

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

33rd Legislative Day

April 21, 1987

Speaker Breslin: "Ladies and Gentlemen, the hour of 12:00 having arrived, this House will come to order. Members will be in their seats. The Chaplain for today will be Father John Spreen, Pastor of the Church of the Little Flower of Springfield. Father Spreen is a guest of Representative Karen Hasara. The guests in the gallery will please rise for the invocation."

Father Spreen: "Let us place ourselves in a prayerful mood. Oh, Heavenly Father, we thank You for the gift of life for another day. We thank You for sharing this wonderful, beautiful day with us as we begin again the legislative process after the Easter celebration. Heavenly Father, we ask You to give our Legislators the patience of Job; the endurance of Moses; the wisdom of Solomon and the loving concern for people like St. Francis of Assisi. With these virtues, they can be effective Legislators of our state. Help them to understand that there are some things that cannot be changed and there are some things that must be changed. Whatever must be changed must always be for good or at least better than it presently is. Let our Legislators be patient with one another and especially patient with their public constituents who make so many unreasonable demands upon them. Let our Legislators be guided with the wisdom of age and tradition. Let their concerns be always loving concerns for the good of people. Patience, wisdom, love and the greatest of these, love. This we ask in our Heavenly Father's Name. Amen."

Speaker Breslin: "We'll be led in the pledge 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

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for all."

Speaker Breslin: "Roll Call for Attendance. Are there any excused absences? Representative Piel."

Piel: "Thank you, Madam Speaker. Would the record show that Representative Deuchler, Representative Harris and Representative Hoffman are excused today?"

Speaker Breslin: "The record will so show. Representative Matijevich."

Matijevich: "Madam Speaker, let the record reflect the excused absence due to illness of Representative Carol Braun."

Speaker Breslin: "The record will so reflect. Have all Members answered the Roll Call? Take the Roll, Mr. Clerk. 113 Members answering the Roll Call, a quorum is present. Representative Churchill, for what reason do you rise?"

Churchill: "Thank you, Madam Speaker. Over the past two weeks, I had the occasion of my fortieth birthday. Apparently, that means that I get to decorate my desk with black crepe paper. My secretaries back in my district office gave me forty black balloons. My secretary down here is giving me black balloons. Everything is in black, but we have something here that's not and that's a cake. It's in chocolate and white, and you can come and have a piece of it. Anybody who's interested in a piece of cake, come on over and help celebrate my fortieth birthday. Thank you."

Speaker Breslin: "Do you have to be over forty to eat your cake?"

Churchill: "No."

Speaker Breslin: "No. Okay. Everyone can flock over then to eat Representative Churchill's cake. Representative McCracken, for what reason do you rise?"

McCracken: "Just a point of order, Madam Speaker. I noticed that the Election Law Committee is meeting tomorrow. Three notices have been posted in excess of 100 Bills are going to be considered, and this is the first time I understand

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that this Committee has met. This is the same Committee which the other side of the aisle indicated would be so busy during the period of Representative Heller's election contest that a second Elections Committee had to be created in order to accommodate the work load. My question is, why has this Committee not met before? Why have we waited until now when we had two Committees, one for Representative Heller's contest and one to consider Bills generally? Why are we waiting until now and posting over a hundred Bills?"

Speaker Breslin: "Representative McCracken, I understand that several Committees have not met prior to this time because the Bills were not drafted and introduced in a, some would say, a timely fashion. At any rate, it is up to the Committee Chairman to post notices for Bills and have those Bills heard. Representative McCracken, I also understand from the Clerk's Office that over 50 percent of all of these Bills were introduced after we left this Assembly for Easter vacation. And I think that has happened in other Committees as well. Representative McCracken, for what reason do you rise?"

McCracken: "Madam Speaker, I believe there was no other Committee newly created in this Session and which would deal with the same subject matter as any other standing Committees except for the Elections Committee. Some of these Bills apparently, at least 50 percent, were in existence prior to the break, and this Committee has never met before. What was the reason for having two Committees regarding Representative Heller? Your alleged purpose was so that you could accommodate both the election contest and the consideration of Bills. Instead, this Committee has never met until this week. And now, you have over a hundred Bills posted. What is... what is the purpose? Are these

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going to get a fair hearing, 150 Bills, posted for 2:00, 2:15 and 2:30?"

Speaker Breslin: "Represent... Representative McCracken, your point is well taken. There are many Bills left to be heard by this Assembly in all Committees, not just this Committee. There are only three weeks left for the hearing of all of these Bills. If there is going to be a fair hearing for each Bill, this Assembly is going to have to work very hard in the next three weeks time. Representative Dunn, for what reason do you rise?"

