

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

13th Legislative Day

March 5, 1987

Speaker Madigan: "The House shall come to order. Members shall be in their chairs. The Chaplain for today will be the Reverend Brady Sealy, Pastor of Trinity United Church of Christ of Westville. Reverend Sealy is the guest of Representative Bill Black. Will the guests in the gallery please rise to join us in the invocation?"

Reverend Sealy: "O Lord, our God, we come before You with the concerns of Your people heavy upon our hearts and minds. We pray for Your divine guidance that the welfare of all may be the motive which directs the actions and decisions made within these walls. May we ever keep foremost in our thoughts the solemn responsibility that lies before each person to be accountable for the decisions made here. May the future bear witness to the viability and integrity of these persons gathered to accomplish tasks that will bear upon the individual future of many. We express our gratitude for the freedom to steer a true course toward a future filled with hope and realized goals beneficial to all. We pray Your presence be with those who have accepted the challenges and responsibilities of offices of sacred trust. We pray in prayerful concern for the quick and complete recovery of Gary Hall. Grant wisdom, compassion and sound judgment to these who gather. We pray in the spirit of Him who is the way, the truth and the life. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Ropp."

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 Madigan: "Roll Call for Attendance. Roll Call for

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Attendance. Mr. Greiman, are there any excused absences?
Greiman."

Greiman: "Yes, Mr. Speaker. It appears that Representative Levin
and White are excused on official business. Representative
Huff due to illness."

Speaker Madigan: "Let the record reflect the excused absences
enunciated by Representative Greiman. Mr. Piel, are there
any excused absences?"

Piel: "No excused absences today, Mr. Speaker."

Speaker Madigan: "Thank you, Mr. Piel. Mr. Clerk, take the
record. For what purpose does Mr. DeLeo seek recognition?
Mr. Greiman, did you excuse Mr. Daley? Would you, on the
record? Mr. Greiman, on..."

Greiman: "Let the record show that Mr. Daley is also...
official... among those officially excused today, Mr.
Speaker."

Speaker Madigan: "Let the record reflect that excused absence and
Mr. Clerk, take the record. On this question, there are
114 Members responding to the Attendance Roll Call. There
is a quorum present. Mr. Clerk. Mr. Clerk, read the
Adjournment Resolution."

Clerk O'Brien: "Senate Joint Resolution #15, resolved by the
Senate of the 85th General Assembly of the State of
Illinois, the House of Representatives concurring herein
that when the Senate adjourns on Wednesday, March 4, 1987,
it stands adjourned until Wednesday, March 11, 1987, at
12:00 noon; and when the House of Representatives adjourns
on Thursday, March 5, 1987, it stands adjourned until
Tuesday, March 10, at 12:00 noon."

Speaker Madigan: "The Chair recognizes Mr. McPike on the question
of the Adjournment Resolution. Mr. McPike."

McPike: "Thank you, Mr. Speaker. I'd move the adoption of the
Adjournment Resolution."

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Speaker Madigan: "Gentleman moves for the adoption of the Adjournment Resolution. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. Mr. Clerk. Mr. Clerk, do you have any Introduction of Bills? I see. On page two of the Calendar, on the Order of House Bills Third Reading, there appears House Bill 71, Mr. Churchill. Ladies and Gentlemen, this matter is on Third Reading. Would you please be in your chairs? Would unauthorized personnel please leave the floor? This matter is under consideration on the Order of Third Reading. Mr. Churchill. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 71, a Bill for an Act relating to asbestos abatement. Third Reading of the Bill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is just a shell Bill at this time. What it is going to eventually end up to be is a funding mechanism to help local school districts with their asbestos abatement programs. At this point, we don't have the language of the Bill in a position that all of the Leaders can agree upon it. It is our intention to take the shell Bill and pass it from this House over to the Senate. At some point, we will get language upon which all Leaders can agree and it will be brought back for a final vote. I would move for the passage of this shell Bill at this time."

Speaker Madigan: "Mr. Churchill. The Gentleman has explained the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 87 'ayes', 15 'nos', 12 voting

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'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Agreed Resolutions."

Clerk O'Brien: "House Joint Resolution 32, offered by Representative Brunsvold and DeJaegher. House Resolution 107, Phelps and Hartke. And 108, by Representative Stern."

Speaker Madigan: "Mr. Giorgi, on the Agreed Resolutions."

