Illinois Public Aid Code, together with Senate Amendments #1 and 2."

Speaker Breslin: "Representative Alexander."

Alexander: "Thank you very kindly, Madam Speaker. House Bill 1446 picked up two Amendments in the Senate, Senate Amendment #1, which adds various laws to the Child Support Apportionment Act and these Apportionment Acts would involve or embrace the Public Aid Code, the Illinois Marriage and Dissolution of Marriage Act, the Nonsupport of Spouse and Children Act, the Revised Uniform Reciprocal Enforcement of Support Act and the Illinois Parentage Act. What it does is it increases from ten percent to 20 percent the amount of money to be withheld from a payor or an employer to cover delinquencies. This Amendment was developed in cooperation with the Cook County State's Attorney and the Illinois Task Force on Children's support. Senate Amendment #2 merely expands the agreement of the Department of Public Aid and is requested by the Department of Public Aid which gives them greater latitude in the selection of lawyers in dealing with local governments, attorney generals in behalf of the child support enforcement services and I ask for the passage or concurrence of these two Amendments."

Speaker Breslin: "The Lady has moved for concurrence in Senate Amendments #1 and 2 to House Bill 1446, and on that question, the Gentleman from Morgan, Representative Ryder, at Representative Vinson's desk."

Ryder: "Thank you, Madam Speaker. At this time, I would move to divide the question on the two Amendments as to the concurrence."

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

134th Legislative Day

June 25, 1986

Speaker Breslin: "Okay, the Gentleman has moved to divide the question between Senate Amendments #1 and 2. So, the first Amendment that we will discuss is Amendment #1. Is there any discussion on that Amendment. If none, the question is... excuse me. Representative Ryder, did you wish to discuss Amendment #1?"

Ryder: "Thank you. I just wish to make a start... a small statement indicating that the Illinois Department of Public Aid has indicated their opposition to allowing this to become part of the Bill. This was placed in the Senate and it was against their position at that time. There is substantial questions as to what the Amendment does, particularly as to what it does in allowing the courts to order amounts to come out of paychecks concerning arrearages. There's a substantial question as to what kinds of limitations may be on this... allowed by this particular Amendment and I believe that is the major reason that the Department of Public Aid is now been... indicated their opposition to it. I make this as a statement so that folks may understand what it is that they are voting on at this time. Thank you, Madam Chairman."

Speaker Breslin: "Representative Johnson, on Amendment #1. Do you seek recognition?"

Johnson: "I'll pass."

Speaker Breslin: "Okay. Representative Countryman, on Amendment #1."

Countryman: "Thank you, Madam Speaker. I rise in opposition to this Amendment and would ask people to vote against concurring in it. In essence, this sets the minimum delinquency payment under a withholding order from ten percent to 20 percent, but let me point out to you that it's the minimum delinquency payment. It's not the... and there may be instances where ten percent is all that can be

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

134th Legislative Day

June 25, 1986

paid. We get into deficiency situations. I think judicial discretion is the appropriate way to go and I'd therefore ask you to vote against this Concurrence Motion."

Speaker Breslin: "The Lady from Champaign, Representative Satterthwaite, on Amendment #1."

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

Speaker Breslin: "She will."

Satterthwaite: "I understand that the delinquency is usually... the repayment for the delinquency is usually initiated after a 30 day delinquency. So, is it true then that what we are talking about is not a substantial back payment, but simply the catch up for that 30 day delinquency period?"

Speaker Breslin: "Representative Alexander, would you answer Representative Satterthwaite's question?"

Alexander: "That is correct, Representative. The delinquency would commence 30 days after it has reflected first that there is a delinquency. Even with the passage of Senate Amendment #1, the family in... heretofore, has, in cases of trying to secure delinquent funds, had a waiting period of ten months. With the passage of Senate Amendment #1, the time element develops down to about five months before that family unit can begin to receive any parts of their delinquencies."

Satterthwaite: "Thank you. I think that confirms my perception too, that we are not really talking about years and years of arrearages here. We are talking about relatively short periods of delinquency where under the current law we would have to wait ten months for recovery. This would shorten that recovery period and, therefore, I think that we ought to strongly support the Amendment and concur in this Motion."

Speaker Breslin: "Representative Ropp, on Amendment #1."

Ropp: "Thank you, Madam Speaker. It is my understanding, and I

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

134th Legislative Day

June 25, 1986

would ask the Sponsor for correction, that it is not necessarily an increase in the delinquency payment, but it is in the increase of the period in which that repayment should be made. So, instead of an increase of that one month being delinquent of a ten percent over, let's say, ten months or twelve months, that it is a 20 percent over half the period of time. So that, in fact, the amount of money that is being repaid as a result of being delinquent for a month is increased so that amount is picked up quicker and that actually the amount of money that is paid is not increased by 20 percent, but merely the rate at which that lost month has occurred. Is that correct or not?"

Speaker Breslin: "Representative Alexander."

Alexander: "Attorney Ropp... not Attorney Ropp. Representative Ropp, this Bill definitely states an increase from ten percent to the 20 percent amount of the additional withholding by a payor or person being charged and the employer to cover delinquency. That is correct. It is 20 percent, yes, but it's reducing the time element."

Ropp: "But doesn't it..."

Alexander: "It's not increasing the obligation. It's just reducing the time element..."

Ropp: "It reduces the months, but increases the percentage so the same amount is still paid as child support."

Alexander: "That is correct."

Ropp: "Right."

Speaker Breslin: "Representative Piel, on Amendment 11."

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

Speaker Breslin: "She will."

Alexander: "Yes, I will."

Piel: "Excuse me. I'm sorry. Representative, have you talked to anybody in the Cook County court system because I'm



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

134th Legislative Day

June 25, 1986

noticing that downstate's courts... downstate courts have different figures than the Cook County courts. The Cook County courts, you know, it seems like this Amendment would counteract what the Cook County courts are now doing as far as a ten percent... you're increasing by 100 percent to 20 percent."

Alexander: "Representative Piel, what we are attempting to do is, in fact, to bring the Cook County courts in line with the rest of the state. In many instances, the other counties are already getting this money. Cook County has not chosen, up to this point, to proceed with this ratio and this only brings Cook County and our State's Attorney's Office in more or less relative comparative compliance with the rest of the Child Support Act throughout the state."

Piel: "What... Have you gotten any reaction from the Cook County court system in reference to this Amendment?"

Alexander: "I have not, none that I am aware of."

Piel: "I would think, because they routinely go with ten percent and now you are telling them they have to go to 20 percent, I would think that they would oppose the Amendment, but I might be wrong."

Alexander: "I don't think they would... I don't think they would be in disagreement with the additional percentage rate."

Piel: "What... Can you give us some reasons why the Department is against this Amendment and, you know, I can see that there's... you know, obviously opposition from the Department and why they are?"

Alexander: "I believe they may be misinterpreting the provisions of what this particular Senate Amendment would be doing. It does not in any way change, increase any obligations whatsoever."

Piel: "Correct... Correct me if I'm wrong. This is raising the minimum, correct?"

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

134th Legislative Day

June 25, 1986

Alexander: "That is correct."

Piel: "When you are raising the minimum by a hundred percent, isn't that, you know, a questionable thing?"

Alexander: "It is raising the minimum, but not the obligation."

Piel: "But it is raising it by 100 percent, correct?"

Alexander: "Well, for arrearage only, yes, uh-huh."

Piel: "From ten to 20 percent is... okay, thank you, and I would ask the people on both sides of the aisle to look at this very closely before they would be voting 'yes', and I would ask a 'no' vote on this one and a 'yes' one on 2."

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

Johnson: "Move the previous question."

Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the main question is put. Representative Alexander, to close."

Alexander: "I'm asking this Body to concur with me in Senate Amendment #1."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1446?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Currie, one minute to explain your vote."

Currie: "Thank you, Madam Speaker, Members of the House. I support this Concurrence Motion. The Motion is also supported by the Illinois Task Force on Child Support, the Cook County State's Attorney's Office, that was involved in drafting this language. We're talking about increasing the minimum on delinquencies after the withholding order has already been made. We're talking about on the average \$14, \$14 a month. We're talking about families waiting

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

134th Legislative Day

June 25, 1986

five months, not ten months to make sure that the arrearages are finally paid. This is not an Amendment that is going to cause harm to the obligor. It is going to provide greater security for the children of the State of Illinois and on that basis, I would ask your support for this concurrence Motion. I'm shocked that the Department of Public Aid announced yesterday its opposition to the Amendment. My understanding was that, in principle, the Department does not oppose the idea of increasing the minimum that will be kept, will be paid after there has been a withholding order in place."

Speaker Breslin: "Representative Churchill, one minute to explain your vote."

Churchill: "Thank you, Madam Speaker. Should this Bill receive the requisite number of votes for passage, I would request a verification."

Speaker Breslin: "Fine. Representative Braun, one minute to explain your vote."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of this Motion for concurrence. The fact of the matter is this only applies to the order relating to a delinquency. We are talking about protecting the children in this state who are... who are entitled to have both parents contribute to their support, who are entitled to child support. This... this Senate Amendment will make the procedure for the collection of delinquent child support easier. It doesn't change the basic obligation. It doesn't change the obligation of the respective parties, the parents. It does, however, make it easier and say for this state that the children come first. It will bring Cook County into... into compliance with what is already going on in other parts of the state and give us the direction and the guideline to make... the guidance to

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

134th Legislative Day

June 25, 1986

make the system in Cook County as fair as it has already been shown to operate in other parts of the state. And I encourage your support for Senate Amendment #1."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 52 voting 'aye', 47 voting 'no' and none voting 'present' and the House does not concur. Representative Alexander."

Alexander: "She said it does not concur. Would you poll the absentees, please?"

Speaker Breslin: "The Lady polls the absentees. Would you poll the absentees, Hr. Clerk."

Clerk O'Brien: "Poll of those not voting. Capparelli. Christensen. DeJaegher. DeLeo. Farley. Flinn. Giglio. Hicks. Keane. Kulas. Laurino. Leverenz. Mautino. Mulcahey. Nash. Panayotovich. Pangle. And Ronan."

Speaker Breslin: "Representative Laurino votes 'aye'. Representative Capparelli votes 'aye'. Representative Ryder, for what reason do you rise?"

Ryder: "Madam Speaker, I rise because I distinctly remember you indicating that you had taken the Roll on this matter. You asked the Clerk to take the Roll and you announced the results. If we are now in the situation in which you are allowing folks after you have announced the results to either add their votes or change their votes, I don't believe that's appropriate under the rules."

Speaker Breslin: "We have already started the polling, Sir, and Members have added to the Roll Call. Is there any further changes? Representative Hicks votes 'aye'. Representative Black votes 'aye'. Representative Phelps votes 'aye'. On this question, there are 57 voting 'aye', 45 voting 'no' and none voting 'present'. Representative Hartke votes 'aye'. Representative Homer votes 'aye'. Representative

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

134th Legislative Day

June 25, 1986

Flinn votes 'aye'. Remember, Ladies and Gentlemen, there is going to be a verification of this Roll Call. Representative Barger votes 'no'. Representative... on this question there are 59 voting 'aye', 44 voting 'no' and none voting 'present'. Representative Alexander."