Dunn: "Thank you, Madam Speaker and Ladies and Gentlemen of the Assembly. I rise to ask that the appropriate rule be waived to... and suspend so that House Bill 973 may be heard tomorrow in House Judiciary I Committee. It is my understanding that there was an error made in the posting and the Sponsor of the legislation has witnesses coming from out of town, and we would certainly like to accommodate him. This is a Bill sponsored by Representative DeJaegher and it's my understanding he has cleared this with the other side of the aisle. So, I would ask leave as Chairman of House Judiciary I Committee for the appropriate rules to be suspended so House Bill 973 can be considered in the House Judiciary I Committee tomorrow."

Speaker Breslin: "Ladies and Gentlemen, the Chairman of the Judiciary I Committee has asked leave to waive the posting rules on House Bill 973. Do you have any objections? Are there any objections? Representative McCracken."

McCracken: "Could I ask the Gentleman who he cleared this with on this side of the aisle?"

Dunn: "I think he... Bob DeJaegher just told me he looked for Tim Johnson and couldn't find him and cleared it with Representative Slater."

McCracken: "Okay."

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Speaker Breslin: "Are there any objections? Hearing no objection, the rule is waived. Representative McCracken."

McCracken: "Back to the Election Law Committee, Speaker. I understand that the Chairman had to request that Bills be posted this week, that it was the original intent of the Speaker not even to post Bills for the Election Law this week, and that Representative Huff, the Chairman, had to go in and request that they be posted. Now, what is the purpose of holding up Election Law legislation, particularly in light of the fact that you created two Committees, one, to take care of Representative Weller and the other purportedly to handle this legislation. Why is it that a 150 Bills have to be heard this week?"

Speaker Breslin: "Representative McCracken, we will hear as many Bills as are possible. Representative Wennlund, for what reason do you rise?"

Wennlund: "Thank you, Madam Speaker, Members of the House. I ask leave that House Bill 580 be heard and the posting requirements be waived with respect to it so they can be heard before the Executive Committee tomorrow morning at 9:00 a.m. I have witnesses coming to testify on that Bill who are already on the road. It was reassigned from Energy and Environment to the Executive Committee. I have cleared this with the Chairman and with the Minority Spokesman, Madam Speaker."

Speaker Breslin: "Ladies and Gentlemen, you have heard Representative Wennlund's Motion. He asks that the posting rules for House Bill 580 be waived so that the Bill can be heard in the Executive Committee this week. Are there any objections? Are there any objections? Hearing no objections, the rule is waived, Representative Wennlund, and House Bill 580 can be heard in the House Executive Committee tomorrow. Is it tomorrow?"

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Wennlund: "Thank you, Madam Speaker."

Speaker Breslin: "Representative Mulcahey, for what reason do you rise?"

Mulcahey: "Same request, Madam Speaker, on House Bill 1093. I didn't clear it with anybody. I just got here. That's the principals Bill which all of you have been hearing about. I'd like to have that posting rule waived so we can hear it tomorrow. Elementary and Secondary Education, 1093."

Speaker Breslin: "You have heard the Gentleman's Motion. Representative Mulcahey asked that House Bill 1093 be heard in the Elementary and Secondary Committee tomorrow. He has not cleared it with anyone. Are there any objections? Representative McCracken."

McCracken: "I finally have something to do. Will the Sponsor yield?"

Mulcahey: "I certainly will."

Speaker Breslin: "Representative Mulcahey will yield to a question."

McCracken: "Will you give us a brief description of the Bill, Representative?"

Mulcahey: "Right, that's the principals hearing Bill that you have been hearing from your principals... throughout the State of Illinois. It gives them a little... due process..."

McCracken: "There is some controversy on this matter, and I think the public would be interested in being apprised of its Committee hearing. Had you sought posting and it was not done, was that it?"

Mulcahey: "No. I goofed up. No."

McCracken: "Pardon me?"

Mulcahey: "I screwed up. I didn't have it posted. It's that simple, and there are people that are coming down tomorrow to testify on behalf of that Bill and I just would like to

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have it posted."

McCracken: "Are they on your side?"

Mulcahey: "I don't know who they are."

Speaker Breslin: "Are there any objections? Representative McCracken, persists in his objection, Representative Mulcahey. I would suggest that you clear it with Representative McCracken."

Mulcahey: "The hell with it. Just let it go. I'm not clearing with anybody. You know, there is egos around this place and there is... do it next week."

Speaker Breslin: "Representative Keane, for what reason do you rise?"

Keane: "Thank you, Madam Speaker. I've checked this... this was checked with the Republican side of the aisle. There were errors in posting to Revenue, and House Bill 167 was posted for the Income Tax Subcommittee and it should be for the Real Estate Tax Subcommittee. House Bill 489 was posted for the Real Estate Subcommittee. It should have been the Income Tax Subcommittee. House Bill 656 was posted for the Real Estate Tax Subcommittee. It should be Income Tax Subcommittee and House Bill 896 was posted for Real Estate Tax Subcommittee. It should be the Income Tax Subcommittee. I would ask for leave that the... these be posted correctly."