Giorgi: "Mr. Speaker, I move for the adoption of House Joint Resolution 32 and Agreed Resolutions 107 and 108."

Speaker Madigan: "The Motion is... for what purpose does Mr. DeJaegher seek recognition?"

DeJaegher: "Mr. Speaker, there is a Resolution pending that basically deals with the 150th anniversary of Deere Company. My request is - and I don't know whether it's proper or not - is this firm has been in the State of Illinois for the past 150 years. The request that I have is that all Members of the General Assembly be a part of this Resolution. Is this permissible?"

Speaker Madigan: "Is there leave? Leave is granted. Mr. Giorgi has moved for the adoption of the Agreed Resolutions. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Resolutions are adopted. Mr. Clerk, General Resolutions."

Clerk O'Brien: "House Resolution 106, offered by Representative Daley and Farley."

Speaker Madigan: "Committee on Assignment. Mr. Clerk. Fine. The Chair is prepared to adjourn. Does anyone wish to address the Body? Mr. McCracken, did you have anything to offer to us today? Mr. Hallock seeks recognition. Mr. Hallock."

Hallock: "I would like to call attention to the Body to the fact that Rockford was not hit by a tornado. Some of the newscasts last week announced that we had a tornado in

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Rockford. That was not the case. Actually, when it was followed up on locally, found out the big winds were caused by 'Zeke' Giorgi's speech and that was it."

Speaker Madigan: "Mr. Kubik."

Kubik: "Thank you, Mr. Speaker. I'd... just a point of personal privilege. I'd like to introduce one of the great mayors of the 43rd District, Mr. Ed 'Hexto', from the Village of Riverside."

Speaker Greiman: "Is there anything further to come before the Body? There being nothing further, the Chair recognizes Mr. McPike for the Adjournment Motion."

McPike: "Thank you, Mr. Speaker. I move the House stands adjourned until next Tuesday at the hour of 12:00 noon."

Madigan: "Before we proceed to the Motion, all Democrats will meet immediately in Caucus in Room 114. All Democrats will meet immediately after adjournment in Room 114. Mr. Wolf."

Wolf: "Mr. Speaker, I would like to correct an announcement to the Election Contest Committee, who were originally supposed to meet 30 minutes after adjournment. I would like to change that to 30 minutes after the end of the Democrat Caucus in Room 114."

Speaker Madigan: "Fine. Thank you. Those in favor of the Motion say 'aye', those opposed say 'no', and we are providing for a Perfunctory Session for the Introduction of Bills. The House does stand adjourned until Tuesday at 12:00 noon. All Democrats please go to Room 114 immediately so we can begin the Caucus. Thank you."

Clerk O'Brien: "Committee Report. Representative O'Connell, Chairman of the Committee on Judiciary II, to which the following Bill was referred, action taken March 5, 1987, reported the same back with the following recommendation: 'Do pass' House Bill #9. Introduction and First Reading of Bills. House Bill 475, offered by Representative Piel -

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Flinn - Homer and Harris, a Bill for an Act to amend Sections of the Illinois Banking Act. First Reading of the Bill. House Bill 476, Monique Davis, a Bill for an Act to transfer jurisdiction over the education of prisoners from the Department of Corrections to the State Board of Education and to mandate certain courses. First Reading of the Bill. Continuing Introduction of Bills. House Bill 477, Davis, a Bill for an Act to abolish the death penalty. First Reading of the Bill. House Bill 478, Davis, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. House Bill 479, Hartke, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill. House Bill 480, Frederick, a Bill for an Act relating to certain juveniles and amending Acts herein named. First Reading of the Bill. House Bill 481, Steczo - et al, a Bill for an Act making an appropriation to the State Board of Education for grants to school districts. First Reading of the Bill. House Bill 482, Matijevich and Steczo, a Bill for an Act making appropriations for the ordinary and contingent expense of the State Board of Education and for that agency's disbursement of certain monies. First Reading of the Bill. House Bill 483, Steczo and Matijevich, a Bill for an Act making appropriations to the State Board of Education. First Reading of the Bill. House Bill 484, Didrickson, a Bill for an Act making appropriations from the Common School Fund to the State Board of Education. First Reading of the Bill. House Bill 485, Steczo and Didrickson, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 486, Didrickson and Mulcahey, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 487, Flowers - et al, a Bill for an Act to amend Sections of the