Alexander: "Thank you, Madam Speaker. Take the Bill out of the record. I'd prefer to have moved it, but however, we'll take it out of the record at this time. We'll try tomorrow. Thank you."

Speaker Breslin: "Okay, the House does not concur in Senate Amendment #1. House Bill... Excuse me. Representative Piel, for what reason do you rise?"

Piel: "I'm sorry, Madam Speaker, but that's a complete violation of the rules. We are in the middle of a Roll Call and you cannot take the Bill out of the record. Once that has failed... you have not declared that that had failed. Once it has failed, then she can take it out of the record before she hears Amendment #2, but you..."

Speaker Breslin: "And it... And we declared it as failed, Sir, and we..."

Piel: "No, you just gave her the roll. You had not said it failed."

Speaker Breslin: "We said the House did not concur in the Amendment and the Bill was then taken out of the record. That was done very clearly, Sir. The next Bill is House Bill 1476... 73, Representative Nash. Clerk, read the Bill. Representative Harris, for what reason do you rise?"

Harris: "Inquiry of the Chair. On this Special Subject Order of Call, do we know what Bills are on this? You indicated on some of the previous ones which..."

Speaker Breslin: "Yes, it was passed out and should be on your desk under State Administration."

Harris: "Thank you."

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

134th Legislative Day

June 25, 1986

Speaker Breslin: "Representative... Have you read the Bill, Mr. Clerk?"

Clerk O'Brien: "House Bill 1473, a Bill for an Act to amend the Illinois Public Aid Code, together with Senate Amendments #1 and 2."

Speaker Breslin: "Representative Nash."

Nash: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 and 2 to Senate Bill 1473... to House Bill 1473."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendments #1 and 2 to House Bill 1473. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 1473?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. 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' and 1 voting 'present'. And the House does concur in Senate Amendments #1 and 2 to House Bill 1473, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2060, Representative Churchill. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2060, a Bill for an Act to amend the Illinois Low Level Radioactive Waste Management Act, together with Senate Amendment #1."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 2060, as we passed it originally, made several clarifying changes to the Low Level Radioactive Waste Management Act. In the Senate, an Amendment was added on to specify that the Department could receive grant money. There was... inadvertently, the language had been

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

134th Legislative Day

June 25, 1986

left out to allow the Department to receive that grant money. So, at this time, I would move to concur with Senate Amendment #1."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 2060. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2060?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment #1 to House Bill 2060 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2544, Representative Mautino. Representative Mautino. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2544, a Bill for an Act relating to the Director of Central Management Services, together with Senate Amendment #1."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. Amendment #1, which was added in the Senate to 2544, addressed the use of armories as it pertains to the provisions that would allow for the State or Federal Government, as well as cities, to provide alternate use, sale or lease of those armories if, in fact, it is authorized by the Adjutant General and those in the military... under the Military and Naval Code. Madam Chairman, currently that Amendment is being discussed behind me between the Army and Navy and Representative Brunsvold, who has an interest. If I may, for intention purposes, since it was the Rock Island Amendment that was provided on this Bill, the intent of that Senate Amendment

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

134th Legislative Day

June 25, 1986

should be provided by Representative Brunsvold, who wants it known that there is no intention to transfer free of charge any property of the Navy and... the military and naval property to any city. But if that has to be intent totally on the Senate Amendment and from my desk, Representative Brunsvold... or from his desk, would like to respond."

Speaker Breslin: "Representative... Representative Mautino has moved for the concurrence in Senate Amendment #1 to House Bill 2544, and on that question, the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The Amendment that was added in the Senate simply adds the words, 'or units of local government' to the paragraph dealing with the people or the individuals at the national... or the Guard armory can deal with, as far as an armory is concerned, with the sale, the transfer of property, et cetera, and the words that are added there simply amplify the possibilities that the Guard can use to their advantage. There is nothing in this language that has anything to do with transfers of any property that would be disadvantageous to the Guard. In fact, it's advantageous to the guard so that they can be more flexible in who they can deal with. And I would be glad to answer any questions on that Amendment."

Speaker Breslin: "Representative Ryder, on the Amendment. Representative Ryder. Representative Ryder at Representative Vinson's desk."

Ryder: "Thank you, Madam Speaker. Would the... Representative Brunsvold, is that... are you the person to whom I should address a question?"

Speaker Breslin: "Representative Brunsvold."

Brunsvold: "Yes, yes, Representative."



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

134th Legislative Day

June 25, 1986

Ryder: "Alright, thank you. Representative, is the Adjutant General in favor of this Amendment?"

Brunsvold: "I met with General Doris on three different occasions this spring, talking about... we talked about the armory and Rock Island... specifically Rock Island and their situation with the riverfront and the Guard is in a position now or they want to move to a new armory. The old armory sits on the riverfront. It could be used for economic development, but present statutes say that the Guard cannot deal with any unit of local government, only the Federal Government or State Government. So, the words that were added in this paragraph simply said, 'or units of local government'. Now, General Doris met on a number of occasions and then I was supposed to get word from him. I didn't. Yesterday, I got a comment from General Holesinger saying he was concerned with the bill, didn't know what it meant. Just about five minutes ago, I got word from... from his representative saying that they didn't know if they were really supportive of this; that they couldn't sign off on it. I'd like to know who can. We've gone through the process now of working with... with the proper individuals and I guess I'm presenting this situation to the House Members now on what they consider would be fair. This is straightforward legislation. It's not transferring any property or changing any of the guidelines that are in present statute. It simply adds flexibility to what the Guard can do as far as their armories are concerned. I went to the Senate. I discussed this with the individuals... the Senators that were concerned about the Chicago armory. It doesn't deal with that at all. It doesn't take any bidding procedures away. All the concerns that people have indicated really are not real concerns because the Bill is simply straightforward saying that now

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

134th Legislative Day

June 25, 1986

the Guard, under this language, can, if they feel it's advantageous to them, could negotiate with a unit of local government or a city, for example. In fact, that's all it does."

Ryder: "Representative, as I look... as I look at the Amendment, I do not find anything in the Amendment or the paragraph that it changes that would require the payment of any fees should the Adjutant General feel so disposed to give away the property."

Brunsvold: "The Adjutant General would have to have also sign off by the Governor. If there..."

Ryder: "Well, in the event that those two got in cahoots, there's nothing in here that says that it couldn't happen, that the land could not be given away, is that right?"

Brunsvold: "Well, they can do... They can do that now. They can do that now, Representative."

Ryder: "Well, if they can do it now, why is it that we need this particular part of the Bill?"

Brunsvold: "This simply says that if... they can negotiate with units of local government if it's advantageous. The one word in that paragraph that's very important, that the Adjutant General and the Governor have to go by is that it has to be advantageous to the Guard. If it's not, then, of course, they are not going to do it."

Ryder: "But since the Adjutant General and the Governor are the only two people involved, they are the only two ones that make the determination of advantageous."

Brunsvold: "Well, it has to be advantageous. I mean, they are not going to do this if it's not advantageous."

Ryder: "But they are the ones that make the determination."

Brunsvold: "Pardon?"

Ryder: "They would be the ones that make that determination."

Brunsvold: "Yes, they... they do now make that determination."

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

134th Legislative Day

June 25, 1986

Ryder: "Thank you, Representative."

Speaker Breslin: "Representative Cullerton, on the question."

Cullerton: "I know you have had a long exchange here. I know you are not the Sponsor of the Bill."

Brunsvold: "Really I am, Representative. I put this together and went to the Senate where the Bill was and had my Senator put this on."

Cullerton: "Alright, let me ask you some questions then. If... If the National Guard wishes to sell some land, can they sell it to any private individual right now?"

Brunsvold: "Uh-huh, yes. It has to go through a bidding process. It has to be appraised and then it can be released."

Cullerton: "Okay..."

Brunsvold: "But it has to go through that process."

Cullerton: "But the current law that this Amendment amends, Section 22-5, that reads that the Adjutant General shall have the power and authority to transfer jurisdiction of or exchange realty under the control..."

Brunsvold: "Right."

Cullerton: "Okay, so this only deals with the exchange of realty."

Brunsvold: "And it has to be advantageous for them."

Cullerton: "So, for example, if... if the armory located in Chicago, on extremely valuable property on Chicago Avenue, if they wanted to exchange that property with the City or with the Park District, under this Amendment, they would be allowed to do that, whereas, under current law they probably cannot."

Brunsvold: "No..."

Cullerton: "I don't care about selling it. I'm not talking about selling it. I'm talking about exchanging the realty. Right now they could not do that with a unit of local government, but under this Amendment... I'm not saying I'm

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

134th Legislative Day

June 25, 1986

against the Amendment. I might be for it. I just want to find out if this is what it means."

Brunsvold: "No, the... I was concerned too because Senator Maitland brought this... or Senator Schuneman brought this up. He sponsored the Bill in the Senate and I went to Senator Netsch because she was concerned and she looked at the language and there is another paragraph in the Section that deals with Chicago that this does not... would not address. So, the Chicago armory is completely... not dealing with this language at all."

Cullerton: "Okay. Thank you."

Speaker Breslin: "The Gentleman from Will, Representative Van Duyne."

Van Duyne: "Yes, Madam Speaker. Maybe I can shed some light on this. Years ago... a few years ago, we passed Senate Bill 71, which expanded the authority of the National Guard to use some of the funds that they received from the sale of old or abandoned armories and I got the same phone call from General Holesinger as Brunsvold did yesterday and he was fearful that the money would be depleted through this negotiated with the units of local government, and I think that if we would state that the intent of this legislation and the Amendment was not negative to that transfer of money in order to expand and remodel the old armories and use that money to build new armories, I think he would probably be satisfied. He is worried that when he negotiates with local governments as far as armories are concerned that they are going to want it for one dollar and that would negate the whole intent of Senate Bill 71 as it was passed under present law."

Speaker Breslin: "There being... Representative Harris, on the question."

Harris: "Thank you, Madam Speaker. Question of the Sponsor. I'm

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

134th Legislative Day

June 25, 1986

not... I would think, I guess, Representative Brunsvold, in this instance. Representative, this... you made the statement that the Adjutant General could not deal with a unit of local government regarding this... regarding the armory. If, as an example, in the Rock Island armory, if Rock Island... if the Military and Naval Department said that they wanted to sell the Rock Island armory, could not the City of Rock Island bid on that piece of property?"

Brunsvold: "Yes, they could, Representative. The bidding process would go... here's the problem with the Rock Island armory. It says..."

Harris: "Well, would you answer my question? The City of Rock Island could buy that. Under current law, they could, indeed, put in a bid and buy that armory if they were the... if they were the successful bidder?"

Brunsvold: "They could, but actually the Guard... the Guard would not... it would not be advantageous for the Guard to do that."

Harris: "Whether it's advantageous to the Guard or not, the Guard can deal with the City of Rock Island on this, can they not... for a sale?"

Brunsvold: "They can set it out for sale for anyone, yes."