Speaker Breslin: "Representative Keane, the Chairman of the Revenue Committee has noted errors in the posting on four Bills. All four Bills were posted but for the wrong Subcommittee. He has noted the correct Subcommittee and asks that the record reflect the correct Subcommittee. I will repeat the Bill numbers. They are House Bills 167, 489, 656 and 896. Are there any objections to this correction and these Bills being heard in the proper Subcommittee of the Committee on Revenue? Representative

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McCracken."

McCracken: "Will the Sponsor yield?"

Speaker Breslin: "Representative Keane will yield for a question."

McCracken: "Are these Bills to be heard by a Subcommittee this week? Have they been yet posted to the Full Committee?"

Keane: "They have... they have been posted to the Full Committee and we're... we're..."

McCracken: "Was that done before we adjourned for two weeks?"

Keane: "Yes. That was... and then what happened was is that within the... in the posting agreement between... on both sides of the..."

McCracken: "Could we have some order? Madam Speaker, could we have some order?"

Keane: "They were... they were correctly posted in Committee. The Clerk in transposing them on the Calendar made a mistake. I have..."

McCracken: "My question is, were they originally posted at some prior time to the Committee?"

Keane: "Yes."

McCracken: "And then, you had a Subcommittee notice for this week."

Keane: "That's right."

McCracken: "Alright. Are all of the Bills which are notice for this week's hearing by the Revenue Committee going to Subcommittee hearings?"

Keane: "Yes."

McCracken: "And how many Bills are there, about 150?"

Keane: "Yes."

McCracken: "And they're all to go through Subcommittees this week."

Keane: "This week, next week and the week after."

McCracken: "But, how long after... how long after the

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Subcommittee will they go to the Full Committee? I mean, are you going to have time to accommodate all these Subcommittee hearings?"

Keane: "Yes, we will. We've done it... we've done this in the past for the past two years and it's worked out find."

McCracken: "How many Bills are not in Subcommittee at the present time?"

Keane: "130 that will be total Bills that have not been... have not been assigned yet to Committee."

McCracken: "So, you have a 150 in Subcommittees this week and 130 in the Full Committee."

Keane: "No. No. If you look on the Calendar on page 16, starting on the bottom of page 15, you'll see the Bills that are in Subcommittee. It's the last posting on 15 and the top two posting on 16 that are posted. Those are the only Bills that have been posted to Subcommittee."

McCracken: "Okay."

Keane: "The new Bills that are going in are the next three listings."

McCracken: "Okay. And this week, the Full Committee is also going to be posting numerous other Bills to Subcommittee."

Keane: "For next week's Subcommittee hearing."

McCracken: "Now, will those not be heard in Subcommittee this week then?"

Keane: "No. They will not be..."

McCracken: "They won't be heard until next week."

Keane: "Next week."

McCracken: "And then after that, any Bills out of Subcommittee would have to be heard by the Full Committee in the following week."

Keane: "That's right."

McCracken: "Now, with this number of Bills, how were you going to accommodate a hearing by the Full Committee after these

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Subcommittees? We only have three weeks left."

Keane: "It's worked fine in the past. We've had the same level of Bills and there was no problem handling it. You could talk to Members on your side of the aisle who has served on the Committee, and I think they'll verify that."

McCracken: "Okay. I have nothing further."

Speaker Breslin: "Are there any other objections? Any objections at all? Hearing no objections, the Clerk will note the correct posting for those four Bills."

Keane: "Thank you."

Speaker Breslin: "Representative Terzich, for what reason do you rise? Representative Terzich."

Terzich: "Yes, Madam Speaker, Ladies and Gentlemen of the House, I will like to waive the posting requirements for Executive Committee on House Bill 2173 and 2175. I did request them to be posted, but I was a little late and they have people coming in to testify on this... on these two pieces of legislation. I... there's no objection on the other side of the aisle. So, I would move that we waive the posting requirement."

Speaker Breslin: "Ladies and Gentlemen, you have heard Representative Terzich's Motion. The Chairman of the Executive Committee has asked that House Bills 2173 and 2175 have the posting rules waived so that these Bills can be heard this week in Committee. Are there any objections? Hearing no objections, the rule is waived, Representative Terzich. Representative Barnes."

Barnes: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would like permission to waive the posting rules for Senate Bill 141. We have spoken to the Chairman of the Committee, Representative Dunn, Representative Cullerton, Gary LaPaille, Chris Freveletti. I think everybody is aware of this, Madam Speaker."