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Metropolitan Transit Authority Act. First Reading of the Bill. House Bill 488, Flowers - et al, a Bill for an Act in relation to the cashing of warrants from Financial Assistance from the Illinois Department of Public Aid. First Reading of the Bill. House Bill 489, Flowers, a Bill for an Act to amend Sections of the Illinois Income Tax Act. First Reading of the Bill. House Bill 490... House Bill 490, Flowers and Davis, a Bill for an Act to amend Sections of the Illinois Housing Development Act. First Reading of the Bill. House Bill 491, Daley - et al, a Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. House Bill 492, Anthony Young, a Bill for an Act to amend the Election Code. First Reading of the Bill. House Bill 493, Anthony Young, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 494, Jones, a Bill for an Act concerning... House Bill 494, Jones, a Bill for an Act concerning entrepreneurial training, amending certain Acts herein named. First Reading of the Bill. House Bill 495, Hoffman, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 496, Countryman, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 497, offered by Representative Keane, a Bill for an Act to create the State Government Procurement Code and to amend and repeal certain Acts herein named. First Reading of the Bill. House Bill 498, Slater, a Bill for an Act to amend Sections of the Workers' Compensation Act. First Reading of the Bill. House Bill 499, Slater, a Bill for an Act to amend Sections of the Community Services Act. First Reading of the Bill. House Bill 500, offered by Representative Ropp, a Bill for an Act to add Sections to the Grade A Pasteurized Milk and Milk Products Act. First

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Reading of the Bill."

Clerk Leone: "House Bill 501, Brunsvold, a Bill for an Act in relationship to eavesdropping. First Reading of the Bill. House Bill 502, Brunsvold, a Bill for an Act to create the offense of criminal drug conspiracy. First Reading of the Bill. House Bill 503, McCracken - Myron Olson, a Bill for an Act to amend Sections of the Election Code. First Reading of the Bill. House Bill 504, Brunsvold, a Bill for an Act to amend Sections of the Alcoholism and Substance Abuse Act. First Reading of the Bill. House Bill 505, offered by Representative Brunsvold, a Bill for an Act to amend Sections of the Code of Criminal Procedure. First Reading of the Bill. House Bill 506, offered by Representative Brunsvold, a Bill for an Act to amend Sections of the Illinois Controlled Substances Act. First Reading of the Bill. House Bill 507, offered by Representative Preston - Madigan - et al, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 508, offered by Representative Preston - Madigan - et al, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 509, offered by Representative Preston - Madigan - et al, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 511, offered by Representative Turner - et al, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 510, offered by Representative Preston - et al, a Bill for an Act to add Articles to the Code of Criminal Procedure. First Reading of the Bill. Continuing with Introductions and First Readings. House Bill 512, offered by Representative Paul Williams - et al, a Bill for an Act in relationship to the training of public housing tenants as tenant managers. First Reading of the

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Bill. House Bill 513, offered by Representative Pangle, a Bill for an Act in relationship to the activities of merchants. First Reading of the Bill. House Bill 514, offered by Representative Paul Williamson - et al, a Bill for an Act to amend Sections of an Act to revise the law in relationship to clerks of the court. First Reading of the Bill. House Bill 515, offered by Representative Brunsvold and Parcells, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 516, offered by Representative Preston, a Bill for an Act to add Sections to the Illinois Vehicle Code. First Reading of the Bill. House Bill 517, offered by Representative Preston, a Bill for an Act in relationship to fingerprint checks for applicants for school employment. First Reading of the Bill. House Bill 518, offered by Representative Anthony Young - et al, a Bill for an Act to amend Sections of the Election Code. First Reading of the Bill. House Bill 519, offered by Representative Didrickson - et al, a Bill for an Act to amend Sections of the Workers' Compensation Act. First Reading of the Bill. House Bill 520, offered by Representative Tuerk and Saltsman, a Bill for an Act to amend certain Acts in relationship to pensions for Peoria Civic Center employees. First Reading of the Bill. House Bill 521, offered by Representative McCracken - et al, a Bill for an Act to add Sections to the Code of Criminal Procedure. First Reading of the Bill. House Bill 522, offered by Representative Parke - et al, a Bill for an Act to amend Sections of the Code of Criminal Procedure. First Reading of the Bill. House Bill 523, offered by Representative McCracken - et al, a Bill for an Act to amend Sections of the Code of Criminal Procedure. First Reading of the Bill. House Bill 524, offered by Representative Parke - et al, a Bill for an Act to add