Harris: "Alright, what this... Ladies and Gentlemen of the House, what this Amendment does, it's not talking about a sale. The National Guard now can sell a piece of property to virtually anyone that they want. What we are talking about here is giving something away for free..."

Brunsvold: "No, it's not Representative... It's not; Representative."

Harris: "It is... it is the transfer jurisdiction of or exchange any realty. It seems to me there's no sale involved here whatsoever. We're talking about a transfer of jurisdiction to any unit of local government. That's to municipalities,

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

134th Legislative Day

June 25, 1986

townships, park districts, whatever. So, as I read this Amendment in this strictly by the word as I read this Amendment, in the City of Chicago, as an example, we have a very valuable armory, which the previous Representative made reference to, sitting in the heart of... just off of the lake shore, which could conceivably be transferred to the City of Chicago, to the Chicago Park District, transferred gratis, not even for a dollar. If I'm wrong here, please correct me, but that's how I read this."

Brunsvold: "Representative... Representative, that's totally incorrect. First of all, this does not deal at all with the Chicago armory because there is a different paragraph in the language that deals with Chicago armory. To the statement... the paragraph that this amends simply says... this simply says they can deal with. That's all. It has nothing... it has... it says..."

Harris: "Where is the... Where is the word..."

Brunsvold: "It says nothing about giving anything to anyone."

Harris: "Where is the word deal in this Amendment?"

Brunsvold: "It says they might negotiate."

Harris: "Where is the word negotiate in this Amendment?"

Brunsvold: "Read the beginning of that paragraph... the present language..."

Harris: "The Adjutant General... Quote, 'The Adjutant General shall have the power and authority to transfer jurisdiction of or exchange any realty under the control of the Department to any other Department, et cetera, or to any other unit of local government.' The word deal, negotiate or anything else is not in there."

Brunsvold: "The word negotiate, correct?"

Harris: "Please state a line or give me a reference. It's not here, Representative."

Brunsvold: "Has the power to transfer if it is advantageous... if

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

134th Legislative Day

June 25, 1936

it is advantageous to the Guard."

Harris: "But we are giving property away. We are not negotiating. We are not dealing. We are giving..."

Brunsvold: "You aren't giving anything away."

Harris: "Well, Ladies and Gentlemen, I don't mean to tie up the time of the House. I would simply contend and urge that we nonconcur in this..."

Brunsvold: "Are you reading the right Section, Representative?"

Harris: "I am reading... I am reading Section 22-5 of Amendment... Amendment to House Bill 2544."

Brunsvold: "Can you back up to Section 22-2?"

Speaker Breslin: "Excuse me."

Harris: "Well, Ladies and Gentlemen of the House, I won't..."

Speaker Breslin: "Representative Brunsvold, Representative Harris is going to speak to the question. Proceed, Representative Harris."

Harris: "I think a close reading of this Amendment indicates that we are not talking about buying anything here, but rather we are talking about transferring... transferring property without any dollars whatsoever from, in this case, the Military and Naval Department to any unit of local government. Now, that's either a municipality, that's a park district. You know what the units of local government are. It doesn't draw any distinction to Rock Island and I understand that Rock Island wants this armory and that's fine, but as I read it, it doesn't draw any distinction between Rock Island and the City of Chicago. Where are we going to start giving armories away? This is a bad precedent to set when we start giving these things away... almost wholesale. Any Governor, be it the Governor we currently have now or a Democratic Governor in the future, would be under terrible pressure to start giving away armories. I would certainly urge, because of the poor

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

134th Legislative Day

June 25, 1986

drafting of this Amendment, I would strongly urge a nonconcurrence or a 'no' vote on this concurrence Motion."

Speaker Breslin: "There being no further discussion, Representative Mautino, to close."

Mautino: "Thank you, Madam Speaker. For clarification purposes and legislative intent, it is the intent of the Sponsor, namely myself, as it pertains to Senate Amendment #1 to House Bill 2544, that there is no intention on the part of the Sponsor or the Amendment to provide for free land, free buildings or a transfer of property that is not in accordance with the current practice of the Military and Naval Department, which is offering for bid after assessment as well as evaluation of property and there is no intent whatsoever to provide an armory to Rock Island County for one dollar or any amount lesser than the value of that property. Present law is that the Adjutant General shall have the power and authority to sell, at a fair market price, Illinois National Guard armories and lands that are his jurisdiction, when in his judgment, such armories and lands are obsolete, inadequate, unusable or no longer required for the Illinois National Guard, which is provided under Public Act 83-899, which was Senate Bill 71, pertaining to National Guard armories. For legislative intent, I ask for concurrence to Senate Amendment #1, along with the underlying Bill, which is transfer of property already purchased by the Kewanee Park District."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2544?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 106 voting 'aye', 11 voting 'no' and none voting 'present'. And the House does concur in



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

134th Legislative Day

June 25, 1986

Senate Amendment #1 to House Bill 2544, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2546, Representative Kulas. Clerk, read the Bill."

Clerk Leone: "House Bill 2546, amends an Act in relationship to fire protection districts, together with Senate Amendments #1 and 2."

Speaker Breslin: "Representative Kulas."

Kulas: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I would move that the House do concur in Senate Amendment #1 and Senate Amendment #2 to House Bill 2546. Senate Amendment #1, by... offered by Senator Watson, authorizes grants to areas not located in the fire protection district in order to defray expenses of forming a fire protection district. These grants are limited to \$500 per group or area and this program will be regulated and administered by the Office of the State Fire Marshal. Senate Amendment #2, offered by Senator Demuzio, allows a municipality to be formed into a fire protection district even though the unincorporated areas vote against it and I would move for concurrence."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendments #1 and 2 to House Bill 2546 and on that question, the Gentleman from Cook, Representative Piel."

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

Speaker Breslin: "He will."

Piel: "Correct me if I'm wrong, Myron, but basically... excuse me. Amendment #1 has provisions authorizing the Office of the State Fire Marshal to distribute General Revenue Fund Grants to groups of registered voters in areas outside their own fire protection districts. Can you give me examples or why this would come about, how this would come

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

134th Legislative Day

June 25, 1986

about?"

Kulas: "Well, I think you would have to ask Senator Watson, but what I... what it says is if a group is forming a fire protection district, they can apply for a grant of up to \$500 to defray their expenses. This is all it does. It has to be in the process of forming a fire protection district."

Piel: "But I'm trying to figure out why they would have in the Amendment 'groups of registered voters'. That throws me a little bit. These people... these grants would be for fire protection districts outside of the fire protection district that is getting the grant. Why do they have to be registered voters?"

Kulas: "I have no... I'm not a lawyer. I didn't draft the Amendment. The Amendment was drafted in the Senate. I can't answer your question, Representative Piel."

Piel: "I mean because I think we are setting up... I've got no problem with the Bill or the Amendments, but I can definitely see where we are setting one heck of a precedent by saying that people have to be registered voters to get a grant in the State of Illinois. We would... true, love to have everybody registered in the State of Illinois and, you know, doing this and voting, you know, but why they would have to be a registered voter to receive a grant on this, I don't have any idea."

Kulas: "Well, I really couldn't answer that. I'd have to talk to Senator Watson on that, but there is some problem with this Bill, so I would like to change my Motion, Madam Speaker. At this time I would move that the House do not concur in Senate Amendments #1 and 2 and that a Conference Committee be appointed."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendments #1 and 2 to House Bill 2546. Is there any

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

134th Legislative Day

June 25, 1986

discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments #1 and 2?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the House does nonconcur in Senate Amendments #1 and 2 to House Bill 2546. House Bill 2549, Representative Ronan. Clerk, read the Bill."

Clerk Leone: "House Bill 2549, a Bill for an Act to create the China Development Corporation of Illinois, together with Senate Amendments #2."

Speaker Breslin: "Representative Ronan."

Ronan: "Thank you, Madam Speaker, Members of the House. I move to concur in Senate Amendment #2 to House Bill 2549. It's a technical Amendment."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #2 to House Bill 2549, and on that question, is there any discussion? Hearing none, the question... the Lady from Cook, Representative Pullen."

Pullen: "Could the Gentleman briefly tell us what the technical Amendment is?"

Speaker Breslin: "Representative Ronan."

Ronan: "It's an Amendment added by Senator Topinka that adds the word 'incorporated'."

Pullen: "Does it also change the title of the Bill?"

Ronan: "Yes, it does."

Pullen: "Could you tell us what it changes it from and to?"

Ronan: "From China to East Asia."

Pullen: "Does that make it consistent with the rest of the Bill?"

Ronan: "Yes, Representative, it does."

Pullen: "So that it makes the title of the Bill consistent with what we did in amending the Bill in the House?"

Ronan: "Absolutely. What they did was in the Senate they caught a little slip when we passed the Bill out of here. It was

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

134th Legislative Day

June 25, 1986

not in proper form. What happened was that we accept a fine Amendment from your side of the aisle changes the China Development Authority to the East Asia Development Authority, but we never changed the title of the Bill."

Pullen: "Gee, I'm glad they caught that little slip. Thank you."

Ronan: "It's a brilliant Senate we've got over there."

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

McAuliffe: "Will the Gentleman yield for a question?"

Speaker Breslin: "He will."

Ronan: "No."

Speaker Breslin: "Oh, excuse me. He won't. Do you wish to speak to the Motion?"

McAuliffe: "Representative Ronan, is this anything like the Greater East Asia Co-Prosperity Spirit that was active in the Second World War or..."

Ronan: "Representative McAuliffe, I think you probably need Representative Goforth to translate what you wanted to ask, so why don't you sit down and let Representative Goforth ask your questions because he's obviously much more versed on East Asian Development theories than you are."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #2 to House Bill 2549?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 113 voting 'aye', 1 voting 'no' and none voting 'present', and the House does concur in Senate Amendment #2 to House Bill 2549, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2562, Representative Deuchler. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2562, a Bill for an Act to amend the

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

134th Legislative Day

June 25, 1986

Illinois Highway Code, together with Senate Amendment #1."

Speaker Breslin: "Representative Deuchler."

Deuchler: "Madam Speaker, Ladies and Gentlemen of the House, I move to concur with Senate Amendment #1, which is a wording change in the credit commodity loan price to the credit corporation target price."

Speaker Breslin: "The Lady moves to concur in Senate Amendment #1 to House Bill 2562, and on that question is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 2562?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no' and 1 voting 'present'. And this Bill, received the Constitutional Majority, is hereby declared passed and the House accepts Senate Amendment #2 to House Bill 2562. House Bill 2574, Representative Phelps. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2574, a Bill for an Act to amend the Illinois Municipal Code, together with Senate Amendment #1."

Speaker Breslin: "Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill... Amendment #1 to 2574 is merely an addition of the Environmental Protection Act to authorize the Pollution Control Board to adopt... cite specific rules and I'd... do adopt... to concur with Senate Amendment #1."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 2574, and on that question, the Gentleman from Morgan, Representative Ryder, at Representative Vinson's desk."

Ryder: "Thank you, Madam Speaker. Would the Representative yield

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

134th Legislative Day

June 25, 1986

for a short question?"

Speaker Breslin: "He will."