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Speaker Breslin: "Ladies and Gentlemen, the Lady's Motion is to waive the posting rule for Senate Bill 141 so that this Bill can be heard this week in Judiciary I Committee. Are there any objections? Hearing no objections, the posting rule is waived, Representative Barnes."

Barnes: "Thank you, Madam Speaker."

Speaker Breslin: "Representative Hallock."

Hallock: "Thank you, Madam Speaker, Members of the House. I have a question about the Calendar. On the Calendar, we see that most Committees, in fact, have Subcommittees to which Bills are being assigned, will the Committee Clerk or the Speaker of the House set definite time for the Subcommittees to meet?"

Speaker Breslin: "Representative Hallock, I am advised by the Clerk that a schedule... Ladies and Gentlemen, you all might be interested in this. There are several Subcommittees that need to meet before Bills will be heard in the Full Committee. As you can see this week, those Subcommittees are already posted for a specific time. The same thing will happen in the following two weeks. So, they are preparing a schedule now for Subcommittee meetings as well as Full Committee meetings and they will be posted. Representative Hallock."

Hallock: "Well, Madam Speaker, first of all... I'd like to have some order in the House if we could. It's very chaotic in here."

Speaker Breslin: "Mr. Doorkeeper. Mr. Doorkeeper, would you clear the aisles, please? Ladies and Gentlemen, there is entirely too much noise in the Assembly. All unauthorized persons should leave the floor immediately. Proceed, Representative Hallock."

Hallock: "Well, it still appears to be fairly chaotic in here, Madam Speaker, but one of our problems with the

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proliferation of Subcommittees is that it's really very difficult for the Members, the public, the citizens who want to testify to know when they should come down and testify. Now, we have here in the Calendar a clear enumeration of when the Committees will meet, but we also have an adjunctee to those statements which says that the Bills have been assigned to Subcommittee. How will a Member or a citizen who wants to speak at that hearing know when he should come down... he or she should come down and speak or present the bill. How do we know that?"

Speaker Breslin: "I am under the impression that that will be clearly delineated in your Calendar. If there are any ambiguities, you should contact the Committee Chairman. Ladies and Gentlemen, we are ready to go to the Order of House Bills Third Reading. So, we hope that you will get your files ready and be prepared to go to that Order. Representative Hallock, for what reason do you rise?"

Hallock: "I hadn't quite finished. I think the Members have the right to know as a courtesy just when they can expect to have the Subcommittees meet. And more important than the Members themselves, I guess, is the public has the right to know when the Committees are going to meet, a Subcommittee, so they, in fact, can have time to prepare their testimony and make sure they're here. Without the Subcommittees being posted on the Calendar, we have a situation whereby a Committee may meet in five minutes notice in a closet, and that really isn't a clear Subcommittee meeting and a violation of our rules. And so, I think that you would put on the Calendar as well notices to when the Subcommittees will meet."

Speaker Breslin: "Representative Hallock, as I have explained before, they are putting together a schedule that they expect to be able to publish to notify people when these

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hearings are going to be held. The Clerk advises me that the six and a half day posting rule is still required. So, we will have to have that notice in advance and then put the schedule together."

Hallock: "So, then we can expect that the next Calendar being prepared will probably include a list of Subcommittee meetings as well so the public has notice?"

Speaker Breslin: "That is my expectation."

Hallock: "Well, then I look forward to that and I look forward to tomorrow's Calendar."

Speaker Breslin: "Okay."

Hallock: "Thank you."

Speaker Breslin: "Representative Ewing, for what reason do you rise?"

Ewing: "Madam Speaker, I have cleared with the Majority Leader, and I would like to make a Motion to waive the posting rule on House Bill 124 for Insurance Committee for today."

Speaker Breslin: "Representative Ewing has asked leave to waive the posting requirements so that House Bill 124 can be heard in the Insurance Committee today. Are there any objections? Hearing no objections, Representative Ewing, the rule is waived. Ladies and Gentlemen, we are now going to the Order of House Bills Third Reading, Short Debate Calendar. The first Bill is House Bill 47. Representative Stange. Representative Stange, where do you sit now? The Gentleman is not in his seat. House Bill 56, Representative Tate. Representative Tate, your Bill is on the Order of Third Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 56, a Bill for an Act in relation to pseudorabies, amending certain Acts herein named. Third Reading of the Bill."

Speaker Breslin: "Representative Tate."

Tate: "Thank you, Madam Speaker and Members of the House. House

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Bill 56 establish a control program for pseudorabies and domestic swine and regulates the licensed pseudorabies vaccines. I move for its passage."

Speaker Breslin: "Ladies and Gentlemen. Ladies and Gentlemen, we are on the Order of Third Reading. A Bill has just been presented to you for debate. I doubt that anyone could hear it. Please lower your voices. Would the doorman clear the aisles again? Representative Tate, would you please repeat what your Bill does one more time?"