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Sections to the Criminal Code of Procedure. First Reading of the Bill. House Bill 525, offered by Representative McCracken - et al, a Bill for an Act to amend Sections of an Act to revise the law in relationship to criminal jurisprudence. First Reading of the Bill. House Bill 526, offered by Representative Parke - et al, a Bill for an Act to amend Sections of the Code of Criminal Procedure. First Reading of the Bill. House Bill 527, offered by Representative McCracken - et al, a Bill for an Act to amend Sections of the Code of Criminal Procedure. First Reading of the Bill. House Bill 528, offered by Representative Parke - et al, a Bill for an Act to amend Sections of the Criminal Code of 1961. First Reading of the Bill. House Bill 529, offered by Representative McCracken - et al, a Bill for an Act to add Sections to an Act to revise the law in relationship to criminal jurisprudence. First Reading of the Bill. House Bill 530, offered by Representative Parke - et al, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 531, offered by Representative Giorgi - et al, a Bill for an Act to add Sections to the Illinois Pension Code. First Reading of the Bill. House Bill 532, offered by Representative William Peterson and Dick Klemm, a Bill for an Act to amend Sections of an Act to revise the law in relationship to plats. First Reading of the Bill. House Bill 533, offered by Representative Bernard Pedersen - et al, a Bill for an Act to amend Sections of the Workers' Compensation Act. First Reading of the Bill. Constitutional Amendments, First Reading. House Joint Resolution Constitutional Amendment #5. Resolved by the House of Representatives of the 85th General Assembly of the State of Illinois that the Senate here... that the Senate concurring herein that there shall be submitted to

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the electors of the state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution a proposition to amend Sections 10 and 12 of and to add Sections 12.1, 12.2, 12.3, 12.4, 12.5 and 12.6 to Article VI of the Constitution and amended and added Sections to read as follows: Article VI, Section 10, Terms of Office; the terms of office of Supreme and Appellate Court Judges shall be 10 years; of Circuit Judges initially elected to the office pursuant to Section 12 or appointed to office pursuant to Section 12.1 and 12.3, six years; of Circuit Judges retained in office pursuant to Section 4.2 or... pursuant to Section 12.4 or 12.5 ten years and of Associate Judges four years. Section 12, Election of Judges: (a) In each circuit... Judicial Circuit, Circuit Judges shall be selected in a manner provided by Section 12.1 and 12.3 unless such manner of selection is determined by referendum pursuant to Section 12.2, otherwise in the manner provided by this Section; (b) Supreme, Appellate and Circuit Judges shall be nominated at primary elections or by petition. Judges shall be elected at general or judicial elections as the general election shall be provided by law. A person eligible for the office of Judge may cause his name to appear on the ballot as a candidate for Judge at the primary or at the general, or judicial election by submitting petitions. The General Assembly shall prescribe by law the requirements for petitions; (c) The office of Judge shall be vacant upon his death, resignation, retirement, removal or upon conclusion of his term without retention in office. Whenever an additional Appellate or Circuit Judge is authorized by law, the office shall be filled in the manner provided for filling a vacancy in that office; (d) A vacancy in the office of Supreme, Appellate or Circuit Judge shall be

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filled as the General Assembly may provide by law. In the absence of a law, vacancies may be filled by appointment by Supreme Court. A person appointed to fill a vacancy 60 or more days prior to the next primary election to nominate Judges shall serve until the vacancy is filled for the term at the next general or judicial election. A person appointed to fill a vacancy less than 60 days prior to the next primary election to nominate Judges shall serve until the vacancy is filled at the second general or judicial election following such appointment. Section 12.1, Appointment of Judges of Circuit Courts: (a) The provisions of this Section shall govern the selection of all Circuit Judges of each circuit unless such manner of selection is terminated by referendum pursuant to Section 12.2. For purpose of this Section and the Section 12.4, the term 'Judge' includes all such Circuit Judges except where a distinction is indicated; (b) Circuit Judges shall be appointed by the Governor from nominees submitted by the Judicial Nominating Commission except when appointment by the Supreme Court is in accordance with Subsection F of this Section; (c) The office of Circuit Judges shall be vacant upon the incumbent's death, resignation, retirement, removal or upon conclusion of the term without retention in office or whenever an increase in the number of Circuit Judges is authorized; (d) As soon as a vacancy occurs in the office of Circuit Judge or will occur within six months by a day certain, the Administrative Director of the Illinois Courts shall promptly notify the Chairman of the appropriate Judicial Nominating Commission who shall immediately convene the Commission; (e) Within 42 days after the receipt of such notice of a vacancy, the Commission shall submit to the Governor a list of three nominees in alphabetical order who are qualified by their