Ryder: "Representative, who sponsored this Amendment in the Senate?"

Phelps: "I believe it was Demuzio, Senator Demuzio."

Ryder: "I'm aware of... I think I'm aware of that Gentleman and did this not come about as a result of a certain court case?"

Phelps: "I'm not sure of that, Representative Ryder."

Ryder: "Perhaps a Fourth Appellate Court case?"

Phelps: "I'm not sure of that. I don't..."

Ryder: "Alright, and do you have any information as to who may... what lobbying groups may be supporting this particular Amendment?"

Phelps: "I do not really."

Ryder: "Okay, thank you, Representative."

Speaker Breslin: "To correct the record, the Amendment that the House concurred in was Senate Amendment #1 in House Bill 2562. Is there any further discussion on Representative Phelps' Motion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2574?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Voting is open. The question is... let's do that again. The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2574?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', 1 voting 'no', and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 2574, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2512, Representative McNamara.

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

134th Legislative Day

June 25, 1986

Is Representative McNamara in the chamber? Take the Bill out of the record. House Bill 2839, Representative Olson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2839, a Bill for an Act relating to the University of Illinois, together with Senate Amendment #1."

Speaker Breslin: "Representative Olson."

Olson: "Thank you, Mr... or Madam Speaker, Ladies and Gentlemen of the House. I wish to concur in Senate Amendment #1 and would move for its adoption."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 2839, and on that question, the Gentleman from... is there any discussion? The Lady from Cook, Representative Pullen."

Pullen: "Like to ask the Sponsor to please explain the underlying Bill and what Senate Amendment #1 does."

Olson: "Yes, the underlying Bill was technical in nature, similar to what we used to do in the old Law Revision Commission. We basically took an ambiguity out of the statutes which said for both an appointment and election of boards of trustees, we actually change the university... name of the University of Illinois to that, rather than the Industrial University. And we did a few other additional things with regard to security Guards and things of that nature. Senate Amendment #1, offered by Senator Weaver, deals with the acquisition of property and the bequest of the Beckman Institute or the Beckman family in Champaign for the acquisition of some land in the area so that it could get on with the completion of the project."

Pullen: "This acquisition of property question, does that involve the authorization of quick take eminent domain procedures?"

Olson: "That is correct. They are seeking an 18 month quick claim option to acquire some properties. This is... This

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

134th Legislative Day

June 25, 1986

is not unprecedented, as far as other agencies of government are concerned, the State of Illinois, Tollway Authority, St. Louis Metropolitan Airport Authority, Department of Energy, City of Chicago, Sanitary District, and villages with less than 15,000 population also have this option."

Pullen: "What is the difference between eminent domain and quick take powers?"

Olson: "Eminent domain may be taken by condemnation proceedings, which are rather lengthy in nature. Quit claim is designed to expedite the obtaining of properties."

Pullen: "You keep saying quit claim. That's a particular kind of conveyance, but this is quick take, is it not?"

Olson: "Quit claim is designed to expedite the acquisition of property. That's correct, yeah, yes."

Pullen: "In what way does quick take eminent domain expedite the acquisition of property?"

Olson: "It would put it in a posture that they could take it on an expedited basis and make a settlement at the end of it."

Pullen: "Would this permit them to take title before the court proceedings involved in eminent domain are concluded?"

Olson: "Before the condemnation procedures are completed, that's correct."

Pullen: "Thank you."

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

Speaker Giglio: "Representative Kulas, will take your consideration up in a few minutes. The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Will the Sponsor yield to a question please?"

Speaker Giglio: "He indicates he will."

Cowlshaw: "Representative, Senate Amendment #1, which I believe provides the quick take for a period of 18 months. Is that



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

134th Legislative Day

June 25, 1966

correct?"

Olson: "I'm sorry, would you repeat that?"

Cowlshaw: "Yes. Does this provide for the quick take provisions for a period of 18 months?"

Olson: "That is correct, Representative."

Cowlshaw: "Alright. Does it also, as the documents I have here indicate, specify that these procedures can be used to acquire land in Champaign County to be used as a site for a building or, quote, 'for any educational purpose?'"

Olson: "It is designed to complete the Beckwith request."

Cowlshaw: "Yes, I understand for what it is designed. Alright, but I am asking you about the precise wording in Senate Amendment #1."

Olson: "Alright."

Cowlshaw: "You answered my first question, it's good for 18 months. Alright, my next question is does that now allow this quick take provision, not only for 18 months, for a year and a half, but it also provides for land in Champaign County, that's a lot of land, the whole county, to be used as a site for a building or any educational purpose?"

Olson: "That is correct."

Cowlshaw: "Representative, don't you think that's a little bit open-ended? In other words for 18 months, anywhere in Champaign County, the University can declare that they have to have this land and they can take it before they have even determined what they are going to be required to pay for it."

Olson: "The purpose that they are seeking this is really narrow in scope Representative, because it is confined to about 13 properties, four of which have already been acquired, two are negotiation, and seven are under review. This would be on or near the campus of the University."

Cowlshaw: "Right. Representative, I understand, once again as I

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

134th Legislative Day

June 25, 1986

said before what the purpose of this is. But we must look at what the language of the Amendment is rather than whatever may have been the much more narrow purpose. I am trying to say to you that I believe this Amendment is not only open-ended, goes over a long period of time, includes any educational purpose in a whole county. I think that is not only open-ended, I think it's dangerous. Thank you."

Speaker Giglio: "Further discussion? The Gentleman from DeKalb, Representative Countryman."

Countryman: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Countryman: "Representative Olson, you said this opens a window for 18 months, but is it site specific?"

Olson: "The site specific?"

Countryman: "Yes."

Olson: "Their intention is specific with regard to the Beckwith request."

Countryman: "But the Amendment is not."

Olson: "The Amendment may be drafted improperly in that regard. I've discussed it with Senator Weaver and we have been seeking to make this amenable to all the people involved in these negotiations. What we're looking at is a \$50,000,000 investment, significant number of jobs and doing this in a timely basis so that the costs will come in under the estimates."

Countryman: "Is the... you indicated a few minutes ago some of the parcels had been acquired and others were under negotiation. Are there any condemnation proceedings pending?"

Olson: "There are condemnation proceedings."

Countryman: "Isn't the... I believe a court rule the condemnation proceedings should be put to the head of the dock, you as a former Circuit Clerk would know that, and try first."

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

134th Legislative Day

June 25, 1986

Olson: "I'm familiar with I-5 through our market, Representative, and during my period as Court Clerk, they were not given an accelerated program. Some of these condemnation proceedings lasted five years."

Countryman: "Well but those... those dealt with things where quick take was granted, is that right?"

Olson: "I'm sorry, I didn't hear you."

Countryman: "Quick take was power that was given to the Illinois Toll Highway Authorities, is that right?"

Olson: "It lasted an extremely long time due to the good arguments of some neighboring attorneys from some adjacent counties."

Countryman: "Well, they were capable attorneys from adjacent counties, obviously, but the same token. Don't condemnation proceedings, where quick take is not granted, have a priority over other cases on the call?"

Olson: "They should have a priority. Mr. Speaker."

Speaker Giglio: "Proceed."

Olson: "I'd like to take this out of the record."

Speaker Giglio: "The Sponsor request to take it out of the record. Mr. Clerk, take the Bill out of the record. Special Order of Call, State Administration appears House Bill 2879. Representative Breslin. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2879, a Bill for an Act to amend the Illinois Enterprise Zone Act together with Senate Amendments #1 and 2."

Speaker Giglio: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. This original Bill increased the number of enterprise zones from eight to twelve. Senate Amendment #1 increases that number from 12 to 13 and it increases the number that can be given for extreme economic circumstances from three to four. In

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

134th Legislative Day

June 25, 1986

addition to that, Senate Amendment #2 changes the minimum number of jobs retained that are required in order to get a public utility tax exemption from 2,000 to 1,000 and adds several other, what I consider, rather technical changes, requested by DCCA. One is it adds a hold harmless provision to the Department's Technology Commercialization Program to meet a request by JCAR. It provides the necessary language to allow the department to collect charge... charges from federal job training subgrantees for department services and to place those charges in a revolving fund. It amends the Public Infrastructure Program to clarify that the program may be used as a revolving loan program. It amends the Department's Industrial Training Program to expand eligible participants to include job retraining and plant retooling. This will also allow some large non-manufacturing companies to be eligible for the program. It amends the small business incubator legislation to make technical changes and to allow the Department to waive loan requirements if the incubator continues to operate and; lastly, it provides a statutory change in DCCA's enabling legislation to allow the Department to work in cooperation with the Department of Transportation in developing commercial and industrial sites along waterways. I move to concur in Senate Amendments #1 and 2 to House Bill 2879."

Speaker Giglio: "The Lady from LaSalle moves that the House concur with Senate Amendments #1 and 2 to House Bill 2879. And on that question, the Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "A question of the Sponsor?"

Speaker Giglio: "Indicates she will."

Mulcahey: "Representative Breslin, I missed that one on waterways. What was that? Next to the last."

Breslin: "It allows DCCA to work in cooperation with DOT in

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

134th Legislative Day

June 25, 1986

developing commercial and industrial sites along  
waterways."

Mulcahey: "Got it, thank you."

Speaker Giglio: "Further questions? No further questions. The question is, 'Shall the House adopt Senate Amendments #1 and 2 to House Bill 2879?' - 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2879?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question there are 108 voting 'yes', 3 voting 'no' and none voting 'present'. And the... Representative Olson 'aye'. Representative Terzich, 'aye'. Further votes? Representative Berrios, 'aye'. Mr. Clerk take the record. On this question there are 111 voting 'yes', 3 voting 'no' and none voting 'present' and the House does concur with the Senate Amendments #1 and 2 to House Bill 2879 and this Bill, having received the Constitutional Majority, is hereby declared passed."

Speaker Breslin: "House Bill 3044, Representative Capparelli. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3044, a Bill for an Act to amend the Illinois Labor Relations Act together with Senate Amendment #1."

Speaker Breslin: "Representative Capparelli."

Capparelli: "Thank you, Madam Speaker. I wish to concur with House Amendment - I mean Senate Amendment #1. As everyone knows, House Bill 3044 requires the Illinois Labor Relations Board to direct a representation election no later than 90 days. We extended that with Amendment #1 to 120 days and the Senate Amendment now goes one further step. If good cause is shown, they can get to court and get

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

134th Legislative Day

June 25, 1986

an additional 30 days, making it 150 days. I would ask for concurrence."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 3044. And on that question, the Gentleman from Peoria, Representative Tuerk."

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

Speaker Breslin: "He will."

Tuerk: "I understand why you're doing this for unusual circumstances. What would some of those unusual circumstances be, do you know?"

Capparelli: "No, I don't have any idea, I'm sorry. I don't. It was just added on by an attorney over there and said they wanted extra time and I said, fine, we'll give you an extra 30 days."

Tuerk: "It's an extra 30 days, is that right?"

Capparelli: "Right."

Tuerk: "...for unusual circumstances. Well I don't think there's anything wrong, except it would have been good to know what those unusual circumstances were."