Tate: "Madam Speaker, I can't hear you."

Speaker Breslin: "I understand. Proceed, Sir."

Tate: "House Bill 56 establishes a control program for pseudorabies and domestic swine. Swine are... those are pigs and hogs, and it regulates and license pseudorabies vaccines."

Speaker Breslin: "The Gentleman has moved for the adoption of House Bill 56. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield for a question?"

Speaker Breslin: "He will."

Cullerton: "Representative Tate, this Bill involves the Illinois Pseudorabies Control Act, is that what it amends? There is also a companion appropriation Bill I understand for 60,000 dollars. What would that 60,000 dollars be spent for?"

Tate: "Representative Cullerton, in the event that the herd would have to be eradicated... the disease was not eradicated and you'd have to destroy the... some of... a portion or all of the hogs, that would be a reimbursement cost for the farmers."

Cullerton: "So that the farmers... the farmers would receive... payments if their herd was... had to be destroyed because of the..."

Tate: "That's optional, but I can barely hear you, John."

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Cullerton: "Okay. The question is, the farmers would be reimbursed for the swine that had to be destroyed because they had acquired this pseudorabies disease. Is that correct?"

Tate: "That is correct."

Cullerton: "Now, my understanding is that last year, Fiscal Year 1986, there were 75 confirmed cases of this pseudorabies, 75 total. Is that considered to be... it seems like 60,000 dollars is a lot of money in order... in order to reimburse 75 lost animals."

Tate: "Oh, you think... no, not 75 animals. If, in fact, the number is 75, I'm not sure whether you came up with that number, but that would be 75 infected herds. In other words..."

Cullerton: "Oh, I see."

Tate: "Seventy-five different farm operations where a guy has at least one hog or maybe the entire confinement operation, which could be several thousands."

Cullerton: "So, he could be... would average out to maybe about... only 8,000 dollars per... for the whole herd for reimbursement. So, it's 60,000 dollars. The 60,000 dollars is going to be given to farmers if their whole herd was destroyed... had to be destroyed because they had this disease. I just want to get a sense of the normality of the problem."

Tate: "Okay. Okay."

Cullerton: "So, this is a herpes virus?"

Tate: "That's correct."

Cullerton: "Now, there are some other things here I want to ask you about. It involves some definitions. What does it do besides providing for the reimbursement? What else does it do besides providing for the reimbursement? There are penalties involved here. What does it..."

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Tate: "Well..."

Cullerton: "But let me ask you this."

Tate: "Current... let me explain what the current program is."

Cullerton: "Right."

Tate: "If anyone has ever gone through an incident of pseudorabies, I had a case in my district three years ago, and it was located near Arthur, Illinois, there were approximately two hundred and fifty some hog farmers in Moultrie County. One farm in the county was infected. Under the old... under the current system, what we do is the Department of Agriculture goes into that farm and diagnose the disease. They determine that that one or more hogs have pseudorabies and they request from that farmer that they voluntarily quarantine their herd. Okay? You understand that?"

Cullerton: "It's voluntary."

Tate: "Well... however there... there's really no method of enforcement because the Department of Agriculture can't really send out five people to... stand at the perimeters of the farm and make sure that those hogs are in a confinement situation, they don't wander. They can't make sure that, for example, a dog, a cat, you can walk into the farm and track it on your boots and track to another farm, and conceivably, it's a very contagious disease, cattle are affected and other hogs are. So, what we're doing here is we're providing an inducement or incentive to farmers to quarantine their herds. And in the event that they cannot eradicate that problem and they do, in fact, inevitably have to destroy some of their hogs, there would be some type of nominal reimbursement for those hogs."

Cullerton: "So, the main thing then is in addition to the money is that you're giving the Department of Agriculture the right to go onto the farm and to... an order to administer

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the act."

Tate: "And quarantine the herd."

Cullerton: "I see. Even if the farmer was... the hog farmer was opposed to that, this would give the Department of Agriculture the authority to come and quarantine."

Tate: "Correct."

Cullerton: "Now, can this virus, this herpes virus, can this be spread at all to humans?"

Tate: "No."

Cullerton: "At least at this point in time we don't know of any known cases."

Tate: "Correct."

Cullerton: "Now, what about this advisory Committee?"

Tate: "Well, I'm... I'm not sure about that... I.. I... because I guess if you had an oral contact with the hog or conceivably sex with the hog, maybe you could contract herpes."

Cullerton: "That would be pseudo..."

Tate: "Well... or pseudorabies, whatever you want to call it."

Cullerton: "Now, there is an advisory Committee that's set up. What's the purpose of that?"

Tate: "It's... the advisory Committee was done through a team representing different agricultural groups. The Illinois Pork Producers were very active in this. As a matter of fact, this piece of legislation was recommended by the National Association of Pork Producers in a recent convention that was just completed."