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character, temperance, professional aptitude, experience and commitment to equal justice under the law to be best qualified to fill the vacancy. The Commission shall... the Commission may not include on a list a nominee who is on another list when pending before the Governor or the Supreme Court pursuant to Subsection F of this Section to fill the vacancy in the same judicial office. The function of the list shall terminate upon making the required appointment therefrom; (f) Immediately upon receipt of the list, the Governor shall make it public. Not fewer than 28, nor more than 56 days after the receipt of the list, the Governor shall either appoint therefrom a person to fill the vacancy or, if the Governor disapproves of the nominees submitted by the Commission, he shall promptly notify the Commission of his disapproval. Within 14 days after receipt of the notification from the Governor, the Commission shall submit to the Governor another list of three nominees in alphabetical order whom the Commission deems qualified to fill the vacancy. If any appointment is not made by the Governor within 14 days after submission to him of the second list, the Commission shall immediately submit the list to the Supreme Court which shall promptly make the appointment from the list. All appointments of Circuit Judges under this Subsection shall be subject to the advice and consent of the Senate, a majority of the Members elected concurring by record vote. If the Senate does not advise and consent to an appointee, the Governor or Supreme Court shall select another name from the list submitted by the Commission; (g) A person appointed to fill the vacancy pursuant to this Section, 12.1, shall serve an initial term ending on the first Monday in December following the next general election held after the completion of the six years in office. At that general

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election, the Judge may stand for retention in office pursuant to Section 12.2. Section 12.2, Circuit Local Option Referendum: The electors of any judicial circuit may, by referendum, here designate as a local option referendum adopt a proposition terminating Sections 12.1 and 12.3 as governing the selection of the judicial Judges of the circuit. The electors of the circuit shall vote on the proposition at the next general election held not less than three months following the filing of the petitions with the Secretary of State signed by not fewer than five percent of the total number of electors who voted at the next preceding general election in that circuit asking that the proposition be submitted to referendum. If a majority of the votes cast on the proposition to terminate are in the affirmative, the selection of Circuit Judges of that circuit shall thereafter be governed by Section 12.3. Section 12.3, Judicial Nominating Commissions: (a) There shall be a Judicial Nominating Commission in each circuit unless a referendum has been adopted in the circuit to terminate the operation of Section 12.1 and 12.3 pursuant to Section 12.2 for the nomination of Circuit Judges for the circuit; (b) Each Judicial Nominating Commission shall consist of 11 voting Members who are residents of the appropriate circuit, six nonlawyers and five lawyers and one nonvoting Member who shall be retired Circuit Judge... Circuit Court Judge of the Circuit; (c) A nonlawyer Member of each Circuit (sic - Judicial) Nominating Commission shall be appointed as follows: One each shall be appointed by the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate and the Minority Leader of the Senate and one each appointed by the two Executive Branch Officers who are not affiliated with the same political

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party in the following indicated order, the Attorney General, the Secretary of State, the Comptroller and the Treasurer. If the Attorney General, the Secretary of State, the Comptroller and the Treasurer are all affiliated with the same political party, the President of the Senate and the Speaker of the House shall each appoint one of the two additional Members to the Commission; (d) The lawyer Members of each Judicial Nominating Commission shall be elected by secret ballot without political party or other designation by those lawyers admitted to practice in the Illinois whose principal office is in the appropriate circuit in such manner as provided by the Supreme Court rule. The election of the lawyer Members of the Commission shall be administered by the local bar association within the circuit. If there is no local bar association within the circuit, such election shall be administered by the Illinois Bar... State Bar Association. The retired Circuit Judges shall be appointed by the Chief Judge of the circuit; (e) Upon appointment of the initial nonlawyer Members of each Judicial Nominating Commission, the Attorney General shall divide the appointees by lot into three groups and shall designate two Members of the Commission to serve initial terms of two years, two Members to serve four years and two to serve six years respectively. The initial lawyer Members of each Judicial Nominating Commission shall also be divided by lot into three groups. Two Members shall be... shall by lot be designated to serve initial terms for two years, two for four years and one six year respectively, all in such manner as provided by Supreme Court rule. The retired Circuit Judge shall serve a term of six years. Thereafter the terms of all Commission Members shall be six years. Half a vacancy in a nonlawyer membership of the Judicial