Speaker Breslin: "The question is, 'Shall the House concur on Senate Amendment #1 to House Bill 3044?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there 114 voting 'aye', none voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 3044 and this bill, having received the Constitutional Majority, is hereby declared passed. Representative Tate, for what reason do you rise?"

Tate: "Thank you, Madam Chairman. I was just wondering what's the intent of the Chair, how long are we going to work tonight?"

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

134th Legislative Day

June 25, 1986

Speaker Breslin: "I don't know that yet, but as soon as I do I will get back to you. There is no need to order out yet though. We'll try to move along quickly. House Bill 20... 3266, Representative Keane. Clerk, read the Bill. Out of the record. Out of the record. House Bill 3340, Representative Cullerton. Out of the record. House Bill 3346, Representative Braun. Out of the record. House Bill 3474, Representative Churchill. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3374 (sic - 3474), a Bill for an Act relating to the Lake County Forest Preserve District together with Senate Amendments #1 and 2."

Speaker Breslin: "Representative Churchill. Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 3474 originally provided for the transfer of some property from a county to the state for no charge. Senate Amendment #1 made some clarification language. Senate Amendment #2 provided for a transfer of some property between two, between the Department of Conservation and a local Vermilion County conservation district for... there's an even trade of some properties so that the department will have a contiguous piece of property under their control and conservation district will do likewise. At this time, I would move to concur with Senate Amendments #1 and 2 to House Bill 3474."

Speaker Breslin: "Mr. Clerk, read the Bill again."

Clerk O'Brien: "House Bill 3474, a Bill for an Act relating to the Lake County Forest Preserve District together with Senate Amendment #1 and 2."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendments #1 and 2 to House Bill 3474. Is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill

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

134th Legislative Day

June 25, 1986

3474?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no' and 1 voting 'present' and the House does concur in Senate Amendments #1 and 2 to House Bill 3474. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3475, Representative Tuerk. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3475, a Bill for an Act in relation to state parks, memorials and historic sites together with Senate Amendment #1."

Speaker Breslin: "Representative Tuerk."

Tuerk: "Madam Speaker, Members of the House. I move to nonconcur with Senate Amendment #1 to House Bill 3475. On balance the Amendment that was put on in the Senate seemed to be okay in a number of ways; however, it's caused some controversy among people throughout the state and rather than have the subsistent Bill jeopardized, why, I want to send it back to the Senate and ask them to recede from the Amendment. I so move."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendment #1 to House Bill 3477 (sic - House Bill 3475). Is there any discussion? Hearing none, the question is, 'Shall the House nonconcur on Senate Amendment #1 to House Bill 3475?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair the 'ayes' have it, and the House does nonconcur in Senate Amendment #1 to House Bill 3475. Ladies and Gentlemen, the Chair would advise you that we plan to adjourn between the hour of 7:00 and 7:30. So you can make your dinner arrangements accordingly. We plan to be out in time for you to eat supper out of the chamber this evening between 7:00 and



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

134th Legislative Day

June 25, 1986

as we can so that we can accommodate everyone's Bill. House Bill 3477, Representative Parcels. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3477, a Bill for an Act to amend an Act to provide training programs for foster care and adoption services together with Senate Amendments #1 and 2."

Speaker Breslin: "Representative Parcels."

Parcels: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur with the Senate Amendments #1 and 2. The first Amendment was adopted in the Senate in response to concerns raised by the profit and not... the private and not-for-profit human service agencies. They were afraid that DCFS would be competing with them and this Amendment says that they will not compete, they will not solicit funds. They will take funds only if offered willing and without solicitation. The second Amendment is basically House Bill 2971, Representative Bowman's, which passed this House 104 to 9 and that Amendment deals with the homeless youth. It actually codifies what DCFS is already doing, using an existing program and it uses federal funds so that it will not be of cost to this state and I move to concur."

Speaker Breslin: "The Lady moves to concur on Senate Amendment #1 and 2 to House Bill 3477. And on that question, the Gentleman from Cook, Representative Levin."

Levin: "Yes, would the Sponsor yield?"

Speaker Breslin: "She will."

Levin: "Alright, with respect to Amendment #1 there was some controversy in the House in Human Services Committee as far as a concern about competition from a state agency going out and soliciting. Can you clarify a little bit more about what Amendment #1 does in that issue and has it been

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

134th Legislative Day

June 25, 1986

signed off on by the charities that were concerned about the issue?"

Speaker Breslin: "Representative Parcels."

Parcels: "Yes, there was that concern raised by the not-for-profit and charities and this was an agreed Amendment with them. They approved of the wording so that the DCFS would not be competing with them for funds and this is agreed with them."

Levin: "Alright, so that the intent is... of this Amendment is simply that they can except unsolicited contributions, but they cannot go out and solicit contributions."

Parcels: "That is correct."

Levin: "Thank you."

Speaker Breslin: "The question is, 'Shall the House concur on Senate Amendments #1 and 2 to House Bill 3477?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there 113 voting 'aye', none voting 'no' and none voting 'present' and the House does concur in Senate Amendments #1 and 2 to House Bill 3477 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3479, Representative Weaver. Clerk, read the Bill."

Clerk Leone: "House Bill 3479, amends an Act to release easements and restore access rights to certain described lands in the State of Illinois together with Senate Amendment #1."

Speaker Breslin: "Representative Weaver."

Weaver: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The underlining Bill simply released easements and restored access rights to certain properties that DOT held in several counties. The Senate Amendment #1 simply adds to that list, additional easements and access rights since

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

134th Legislative Day

June 25, 1986

the original Bill was passed. I move to concur with Senate Amendment #1 on House Bill 3479."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 3479. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3479?' All those in favor say 'aye'... all those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question - Hallock votes 'aye'. On this question there are 112 voting 'aye', none voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 3479 and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Regan wishes the record to reflect that he wished to have voted 'aye'. The next Bill, is Senate Bill 3480, Representative Barnes. Clerk, read the Bill."

Clerk Leone: "House Bill 3480, a bill for an Act in relationship to the transfer of various property rights by the state together with Senate Amendments #1 and 2."

Speaker Breslin: "Representative Barnes."

Barnes: "I move to concur in Senate Amendment #1 and 2 to House Bill 3480. Senate Amendment #1 sells or conveys certain excess lands in Grundy, Madison, Peoria and St. Clair counties. Senate Amendment #2 permits IDOT to convey 2.2 acres in Henry county to the Geneseo Park District. I would ask for an 'aye' vote."

Speaker Breslin: "The Lady moves to concur in Senate Amendments #1 and 2 to House Bill 3480. On that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill

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

134th Legislative Day

June 25, 1986

3480?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1 and 2 to House Bill 3480, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3512, Representative Churchill. Clerk, read the Bill."

Clerk Leone: "House Bill 3512, a Bill for an Act to create the Prairie Trail Authority together with Senate Amendment #1."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The original Bill established the Prairie Trail Authority. The effect of Senate Amendment #1 was to remove the provisions giving that authority the power of eminent domain. I would move that we concur in Senate Amendment #1."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 3512. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3512?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. 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'... Representative Hastert votes 'aye', Representative Young votes 'aye'. On this question there are 113 voting 'aye', none voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 3512. And this Bill, having received the Constitutional Majority, is hereby declared

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

134th Legislative Day

June 25, 1986

passed. House Bill 3550, Representative Matijevich.  
Clerk, read the Bill."

Clerk Leone: "House Bill 3550, a Bill for an Act in relationship  
to the Illinois Summer School for the Arts together with  
Senate Amendments #1 and 2."

Speaker Breslin: "House Bill... Representative Matijevich."

Matijevich: "Madam Speaker, I move to concur with Senate  
Amendments #1 and 2 to House Bill 3550. The Amendments  
were worked out by the Senate and House Sponsors the  
proponents of the bill and the Governor's office.  
Amendment #1 provides for the acceptance of federal monies  
for funding. Senate Amendment #2 makes some changes in  
the administration of the Summer School for the Arts,  
establishing a planning Committee under the authority of  
the Illinois Arts Council to serve as an inner board for  
the school with the authority to appoint an interim  
directory. The interim Board ceases with the establishment  
of a permanent Board of Trustees. The Amendment also  
deletes a requirement that students shall be afforded full  
scholarships, deletes provisions requiring the development  
of residential internships for practicing teachers of the  
arts. I move for the adopt... for the concurrence of those  
two Amendments and appreciate your support."

Speaker Breslin: "The Gentleman moves to concur in Senate  
Amendments #1 and 2 to House Bill 3550 and on that  
question, the Gentleman from Cook, Representative Piel."

Piel: "Thank you, Madam Speaker. Will the Gentleman yield to a  
question?"

Speaker Breslin: "He will."

Piel: "Yes. John, I noticed on Senate Amendment #2, one of the  
last parts of it states that the faculty and employees will  
not be covered by the State Personnel Code. Can you  
explain to me why that would be put into the Bill?"

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

134th Legislative Day

June 25, 1986

Matijevich: "I believe that the reason for it is, it being just a summer school program. This is not a full time type of employment at all. It's strictly for summer school and that was the reason for it. I forgot to mention that and I'm sorry. I'm glad you brought that up, but this was worked out with the Governor's Office."

Piel: "No problem at all, John. I understand when you try and cover that, but, the only question I would have now, is there any possibility with that not being in the Bill that unqualified individuals could be hired, I mean, by mistake or something?"

Matijevich: "I don't believe so, Bob, because I've worked closely with the Illinois Arts Alliance... Illinois Alliance for the Arts Education and their intent is to get the best possible teachers and staff in the arts. So I don't think that's a likelihood at all."

Piel: "Fine. Thank you very much."

Speaker Breslin: "The Gentleman from Marion, Representative Friedrich."

Friedrich: "The Sponsor yield?"

Speaker Breslin: "He will."

Friedrich: "Could you tell us about what the cost of this is going to be in General Revenue Funds?"

Matijevich: "Originally, what the Bill as proposed was going to be at a full school year, which we wouldn't be in, it would be around 400,000 with half of it being supported by private funding. But now with the Amendments, there are going to be lesser funds because full scholarships are not required now. In other words, the Bill as originally introduced was going to require full scholarship for residential schools and now that has been deleted so that some who can afford it will pay their own residential costs."

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

134th Legislative Day

June 25, 1986

Friedrich: "Well, to the Bill. At a time when we're really struggling, and I just found out today that we almost eliminated AGR Educational fund. I'm not sure this is the kind of thing I want to participate in as long as were depriving agriculture... the kids a chance to get an education."

Speaker Breslin: "The Lady from Dupage, Representative Cowlshaw. Representative Cowlshaw. Would you like to ask a question?"

Cowlshaw: "I'm sorry, yes, Madam Speaker, will the Sponsor yield for a question?"

Speaker Breslin: "Surely."

Cowlshaw: "Representative, one of the things that bothered me when this Bill was presented in Committee was that all of the students who were going to be attending the school would go there at absolutely no cost whatsoever to their families. You will recall, I think, some of that discussion in Committee. If I understand, Senate Amendment #2 correctly, that concern of mine has now been addressed and that... let me see if I phrase this correctly."