Cullerton: "Okay, this Bill was drafted by the Department of Agriculture?"

Tate: "In conjunction with the advisory group, an input from different agricultural groups in the state."

Cullerton: "And the Illinois Pork Producers are in favor of this?"

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Tate: "The Illinois Pork Producers are strongly in favor of this."

Cullerton: "The only thing I have a little reservation about is this having the authority to come onto the land of the farmer and to slaughter his swine presumably against his will. Isn't that... are there... isn't there a need for some due process?"

Tate: "Number one, I think you'll find that most farmers are going to voluntarily commit to this program anyway because you're going to incur... When you have pseudorabies, generally the first symptoms are you start having a lot of aborted piglets and they don't reproduce themselves, so it becomes inefficient for a farmer to allow the disease to persist within his operation. And more importantly, I think that another side issue to this is that with the current trends eating patterns of people, anything that we can do to promote hog production and pork consumption in this state, I think it's a positive, and this is eradicating a disease that adversely affects the pork industry in this state and is a positive step forward."

Cullerton: "Fine. I don't have any further questions. Thank you, Madam Speaker."

Speaker Breslin: "Ladies and Gentlemen, I would remind you that we are on the Order of Short Debate. While questions are allowed, we would hope that you would keep them to a minimum. The Sponsor is allowed to present his Bill, and now I will recognize anyone who stands in opposition to this Bill. Does anyone stand in opposition? Hearing no opposition, Representative Tate to close or Representative... Hartke to close? Representative Tate."

Tate: "Thank you, Madam Speaker Members of the House. Again, I guess just to summarize the questions and answers... the dialogue that Representative Cullerton and I just had. I

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think this is a model piece of legislation that Illinois will be in the forefront on in terms of the hog industry and is a very positive step forward in that industry. And I would encourage a favorable Roll Call."

Speaker Breslin: "The question is, 'Shall House Bill 56 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 105 voting 'aye', none voting 'no', and 4 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declare passed. House Bill 90, Representative Phelps. Clerk, read the Bill."

Clerk O'Brien: "House Bill 90, a Bill for an Act in relation to the use of assumed names. Third Reading of the Bill."

Speaker Breslin: "Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill actually just give the authority to the county recorder to raise the fees from two to five dollars for filing an assumed name certificate which is now required. We're just changing the fee increase a little bit. We're finding that as a former county clerk or recorder that you can tie up a lot of staff. Clerical help can get pretty involved in filing these documents, recording them, stamping them and so forth for just two dollars. So, it's a modest increase very much needed, and we're asking its favorable approval."

Speaker Breslin: "The Gentleman has moved that House Bill 90 pass. And on that question, the Gentleman from DuPage, Representative McCracken."

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

Speaker Breslin: "He indicates he will."

McCracken: "I don't oppose the Bill, Representative. I think it's a good idea. It almost looks like a vehicle Bill. Is

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that... is it your intent to keep this alive for later Amendments?"

Phelps: "It's not my intention for a vehicle Bill. It's specifically for this purpose. I was carrying this for the Clerks and County Recorders Association."

McCracken: "Okay. Thank you."

Phelps: "Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 90 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 112 voting 'aye', none voting 'no', and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 91, Representative Olson. Out of the record. House Bill 103, Representative Tate. Clerk, read the Bill."

Clerk O'Brien: "House Bill 103, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill."

Speaker Breslin: "Representative Tate."

Tate: "Thank you, Madam Speaker. House Bill 103 eliminates the requirement that an applicant for a marriage license provide certain information related to prior marriages and it provides that the applicant can withhold any information requested upon the application except for certain statutorily prescribed types. This Bill passed out of Judiciary, I think, on an unanimous vote. I move for its adoption."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 103. And on that question, is there any opposition or questions? Representative Homer."

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

Speaker Breslin: "He will."

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Homer: "Currently, Representative Tate, when somebody applies for marriage license, they're required to give certain information, their name, their sex and various background information."

Tate: "If I understood your question, under current law..."

Homer: "What's the current law?"

Tate: "...You have to give... What information do you have to give?"

Homer: "I don't know, and it's my understanding under current law that you have to give you name, sex, occupation, address, social security number, date and place of birth."

Tate: "Yeah, that is left in. Right. What we're eliminating now is that under the current law, would be from line 16 and 19, that either party that was... that was previously married use his name and the date, place and court in which the marriage was dissolved and declared invalid or the date and place of death of the former spouse. That's the only change that we're making."

Homer: "Alright. Do you know... what was the reason that that information was requested? How is that information used?"

Tate: "What he say? Tom, repeat."

Homer: "Alright. You want to repeat the question?"

Tate: "Yeah."

Homer: "Why did... Representative Tate, why did you introduce the Bill? What's the problem with having people provide this information?"