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Nominating Commission shall be filled for the unexpired term or for a full term as the case may be by the official affiliation... affiliated with the same political party as the official who had appointed the person whose vacancy is to be filled. A vacancy in the lawyer membership of the Judicial Nominating Commission shall be filled for the unexpired term or for a full term, as the case may be, by election as set forth in Subsection D of this Section; (g) A retired Circuit Judge shall serve as Chairman of each Judicial Nominating Commission; (h) Any person who holds any office under the United States or this state or any political subdivision or municipal corporation or municipality or unit of local government of this state and receives compensation for services rendered in such office or who holds any office of official position in political parties shall be ineligible to serve on the Judicial Nominating Commission. Compensation for service in the state militia or armed services of the United States for such period of time as may be determined by the Supreme Court rule shall not be considered a disqualification. No Member of a Judicial Nominating Commission has an appointment... as appointed to the judicial office while serving on the Commission or for a period of three years thereafter; (i) A Member, having served a full term of six years on a Judicial Nominating Commission, may not serve on a Commission during the next three years. No person may serve on more than one Judicial Nominating Commission at the same time; (j) The Commission may conduct such investigation... investigations, meetings and hearings, all of which may be secret and employ such staff members as may be necessary to perform their duties. Members of the Commission shall not receive any compensation for their services, but shall be entitled to reimbursement for

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necessary expenses. The General Assembly shall appropriate funds through the Supreme Court for such reimbursement or for all other administrative expenses of the Commission; (k) Nominations shall be submitted to the Governor only upon concurrence of not less than three-fifths of all Members of the Commission. All lawyer and nonlawyer Members of each Judicial Nominating Commission shall be subject to ethics and economic disclosure requirements as provided by law. The lawyer Members shall be rejected to campaign... shall be subject to campaign finance disclosure requirements as provided by law. Section 12.4, Retention Elections: Not less than six months after the general election next preceding the expiration of the term of office, (I), the Supreme, Appellate or Circuit Judge who has elected to that office or, (II), a Circuit Judge who was appointed to that office pursuant to Section 12.1, he or she may file in the Office of the Secretary of State a declaration of candidacy for retention... in that office for a full term. Not less than 63 days before the election, the Secretary of State shall certify the Judge's candidacy to the proper election officials. At the election, the name of each such Judge who has timely filed a declaration of candidacy for retention except each Circuit Judge who, pursuant to Section 12.5, has been found qualified by the Judicial Review Commission to serve for the succeeding term shall be submitted to the electors separately and without party designation on the sole question of retention in office for another term. Retention elections shall be conducted at the general election in the appropriate judicial districts and circuits. The affirmative vote of three-fifths of the electors voting on the question of retention shall elect a Judge of that office for a full term commencing on the

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first Monday in December following that election; (b) A Judge eligible to file a declaration of candidacy for retention who fails to do so within the time herein specified, or having filed fails of retention shall vacate the office on the first Monday in December following the election, whether or not a successor shall yet have been qualified. If an incumbent Judge, eligible to do so, does not timely file a declaration of candidacy for retention, the selection of a successor, if any, shall proceed immediately in the manner provided in Section 12 or 12.1, whichever applies, so that the successor may take office as soon as the vacancy occurs; (c) The authorized reduction in the number of Appellate or Circuit Judges shall be without prejudice to the right of such Judges in office at the time to seek retention in accordance with the provisions of this Section. The reduction shall become effective when a vacancy occurs in the affected unit. Section 12.5, Judicial Review Commissions for Circuit Judges: (a) A provision for such Section 12.5 shall govern the retention of Circuit Judges in each circuit unless that circuit, by law option referendum terminates the operation of Section 12.1 and 12.3; (b) In each Judicial Circuit in which the retention of Circuit Judges is governed by this Section pursuant to Subsection A, the Judicial Review Commission shall be created and empowered to determine qualifications for retention of Circuit Judges; (c) The Members of the Judicial Review Commission shall be appointed or elected as provided by Subsection (c) and (d) of Section 12.3 with respect to Members of the Judicial Nominating Commission; (d) The terms of all Members of the Judicial Review Commission shall begin six months before the general election in each year in which a general election is held and shall expire on the Monday... first Monday in November