Matijevich: "You won again, Mary Lou."

Cowlshaw: "And without even trying, isn't that marvelous? John, I believe that now there would be indeed tuition, in room, board and so on, covered in a scholarship manner for those students whose parents simply could not afford to send them to this school..."

Matijevich: "That's correct."

Cowlshaw: "Alright, but those whose parents could afford to sustain the cost for that would indeed be expected to pay."

Matijevich: "That's correct, and that's why I couldn't answer definitively Dwight Friedrich's question because I don't know now how much lesser the cost will be to... to

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

134th Legislative Day

June 25, 1986

implement the school now. It will be much less, now."

Cowlshaw: "Yes, John, I think this is an immense improvement. I think the concept was wonderful, but, as you know, the one thing that really troubled me was that if we sent someone to this school whose parents had lots and lots of money it didn't seem to me that those parents ought not to have to be expected to pay for that opportunity for their child. I think it's a super idea and now it's in really fine form and I hope that it passes out of here with nothing but 'yes' votes."

Matijevich: "As I said, you won and so have the kids too."

Cowlshaw: "Indeed. Thank you, John."

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

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

Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The main question is put. The question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 3550?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 107 voting 'aye', 5 voting 'no' and none voting 'present'. Representative Mays votes 'no'. On this question there are 107 voting 'aye', 6 voting 'no' and none voting 'present' and the House does concur on Senate Amendments #1 and 2 to House Bill 3550. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3555, Representative Steczo. Clerk, read the Bill."

Clerk Leone: "House Bill 3555, a Bill for an Act in relationship



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

134th Legislative Day

June 25, 1986

to forest preserve districts together with Senate Amendments #2 and 3."

Speaker Breslin: "Representative Steczko."

Steczko: "Thank you, Madam Speaker. I move to concur in Senate Amendments #2 and 3 to House Bill 3555. Amendment #2 deleted language in the original Bill that dealt with the subject of eminent domain in forests preserve districts. Replacing that language with Senate Amendment #3 which conveys the land known as the Illinois Prairie Path to the... from the Department of Conservation to the Kane County Forest Preserve District for one dollar. The land is being conveyed to enable the Kane County Forest Preserve District to receive federal money. There was a recent court decision that stated that the forest preserve district must own and not lease its property in order to receive federal funds. The Department of Conservation agrees with the provisions of the land conveyance and I should make it known that in the years that the Kane County Forest Preserve District has had access to the Illinois Prairie Path. They have spent approximately 829,000 acquiring, refurbishing and doing other things to make the Prairie Path what it is today. I would move for concurrence of Amendments #2 and 3, Madam Speaker."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendments #2 and 3 to House Bill 3555 and on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #2 and 3 to House Bill 3555?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no' and none voting 'present' and the House does concur in Senate

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

134th Legislative Day

June 25, 1986

Amendments #2 and 3 to House Bill 3555. And this Bill, received the Constitutional Majority, is hereby declared passed. On the Order of Concurrence under Subject Matter Call - education and local government, appears House Bill 2757, Representative Giorgi. Clerk, read the Bill."

Clerk Leone: "House Bill 2757, amends the Revenue Act together with Amendments... Senate Amendments #1 and 2."

Speaker Breslin: "Representative Giorgi."

Giorgi: "As you recall, this is the home builder's Bill that allows them build model homes so they can spur building developments and what the Senate Amendments do is they limit the number of model homes to three, within a ten mile area and the assessor shall be notified by the home builder and limits the use of ten years, the same as we have for industrial limits on tax relief..."

Speaker Breslin: "The Gentleman has moved to concur..."

Giorgi: "...I move for the concurrence of Senate Amendments #1 and 2 to House Bill 3550."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendments #1 and 2 to House Bill 2757 and on that question, the Gentleman from Lake, Representative Churchill."

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

Speaker Breslin: "He will."

Churchill: "Do you know, has there been any determination by the Department of Commerce and Community Affairs that this Bill constitutes a tax exemption mandate under the State Mandates Act?"

Giorgi: "No one's communicated that to me or to the Senate."

Churchill: "We have an indication in our analysis that that is true."

Giorgi: "I didn't get a copy. Who did they give it to?"

Churchill: "It was filed. So you have no..."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

134th Legislative Day

June 25, 1988

Giorgi: "If you know that, how much we are talking about?"

Churchill: "Well, I believe it's 78,000 dollars. I just wanted to find out if you had received a copy of that."

Giorgi: "I didn't."

Churchill: "Okay. No further questions."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2757?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', 1 voting 'no' and none voting 'present' and the House does concur in Senate Amendments #1 and 2 to House Bill 2757 and this Bill, having received the Constitutional majority, is hereby declared passed. House Bill 292A, Representative Ewing. Representative Ewing. Clerk, read the Bill."

Clark Leone: "House Bill 292A, amends the School Code together with Senate Amendment #1."

Speaker Breslin: "Representative Ewing."

Ewing: "Yes, Madam Speaker, Ladies and Gentlemen of the House. I'm moving to concur in the Amendment placed on this Bill in the Senate. The Amendment merely corrects the wording of the sunset clause in this school consolidation provision. This is not a mandated school consolidation bill, but only provides another means for school consolidation and it would expire in 1989."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 282A and on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 282A?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final action. Have all voted who wish?"

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

134th Legislative Day

June 25, 1936

Representative Mautino votes 'aye'. Mr. Clerk take the record. On this question there are 111 voting 'aye', 1 voting 'no' and 2 voting 'present' and this Bill, having received the Constitutional Majority, is hereby declared passed and the House does concur in Senate Amendment #1. House Bill 3043, Representative Madigan - Cullerton. Clerk, read the bill."

Clerk Leone: "House Bill 3043, amends the State Mandates Act together with Senate Amendments #1, 2 and 3."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. My motion is to concur with Senate Amendments #1 and 2 and to non concur with Senate Amendment #3."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendments #1 and 2 to House Bill 3043 and nonconcur in Senate Amendment #3 and on that question, the Gentleman from Cook, Representative Bowman."

Bowman: "Just an inquiry, what is that asterisk doing on the board? Does that mean that this is an especially good Bill? Just an inquiry."

Speaker Breslin: "It's a one star Bill according to the Clerk. Any further discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 and 2 to House Bill 3043 and nonconcur in Senate Amendment #3?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. I understand you have to do this separately, Ladies and Gentlemen, so what we're voting on now is just a motion to concur in 1 and 2 and then we'll do a voice vote on #3. Have all voted who wish? The Clerk will take the record. On this question there are 109 voting 'aye', 3 voting 'no' and 2 voting 'present' and the House does concur in Senate Amendments #1 and 2. Representative Cullerton now moves to nonconcur in Senate

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

134th Legislative Day

June 25, 1986

Amendment #3 to House Bill 3043. Is there any further discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendment #3 to House Bill 3043?' All those in favor say 'aye', all those opposed say 'nay'. The opinion of the Chair, the 'ayes' have it and the House does non concur in Senate Amendment #3 to House Bill 3043. House Bill 3080, Representative DeJaegher. Clerk, read the Bill."

Clerk Leone: "House Bill 3080, amends the School Code together with Senate Amendment #1."

Speaker Breslin: "Representative DeJaegher."

DeJaegher: "Move to concur with Senate Amendment #1. Basically, Senate Amendment #1 has been requested by various schools. What it does, it requires school boards to provide in service training programs on the safe handling and use of hazardous or toxic materials for the personnel of the school district, who work with such materials on a regular basis, requires such programs to be approved by the State Board of Education in consultation with the Illinois Department of Public Health. I move to concur."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 3080 and on that question, is there any discussion? Hearing none... the Gentleman from McLean, Representative Ropp, for a question."

Ropp: "Would the Sponsor yield please, Madam Speaker?"

Speaker Breslin: "He will."

DeJaegher: "Of course, Gordy."

Ropp: "Pardon? I wanted to find out what kind of programs do you think the Department of Education are going to approve? Are these to be individually established by the school or will they establish the guidelines rather than to have each individual school come forth with a separate program to be approved by the state?"

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

134th Legislative Day

June 25, 1986

DeJaegher: "What's going to happen, Gordy, a respective school district would contact the State Board and then they would send a person, that's highly knowledgeable of toxic material, and train these people on the usage of that particular material and in the event of an accident how to prevent or rectify the accident."

Ropp: "In other words, the State Board will just send someone... someone person down to every school district in the state?"

DeJaegher: "Those... those that request it, yes. They would basically implement a seminar and basically noncertified employees, of course, these are people that are working with the toxic substance that would become involved and they would give them a general education on how to handle this material."

Ropp: "Your saying then, that this is not a mandated program that we're sending out that every school district must perform an educational program dealing with toxic substances."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3080?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 100 voting 'aye', 15 voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 3080. And this Bill, received the Constitutional Majority, is hereby declared passed. House Bill 3178, Representative Deuchler. Clerk, read the Bill."

Clerk Leone: "House Bill 3178, amends an Act in relation to the borrowing of money by certain public corporations together with Senate Amendment #1."

Speaker Breslin: "Representative Deuchler."

Deuchler: "Madam Speaker, Ladies and Gentlemen of the House. I

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

134th Legislative Day

June 25, 1986

concur with Senate Amendment #1 which adds the provision that certain performance monies entered into by contractors with the Department of Transportation may be deposited under a trust agreement at any financial institution with federal insurance, rather than only at banks."

Speaker Breslin: "The Lady has moved to concur in Senate Amendment #1 to House Bill 3178 and on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3178?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no' and one voting 'present' and the House does concur in Senate Amendment #1 to House Bill 3178. And this Bill, received the Constitutional Majority, is hereby declared passed. House Bill 3187, Representative Cullerton. Clerk, read the Bill."

Clerk Leone: "House Bill 3187, amends the School Code together with Senate Amendments #1 and 2."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Out of the record."

Speaker Breslin: "Out of the Record. House Bill 3394, Representative Keane. Clerk, read the Bill."

Clerk Leone: "House Bill 3394, a Bill for an Act to amend the Illinois Municipal Code together with Senate Amendments #1 and 2."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. I move to concur with Senate Amendments #1 and 2 to House Bill 3394. Senate Amendment #1 provides that liens imposed on property to enforce collection of any tax shall be subject to the same rights, requirements and conditions as are applicable to special

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

134th Legislative Day

June 25, 1986

assessment liens under Division 2, of Article IX of the Illinois Municipal Code. Amendment #2 adds a section that says it's an Act in relation to the powers of municipalities and police officers, and the Amendment provides that police officers may serve summonses for violation of ordinances governing the parking or standing of vehicles occurring within their municipalities. Be happy to answer any questions."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendments #1 and 2 to House Bill 3394 and on that question, the Gentleman from Knox, Representative Hawkinson."

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

Speaker Breslin: "He will."

Hawkinson: "Representative, regarding Senate Amendment #2, who currently serves summons in these cases?"

Speaker Breslin: "Representative Keane."

Keane: "They... I really don't know. This was, for some reason, I think that this is a problem in Senator Keats' area where they want to use the police officers in down-time to go out and serve the summonses. That's the explanation I got. I have no."