Tate: "Oh, I guess it was just basically unwarranted invasions of privacy. I just didn't think it was necessary, quite frankly."

Homer: "What is that information now used for, do you know?"

Tate: "What is the... that information currently used for?"

Homer: "I don't know. Do you know what it's used for?"

Tate: "Not really."

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Homer: "Do you know why it was included in the original requirements?"

Tate: "Not really."

Homer: "And so, what you're saying is all the same information that was there previously will still be provided with the exception of the information concerning prior marriages."

Tate: "Correct. Correct. Yeah, absolutely. That's exactly what I'm saying."

Homer: "Was this in response to a constituent request?"

Tate: "That's correct."

Homer: "Or your recent marriage, you are offended by having to provide that information?"

Tate: "No. Just a constituent request."

Homer: "This sounds very mysterious, but I can't think of any reason to oppose it, so I'll just let it go with that."

Tate: "Thank you."

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

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

Tate: "Yeah."

Speaker Breslin: "Yes."

Satterthwaite: "Representative Tate, I thought we had an agreement a couple of weeks ago that if we permitted House Bill 102 to return to the Consent Calendar, that you were to table this Bill."

Tate: "Is this the right Bill?"

Satterthwaite: "This is the right Bill and I wish you would do it and stop wasting the time of the chamber."

Tate: "Okay, I'll table this Bill, then. Okay. Thank you. We'll table this Bill, then, Madam Speaker."

Speaker Breslin: "Representative Tate, are you moving to table this Bill?"

Tate: "Yes. Yes. Absolute... at the request of Representative

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Satterthwaite, I'm accommodating."

Speaker Breslin: "Very good. Representative Tate moves to table House Bill 103. Hearing no objection, all those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and House Bill 103 is tabled. House Bill 127, Representative Ewing. Out of the record. House Bill 160, Representative Peterson. Excuse me. Representative Ewing. Excuse me, Representative Peterson, Representative Ewing wishes to proceed with his Bill. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 127, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Ewing."

Ewing: "Yes, Madam Speaker, Ladies and Gentlemen of the House, this Bill is on the Short Debate Calendar because it's really a very simple Bill. A year ago we passed the school conversion Bill which allows for a unit district to convert and consolidate with a high school. Well, this really doesn't have anything to do with it, but the reason that we have this Bill is so that on the ballot when they're voting on that issue, it can clearly define that it's not a tax increase, but that the tax rate is the same as it was before so that the voters don't think they're getting a tax rate. It's a clarification Bill. I think it's good legislation. I'd ask for your support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 127. Does anyone stand in opposition? Representative Leverenz is your light blinking because you stand in opposition? He does not. Does anyone stand in opposition. Seeing that no one stands in opposition, the question is, 'Shall House Bill 127 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish?"

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The Clerk will take the record. On this question there are 112 voting 'aye', 1 voting 'no', and none voting 'present', and House Bill 127, having received the Constitutional Majority, is hereby declared passed. House Bill 160, Representative Peterson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 160, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Peterson."

Peterson: "Thank you, Madam Speaker, Members of the House. House Bill 160 very clear and concise. It's to allow school districts by front door referendum to raise the rate from five cents to ten cents for the purpose of leasing educational facilities from private or from public folks. And I would appreciate your support of this legislation."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 160. Does anyone stand in opposition? House Bill 160. Seeing no opposition, the question is, 'Shall House Bill 160 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', none... 1 voting 'no', and none... and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 231, Representative Hallock. Clerk, read the Bill."

Clerk O'Brien: "House Bill 231, a Bill for an Act to add Sections of the Historic Preservation Agency Act. Third Reading of the Bill."

Speaker Breslin: "Representative Hallock. You want the Bill out of the record? Out of the record. House Bill 234, Representative Williamson. Clerk, read the Bill. 234."

Clerk O'Brien: "House Bill 234, a Bill for an Act to amend an Act in relation to fire protection districts. Third Reading of

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the Bill."

Speaker Breslin: "Representative Williamson."

Williamson: "House Bill 234 amends the Fire Protection District Act. It specifies that when a member of an elected Board of Trustees of the fire protection district ceases to be an inhabitant of the district, his office shall become immediately vacant."

Speaker Breslin: "The Lady has moved for the passage of House Bill 234. And on that question, is there any opposition? The Gentleman from Fulton, Representative Homer."

Homer: "Will the Sponsor yield?"

Speaker Breslin: "She will yield for a question."

Homer: "Representative Williamson, are there two types of elected trust... two types of trustees, one who are both appointed and elected?"

Williamson: "Yes."

Homer: "Alright. In a case of an appointed trustee, it's clear from your Bill that you would have the same authority that appointed that trustee... appoint the person to replace..."

Williamson: "Tom, I can't hear."