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of the same year. Appointment of elections to the Judicial Review Commission may not take place earlier than 45 days before the term is to commence; (e) A vacancy in the membership of the Judicial Review Commission shall be promptly filled as provided in Subsection (f) of Section 12.3 with respect to vacancies on a Judicial Nominating Commission; (f) Judicial Review Commissions shall be governed by the provisions of Subsection (b), (g), (h) and (j) of Section 12.3 with respect to Judicial Nominating Commissions as well as by this Section; (g) A person having served on the Judicial Review Commission may not serve on a Judicial Review Commission during the next eight years. A person who has served on a Judicial Nominating Commission may not serve on a Judicial Review Commission for a period of eight years thereafter. No person may serve on a Judicial Nominating Commission while serving on a Judicial Review Commission; (h) In circuits governed by this Section 12.5, for each Circuit Judge who has timely filed a declaration of candidacy for retention in office pursuant to Section 12.4, the Secretary of State shall, within 14 days of the receipt of such declaration of candidacy, submit the Judges names to the Administrative Director of the Illinois Courts not more than six nor less than five months before the general election next preceding the expiration of the term of office of such Judge. The Administrative Director of the Illinois Courts shall notify the Chairman of the appropriate Judicial Review Commission of the Judge's candidacy. The Chairman shall then promptly convene the Commission; (i) If by concurrence of not less than three-fifths of its Members, the Commission finds the candidacy to be qualified to serve another term, the candidate shall be retained in office for such full term commencing at the first Monday in December following the

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election. Not less than 48 days before the election, the Commission shall prepare and submit to each candidate its findings as to whether the Commission finds or fails to find that candidate is qualified to serve for another term. Not less than 77 days before the election the Commission shall submit to the Secretary of State a list stating by name (1) which candidates it has found qualified to serve another term, (2) which candidates it has failed to find so qualified, and (3) which candidates have withdrawn their candidacy by written notification to the Commission; (j) Failure of a candidate to be found qualified for retention by the Judicial Review Commission shall be without prejudice to the candidates right to stand for retention by the electorate at the general election pursuant to Section 12.4. Section 12.6, Appointment of Appellate and Supreme Court Judges: (a) Five years after the adoption of this Amendment, the General Assembly shall review the implementation of procedures established for the selection of Circuit Judges by this Amendment. If the General Assembly, after such five year period, determines that the selection procedures established by this Amendment should apply to the selection of Appellate Court Judges, it may, by law, make the provisions of Section 12.1 through 12.5 applicable to the selection of Appellate Circuit Court Judges; (b) If the General Assembly, by law, makes the election procedures established in Section 12.1 through 12.5 applicable to Appellate Court Judges, it shall, five years after the effective date of such law, require such selection procedures for Appellate Court Judges and may, by law, make such procedures applicable to the selection of Supreme Court Judges. Schedule: If approved by the electors, this Amendment shall take effect the next day following the proclamation of the result of the vote except

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that to provide time for the establishment of the Circuit Judicial... Circuit Judicial Nominating Commission, vacancies occurring in the office of Circuit Judge to and including the following March 31st shall continue to be filed as provided in Section 12, Article V of the Constitution adopted in 1970 for a term ending the first Monday in December after the next general election. Vacancies occurring after the following March 31st shall be filed as provided herein. First Reading of this Constitutional Amendment. Resolution Constitutional Amendment #6, offered by Representative Rea, Resolved by the House of Representatives of the 85th General Assembly, State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section 2 and 5 of Article IV of the Constitution to read as follows: Article IV, the Legislature, Section 2, Legislative Composition; (a) One Senator shall be elected from each Legislative District. Immediately following each decimal redistricting, the General Assembly, by law, shall divide the Legislative Districts as equally as possible into two groups. Beginning in 1992, the general election of the Senators from the first group shall be elected for the terms of four years and six years and Senators from the second group shall be elected for terms of six years and four years. The Legislative Districts in each groups shall be distributed substantially equally over the state; (b) Each Legislative District shall be divided into two Representative Districts. One Representative District (sic) shall be elected from each Representative District. Immediately following each decimal redistricting, the