Hawkinson: "The genesis of my question, I don't know whether they're allowed to serve those summonses now or not, but the question would be that the sheriff's department normally serves summonses, although we have recently allowed private process servers to get into that business and I'm wondering if this is going to result in a loss of revenue to the counties?"

Keane: "It may be that the sheriffs might not be willing to go out on traffic tickets, but I'd be happy to take it out of the record and..."



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

134th Legislative Day

June 25, 1986

Hawkinson: "I'd just be curious as to the counties and sheriffs posture on this and if this is a statewide thing..."

Keane: "Well, let me do this. I'll take it out of the record and I'll find out from Senator Keats."

Speaker Breslin: "Out of the record. House Bill 3422, Representative Curran. Clerk, read the Bill."

Clerk Leone: "House Bill 3422, a Bill for an Act to amend the School Code together with Senate Amendment #1."

Speaker Breslin: "Representative Curran."

Curran: "Thank you, Madam Speaker. I move to nonconcur in Senate Amendment #1. The nonconcurrence has been agreed to, I understand, by the Republican side of the aisle."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendment #1 to House Bill 3422 and on that question, is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 3422?' All those in favor say 'aye', all those opposed say 'no'. The opinion of the Chair, the 'ayes' have it and the House does nonconcur in Senate Amendment #1 to House Bill 3422. House Bill 3431, Representative Flinn. Clerk, read the Bill."

Clerk Leone: "House Bill 3431, amends an Act to revise the law in relationship to county treasurers together with Senate Amendment #1."

Speaker Breslin: "Representative Flinn."

Flinn: "Thank you, Madam Speaker. Senate Amendment #1 takes care of a technical problem we had in House Bill 3431 in that we provide here for means of distribution of the stipend and this is the County Treasurers Act and I would move to concur with Senate Amendment #1."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 3431 and on that question, is there any discussion? Hearing none, the question is,

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

134th Legislative Day

June 25, 1986

'Shall the House concur in Senate Amendment #1 to House Bill 3431?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 82 voting 'aye', 30 voting 'no' and none voting 'present'. Representative Countryman votes 'no'. Representative Hoffman votes 'aye'. Representative Williamson changes her vote from 'aye' to 'no'. Representative Wojcik votes... changes her vote from 'no' to 'aye'. Representative Deuchler changes her vote from 'no' to 'aye'. Representative Stephens votes 'aye'. Representative Hastert changes his vote from 'aye' to 'no'. Representative Vinson changes his vote from 'no' to 'aye'. Representative Wojcik changes her vote again, from 'aye' to 'no'. Is everyone recorded as they wish? Representative Hartke changes his vote from 'aye' to 'no'. Representative DeJaegher votes 'no'. Representative Flinn, for what reason do you rise?"

Flinn: "Well, I think maybe there's a little bit of a misunderstanding. The stipend itself has already passed. This is just a technical Amendment which provides for a distribution, that's all. The Bill is passed. Those of you who voted for it are on record as voting for it. Those of you who voted against it, voted against it and that's all we're asking to do. I don't know what all the problem is."

Speaker Breslin: "There's no problem. All have voted who wish. Representative Hartke votes 'no', changes from 'aye' to 'no'. Representative Brunsvold goes from 'aye' to 'no'. Representative Curran changes his vote from 'aye' to 'no'. Are all recorded as they wish? On this question, take the Roll Call, Mr. Clerk. On this question... Representative

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

134th Legislative Day

June 25, 1986

Mautino votes 'aye'. On this question, there are 82 voting 'aye', 34... 35 voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 3431 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3543, Representative Steczo. Clerk, read the Bill."

Clerk Leone: "House Bill 3543 amends an Act in relationship to Cook County Sheriff's Merit Board together with Senate Amendment #1."

Speaker Breslin: "Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. When House Bill 3543 passed this House a few weeks ago, it provided that all part time deputy sheriffs in Cook County would be put under the jurisdiction of the Cook County Sheriff's Merit Board. What the Bill also did at that time was to appoint two new members to the Merit Board. Senate Amendment #1 deleted the language that we had put in regarding the policemen of the part time sheriffs under the Cook County Merit Board, so all the Bill does now is provide for the two new members of the Merit Board and under the Amendment, one of the new appointees would serve until the third Monday in March, 1988. The other would serve until third Monday in March, 1990, and thereafter, new appointees would serve six year terms as is presently the case for Board members. So, in effect, what the Senate did was provided staggered terms for those Board members. I move for the concurrence, Madam Speaker, of Amendment #1... to Senate Amendment #1 to House Bill 3543."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 3543 and on that question is, there any discussion? Hearing none, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 3543?' All those in favor vote 'aye', all those

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

134th Legislative Day

June 25, 1986

opposed vote 'no'. Voting is open. Have all voted who wish? This is final action. Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', 1 voting 'no' and 1 voting 'present' and this Bill, having received the Constitutional Majority, is hereby declared passed and the House does concur with Senate Amendment #1 to House Bill 3543. House Bill 3596, Representative Wojcik. Clerk, read the Bill."

Clerk Leone: "House Bill 3596, amends an Act to revise the law in relationship to clerks of the court together with Senate Amendment #1."

Speaker Breslin: "Representative Wojcik."

Wojcik: "Yes, Madam Speaker, and Members of the House. What this Amendment does is it makes the provision of the Marriage Act on the fee to be assessed downstate child support cases consistent with the changes made to the Circuit Clerk Fees Act. I do..."

Speaker Breslin: "The Lady moves to concur in Senate Amendment #1 to House Bill 3596 and on that question, the Gentleman from Macon, Representative Dunn."

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

Speaker Breslin: "She will yield for a question."

Dunn: "I don't seem to find anything on my desk about this, what impact does this Senate Amendment #1 or the Bill itself have upon the current fee for collection of child support, which I believe is 36 dollars a year?"

Wojcik: "What this Amendment says, it can be up to 36 dollars on the person making such payment and shall be deposited in a separate maintenance and child support collection fund."

Dunn: "Then... who will then decide how much the fee shall be?"

Wojcik: "The Clerk may have authorize by ordinance of the county board. The county board will have the initial say."

Dunn: "So the county board can set the fee anywhere from zero to

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

134th Legislative Day

June 25, 1986

36 dollars if this Bill becomes law."

Wojcik: "That's correct."

Dunn: "Thank you."

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

Black: "Madam Speaker will the Sponsor yield for a question?"

Speaker Breslin: "She will."

Black: "Representative Wojcik, does this Bill as amended still, if I understand it correctly, take the 36 dollar fee and eliminate that fee, upon the Governor signing this, the fee will disappear unless the county board decides to bring that fee back, is that correct?"

Wojcik: "That is correct."

Black: "Thank you."

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

Homer: "Thank you, Madam Speaker. Packets on my desk, like Representative Dunn, for some reason we don't have this Bill in our packet. Representative Wojcik... a question for the Sponsor, Madam Chairman."

Speaker Breslin: "Proceed."

Homer: "Under current law, a Bill that passed last year, the circuit clerks were authorized to impose a 36 dollar fee on the collection of child support. Now what does your Bill do to that prior statute?"

Wojcik: "The Bill now states that the county board shall make the determination if this fee should be collected and that the fee should be from zero to 36 dollars. In other words, if they find that there's too much paper work involved and the circuit clerks do not want to handle it and the county board makes that determination, then there will be no such collection of the fees. If the county board makes the determination that they in fact will get into the

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

134th Legislative Day

June 25, 1986

collection of the fees, then they will direct the circuit clerks to do so."

Homer: "So, in other words, your Bill would repeal the 36 dollar fee that was automatically to be added and substitute, therefore, discretionary action on behalf of the county boards?"

Wojcik: "That is correct."

Homer: "And they may... they may adopt a fee from zero to 36 dollars anywhere in between?"

Wojcik: "That is correct."

Homer: "What happened to the Bill that Representative Kirkland had that would have abolished the 36 dollar fee that passed in the House and went to the Senate? Is that this Bill?"

Wojcik: "It was held in Senate Rules, Representative."

Homer: "Well, alright, thank you. Madam Speaker, briefly to the Bill, I would have much preferred the action that we took amending Representative Kirkland's Bill that would have eliminated the 36 dollar fee altogether. I think it's an onerous fee. It's one that was ill-advised, ill-conceived and passed without the benefit of Committee review last year by this General Assembly. It's a very unpopular assessment. It's one that's unfair because the court mandates to supportive parents that they pay this fee through the circuit clerk for the convenience of the court in the case of dispute and it's onerous then to mandate that that party pay for that service - 36 dollars. Considering the fact, as I understand it, that the only action in town on this matter is contained in this Conference Committee, this is certainly an improvement over current law. At least it gives the county board the discretion to impose the fee and does not mandate that every county impose this fee. So based upon that and my understanding, of what the Sponsor has said here, I would

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

134th Legislative Day

June 25, 1986

join in supporting the concurrence."

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

Hasara: "Thank you, Madam Speaker. I rise in support of the Amendment. Having been a circuit clerk last year when this passed, it was the feeling of clerks at the time that most courts and clerks wanted this to be permissive and this Amendment does make it such. The purpose in Sangamon County of not wanting the fee is not to help in the administrative duties, but to make sure that children who were entitled to child support got their support, without being jeopardized from having to collect a 36 dollar fee and having to pay or say, 'Heck with it, if I have to pay this, I'm not going to pay my support.' So I feel it is a very good Amendment."

Speaker Breslin: "Representative Wojcik, to close."

Wojcik: "Yes, Madam Speaker, Members of the House. I think that we have listened to the comments that have been made regarding this specific issue and I think that we have worked with a compromise by allowing the county boards to make decisions whether this fee shall be collected and I do concur with the Amendment and I ask for its passage."

Speaker Breslin: "Representative Wojcik moves to concur in Senate Amendment #1 to House Bill 3596 and on that question, all those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', none voting 'no' and 1 voting 'present' and the House does concur in Senate Amendment #1 to House Bill 3596 and this Bill, having received the Constitutional Majority, is hereby declared passed. On the Subject Matter Call of Criminal and Civil Law, under Speaker's Table, appearing on page 8 of your Calendar, is House Joint Resolution 172,

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

134th Legislative Day

June 25, 1986

Representative Farley. Clerk, read the Resolution."

Clerk Leone: "House Joint Resolution 172, seeks to halt production of shows to glamorize crime. Executive Committee recommends 'be Adopted'."

Speaker Breslin: "Representative Farley."

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. What House Joint Resolution 172 is all about is asking the Governor, the trade unions, the municipalities, the Department of Community and Commerce not to participate or assist in any making of a movie about John Wayne Gacy. I have a family in my district whose son was a victim of John Wayne Gacy and they are incensed about any kind of production of this kind, and the Resolution ask that there be no cooperation in this matter. I feel as others do that if they want to do something like this they should go do it in Hollywood. We can't do anything about that. But certainly we shouldn't... we shouldn't cooperate with any kind of production like this, reminding the people that this is in fact what happened, highlight this man's crimes and I would move for a favorable Roll Call or adoption of House Joint Resolution 172."

Speaker Breslin: "The Gentleman has moved for the adoption of House Joint Resolution 172 and on that question, is there any discussion? Hearing none, the question is, 'Shall the House adopt House Joint Resolution 172?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Resolution is adopted. On the Subject Matter Call of Education and Local Government appears House Bill 3394, Representative Keane. Clerk, read the Bill. Was House bill 3394 was earlier taken out of the record and all Members are ready to go back to it."

Clerk O'Brien: "House Bill 3394, a Bill for an Act to amend the



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

134th Legislative Day

June 25, 1986

Illinois Municipal Code together with Senate Amendments #1 and 2."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Mister... Madam Speaker. I've checked out and discussed with those Members that had questions on Senate Amendment #1 and 2 and I would move in concurrence on Amendment #1 and 2..."

Speaker Breslin: "The Gentleman..."

Keane: "To House Bill 3394."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendments #1 and 2 to House Bill 3394 and on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 3394?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? The Gentleman from St. Clair, Representative Stephens, one minute to explain your vote. The Gentleman indicates he does not wish to explain his vote. Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendments #1 and 2 to House Bill 3394. And this Bill, received the Constitutional Majority, is hereby declared passed. On the Subject Matter Call dealing with State Administration, appears House Bill 3266, Representative Keane. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3266, a Bill for an Act to amend an Act relating to state colleges and university systems together with Senate Amendment #1."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. I move to nonconcur in Senate Amendment #1 to House Bill 3266. I've discussed this with

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

134th Legislative Day

June 25, 1986

the other side of the aisle and move for nonconurrence."

Speaker Breslin: "The Gentleman has move to nonconcur?"

Keane: "To nonconcur."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendment #1 to House Bill 3266 and on that question is, there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 3266?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the House does nonconcur in Senate Amendment #1 to House Bill 3266. Calendar announcement."

Clerk Leone: "Supplemental Calendar #4 is being distributed."

Speaker Breslin: "Agreed Resolutions."

Clerk Leone: "Senate Joint Resolution 173, Cullerton, and Senate Joint Resolution 174, Cullerton."

Speaker Breslin: "Representative Matijevec, on the Agreed Resolutions."

Matijevec: "Madam Speaker, these are the two Agreed Resolutions extending the reporting date on the vote for the Bail Reform Constitutional Amendment and the ..."

Speaker Breslin: "Representative Mati..."

Matijevec: "I guess."

Speaker Breslin: "Excuse me, have you finished, I'm sorry?"

Matijevec: "Yes, the other one has to do with the Veterans' Amendment. I move for the adoption of the Agreed Resolutions."

Speaker Breslin: "The Gentleman has moved for the adoption of the Agreed Resolutions. Is there any discussion? Hearing none, the question is, 'Shall the Agreed Resolutions be adopted?' All those in favor say 'aye', all those in opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Agreed Resolutions are adopted. On the Special Subject Matter Call appears House Bill 2486,

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

134th Legislative Day

June 25, 1986

Representative Stephens. Representative Stephens, do you want that Bill called, House Bill 2486? Out of the record. Representative Daniels, for what reason do you seek recognition?"

Daniels: "Yes, Madam Speaker, as we all know, Representative McCracken and his wife are having some difficulties with their child and Representative McCracken has several matters before the House of importance to him and has requested that some Members be substituted as his representative or sponsor on various Bills. I'd like to read those Bills if I might, and ask leave of this Body in order to determine whether or not Mr. McCracken's name can be substituted on House Bill 913. I'd like to substitute Mr. Ryder on House Bill 3035, substitute Mr. Hensel on House Bill 1589, no, Senate Bill 1200. Mr. McCracken has been appointed by me as a conferee and I would like to substitute Mr. Ryder for Mr. McCracken as a conferee on Senate Bill 1200 and if I could have leave of the House to accomplish that on those three Bills."

Speaker Breslin: "Representative Daniels, I think what we'll do is instruct the Clerk to add these people as hyphenated Cosponsors on those Bills and then they can handle the Bills and then the record will still reflect that McCracken was a Sponsor at that time."

Daniels: "That would be fine with the exception of a conferee. I guess I could put out a notice officially replacing Mr. McCracken by Mr. Ryder and it would be... he would be a conferee then. There's also one other matter brought to my attention, Senate Joint Resolution Constitutional Amendment 22. Mr. Hallock, is that the right number? And he is... that's the bail bond and he was appointed by me to present some of the arguments by that and I want to substitute Mr. Hallock for Mr. McCracken on the arguments of the

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

134th Legislative Day

June 25, 1986

proponents for that Constitutional Amendment."

Speaker Breslin: "Very good, thank you, Representative Daniels..."

Daniels: "Thank you."

Speaker Breslin: "That will be done. Representative. Messages from the Senate."

Clerk Leone: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their Amendments of the following Bills: Senate Bills 2003, 2042, 2076, 2100, 2129, 2165 and 2173, passed the Senate as amended June 25, 1986. Kenneth Wright, Secretary.' Further Message from the Senate by Mr. Wright, Secretary, 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their Amendments to the following Bills: Senate Bills 1415, 1957, and 1931 action taken June 25, 1986. Kenneth Wright, Secretary.' Further Messages from the Senate by Mr. Wright, Secretary. 'Mr. Speaker. I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the passage of the following Bills, together with Amendments and adoption of which I am instructed to ask concurrence to the House of Representatives, to wit; House Bill 2986, passed the Senate as amended, June 25, 1986. Kenneth Wright, Secretary'."

Speaker Breslin: "Representative Pangle, for what reason do you rise?"

Pangle: "Thank you, Madam Speaker. The Downstate Democrat Caucus tomorrow morning, will be held at 10:00 in Room 122-B at 10:00."

Speaker Breslin: "Representative Culler..."

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

134th Legislative Day

June 25, 1986

gangle: "The Downstate Democrat Caucus."

Speaker Breslin: "Representative Matijevich, for what reason do you rise?"

Matijevich: "I think the record ought to reflect that last time they had a real large room and now they've got a small room."

Speaker Breslin: "Representative Cullerton, for what reason do you rise?"

Cullerton: "To adjourn."

Speaker Breslin: "Good. Representative Cullerton moves to adjourn this House until 12:00 noon tomorrow. Do I hear any objection? Hearing no objections, this House is adjourned until 12:00 noon tomorrow."

09/29/86  
09:45

STATE OF ILLINOIS  
84TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 1

JUNE 25, 1986

HB-0523	CONCURRENCE	PAGE	16
HB-1130	CONCURRENCE	PAGE	69
HB-1446	CONCURRENCE	PAGE	93
HB-1473	CONCURRENCE	PAGE	102
HB-1544	CONCURRENCE	PAGE	103
HB-1556	CONCURRENCE	PAGE	17
HB-1675	CONCURRENCE	PAGE	70
HB-2060	CONCURRENCE	PAGE	102
HB-2546	CONCURRENCE	PAGE	113
HB-2549	CONCURRENCE	PAGE	115
HB-2552	CONCURRENCE	PAGE	70
HB-2552	CONCURRENCE	PAGE	90
HB-2552	OUT OF RECORD	PAGE	72
HB-2562	CONCURRENCE	PAGE	116
HB-2573	CONCURRENCE	PAGE	68
HB-2574	CONCURRENCE	PAGE	117
HB-2581	CONCURRENCE	PAGE	29
HB-2644	CONCURRENCE	PAGE	19
HB-2648	CONCURRENCE	PAGE	36
HB-2738	CONCURRENCE	PAGE	36
HB-2757	CONCURRENCE	PAGE	138
HB-2770	CONCURRENCE	PAGE	72
HB-2828	CONCURRENCE	PAGE	139
HB-2839	CONCURRENCE	PAGE	119
HB-2839	OUT OF RECORD	PAGE	123
HB-2879	CONCURRENCE	PAGE	123
HB-2917	CONCURRENCE	PAGE	73
HB-2937	CONCURRENCE	PAGE	76
HB-2958	CONCURRENCE	PAGE	78
HB-3017	CONCURRENCE	PAGE	50
HB-3036	CONCURRENCE	PAGE	20
HB-3043	CONCURRENCE	PAGE	140
HB-3044	CONCURRENCE	PAGE	125
HB-3080	CONCURRENCE	PAGE	141
HB-3178	CONCURRENCE	PAGE	142
HB-3207	CONCURRENCE	PAGE	51
HB-3266	CONCURRENCE	PAGE	153
HB-3271	CONCURRENCE	PAGE	65
HB-3276	CONCURRENCE	PAGE	23
HB-3298	CONCURRENCE	PAGE	4
HB-3302	CONCURRENCE	PAGE	15
HB-3309	CONCURRENCE	PAGE	82
HB-3328	CONCURRENCE	PAGE	83
HB-3328	CONCURRENCE	PAGE	90
HB-3328	OUT OF RECORD	PAGE	85
HB-3378	CONCURRENCE	PAGE	24
HB-3394	CONCURRENCE	PAGE	143
HB-3394	CONCURRENCE	PAGE	152
HB-3394	OUT OF RECORD	PAGE	145
HB-3422	CONCURRENCE	PAGE	145
HB-3431	CONCURRENCE	PAGE	145
HB-3468	CONCURRENCE	PAGE	25
HB-3474	CONCURRENCE	PAGE	127
HB-3475	CONCURRENCE	PAGE	128
HB-3476	CONCURRENCE	PAGE	35
HB-3477	CONCURRENCE	PAGE	129
HB-3479	CONCURRENCE	PAGE	130
HB-3480	CONCURRENCE	PAGE	131
HB-3512	CONCURRENCE	PAGE	132
HB-3521	CONCURRENCE	PAGE	67
HB-3543	CONCURRENCE	PAGE	147
HB-3550	CONCURRENCE	PAGE	133
HB-3555	CONCURRENCE	PAGE	136
HB-3596	CONCURRENCE	PAGE	148
HJR-0172	RESOLUTION OFFERED	PAGE	152

09/29/86  
09:45

STATE OF ILLINOIS  
84TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 2

JUNE 25, 1986

SUBJECT MATTER

HOUSE TO ORDER - REPRESENTATIVE GREIMAN	PAGE	1
PRAYER - REVEREND DEROLD DOUGHTY	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	2
ROLL CALL FOR ATTENDANCE	PAGE	2
AGREED RESOLUTIONS	PAGE	2
DEATH RESOLUTIONS	PAGE	2
GENERAL RESOLUTIONS	PAGE	3
COMMITTEE REPORTS	PAGE	3
REPRESENTATIVE BRAUN IN CHAIR	PAGE	3
MESSAGE FROM SENATE	PAGE	65
REPRESENTATIVE BRESLIN IN CHAIR	PAGE	72
RECESS	PAGE	91
HOUSE RECONVENES	PAGE	91
MESSAGES FROM SENATE	PAGE	91
REPRESENTATIVE GIGLIO IN CHAIR	PAGE	120
AGREED RESOLUTIONS	PAGE	154
MESSAGES FROM SENATE	PAGE	156
ADJOURNMENT	PAGE	157