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General Assembly, by law, shall divide the Representative Districts as equally as possible into three groups. Beginning with the 1992 general election, Representatives from the first groups shall be elected for terms of four years, four years and two years. Representatives from the second group shall be elected for terms of four years two years and four years and Representatives from the third group shall be elected for terms of two years, four years and four years. The Representative Districts in each group shall be distributed substantially equally over the state; however, in no case shall the Legislative District assigned to the first group of Legislative Districts contain a Representative District assigned to the third group of the Representative Districts, nor shall a Legislative District assigned to the second group of Legislative Districts contain a Representative District assigned to the first group of Representative Districts; (c) To be eligible to serve as a Member of the General Assembly, a person must be a United States citizen, at least 21 years old and for two years preceding his election or appointment, a resident of the district with which he is to be represented. In the General Assembly following a redistricting, the candidate for the General Assembly may be elected from any district which contains part of the district in which he resided at the time of redistricting and reelected if a resident of the new district he represents for 18 months prior to the reelection; (d) Within 35 days after the vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial or Representative office with more than 28 months remaining in the term, the appointed Senator or Representative shall serve until the next general election at which time the Senator or Representative shall be elected to serve for the remainder

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of the term. If the vacancy in any other Representative or Senatorial office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a Member of the same political party as the person he succeeds; (e) No Member of the General Assembly shall receive compensation as a public officer or employee of any other governmental entity at time during which he is in attendance as Member of the General Assembly. No Member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created or compensated for which shall have been increased by the General Assembly during that term. Section 5, Sessions: The General Assembly shall convene each year on the second Wednesday of January. The General Assembly shall be a continuous Body from the second Wednesday of January of one odd numbered year until the second Wednesday of January of the second odd numbered year. The Governor may convene the General Assembly or the Senate alone in Special Session by the proclamation stating the purpose of the Session. The only business encompasses by such purpose together with any impeachments or confirmations of appointments shall be transacted. Special Sessions of the General Assembly may also be convened by Joint Proclamation of the Presiding Officers of both Houses issued as provided by law; (c) Sessions of each House of the General Assembly and meetings of Committees, Joint Committees and Legislative Commissions shall be open to the public. Sessions and Committee meetings of the House may be closed to the public if two-thirds of the Members elected to that House determine that the public interest so requires. The meeting of Joint Committees and Legislative Commissions may be so closed if two-thirds of the Members elected to each House so determine. Schedule: This

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Amendment takes effect upon the adoption of the electors by the state with the application to the terms of General Assembly Members elected at the 1992 and subsequent general elections. First Reading of this Constitutional Amendment. First Reading, House Bills. House Bill 534, offered by Wait, a Bill for an Act to amend Sections of the Illinois Nursing Act. First Reading of the Bill. House Bill 535, offered by Representative Richmond - et al, a Bill for an Act to amend Sections of the Illinois Farm Industrial and Construction Equipment Fair Dealership Law. First Reading of the Bill. House Bill 536, offered by Representative Richmond and Goforth, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 537, offered by Representative Wait and Klemm, a Bill for an Act in relationship to school district income tax. First Reading of the Bill. House Bill 538, offered by Representative Wait and Myron Olson, a Bill for an Act to amend Sections of an Act in relationship to construction, operation, regulation and maintenance of systems of toll highways and to create an Illinois State Toll Highway Authority. First Reading of the Bill. House Bill 539, offered by Representative Churchill, a Bill for an Act to amend Sections of an Act to require the registration and radiation installments as herein defined to authorize the Department of Public Health to investigate the inspection of all radiation installments in this state and provide injunctive relief and penalties for violations of this Act. First Reading of the Bill. House Bill 540, offered by Representative Tate and Hicks, a Bill for an Act to provide local government for... from regulating hunting and fishing. First Reading of the Bill. House Bill 541, offered by Representative Sutker - et al, a Bill for an Act to amend Sections of the Consumer Fraud and Deceptive

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Business Practices Act. First Reading of the Bill."

Clerk O'Brien: "No further business, the House now stands
adjourned."

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