Homer: "Can you hear?"

Williamson: "No, Tom."

Homer: "Alright. Madam Speaker. Madam Speaker."

Speaker Breslin: "Yes, Sir?"

Homer: "I'm trying to ask questions of the Sponsor and she's indicated she can't hear. When I try to get your attention, I noticed you couldn't either. So, could I impose upon you to bring the Body to some degree of order? Thank you. Representative Williamson. Your Bill... your Bill for the benefit of everyone else would say that where there is a vacancy created that because someone moves out of one of these fire protection districts, no longer lives

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in the district and they were a trustee, they move out, there is a vacancy. So, your Bill says, if that happens that the... that the same appointing authority would appoint and fill the vacancy is correct?"

Williamson: "Correct. Correct."

Homer: "Which is very clear in the case where the trustee is an appointed position. My question is, if it's an elected position, if it's in a district where the trustees are elected, who is the appropriate appointing authority to fill the vacancy?"

Williamson: "That would either be the county board or the township trustees, depending on how the statute was written at that time."

Homer: "Do you believe your Bill as it stands is clear with respect to that issue?"

Williamson: "Yes."

Homer: "In other words, if it's an elected trustee, if the fire protection district elects its trustees, tell me again how you would determine who would fill the vacancies?"

Williamson: "Representative, I've been informed that what you're referring to would be handled in a different Act. That would not be handled in the Fire Protection District Act. It would be covered by the Election Code. Since it's covered in the Election Code, that's why it's not in this Bill, because that would be... that problem would be covered with the Election Code."

Homer: "But your Bill deals with members and elected board of trustees. Your... that's what your Bill deals with."

Williamson: "Right."

Homer: "It says, whenever a member of an elected board of trustees of a fire protection district moves out of the district, his office becomes vacant and then it says that that vacancy shall be filled by the appropriate appointing

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authority that has the power to fill such vacancy by appointment. But I don't understand since there is no appointing authority. The appointing authority is the electorate. Who it is that fills the vacancy?"

Williamson: "Representative, it would be the same if they were appointed trustees. The township or the county board would fill that vacancy. One of the things that I'm trying to address in the Bill... maybe if I can explain where we came up with this. In one of the fire protection districts, in my legislative district, we have a member who was elected, after he was elected, he moved out of district. He has since become very vengeful in his voting. This was brought to my attention by the Fire Protection Board and also the chiefs of fire departments asking that this be clarified so that if someone is serving on a fire protection board, they have to reside in that district. They're making votes that affects the people who live there."

Homer: "Alright. Then, let's just say this, for a legislative clarity here and intent, it's my understanding that if there is only one township or one municipality that the chairman of the township or Municipal Board Authority would make the appointment. Correct?"

Williamson: "Yes."

Homer: "And if... if... if it's... if the fire protection district is located in more than one townships but entirely within one county, then the appointment would be made by the county board."

Williamson: "Yes."

Homer: "And in the situation where the fire protection district is located in more than one county and there were to be a vacancy, then that appointment would be made by the respective county board chairman with the number of appointments for each... well, that may be a problem;

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because, under current law, they appoint according to the number of appointments for each county made in proportion to the number of residents in each county. So, would it be fair to say for legislative intent that if the vacancy created because the trustee moved out of that particular county in a multi-county district, that it will be the county board of that district of the vacancy that will make the appointment..."

Williamson: "Yes, it would."

Homer: "...And that's your intent with respect to the language in the Bill?"

Williamson: "Yes, Tom."

Homer: "Alright. Thank you."

Williamson: "Thank you."

Speaker Breslin: "Is there any further discussion? Hearing none, the question is... Representative Williamson, to close, first."

Williamson: "I'd just ask for a favorable vote. Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 234 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 100 voting 'aye', none voting 'no', and 12 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. With leave of the Body, I'll go back to House Bill 47 for Representative Stange, who is now in the chambers. Mr. Clerk, read the Bill. House Bill 47."

Clerk O'Brien: "House Bill 47, a Bill for an Act to amend the Medical Practice Act. Third Reading of the Bill."

Speaker Breslin: "Representative Stange."

Stange: "Thank you, Madam Chairman. I have this... House Bill 47 is basically a Medical Malpractice Act and Pharmacy

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Practice Act requiring the Department of Registration and Education to revoke license of a person who has been convicted a second time of a felony under the Medicaid fraud provision of the Illinois Public Aid Code and/or under the Illinois Control Substance Act, prohibits such person from practicing medicine in Illinois, effective immediately. I ask for your favorable vote."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 47. And on that question, does anyone stand in opposition? Does anyone stand in opposition? Seeing no opposition, the question is, 'Shall House Bill 47 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110... 111 voting 'aye', none voting 'no', and none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 265, Representative Klemm. Clerk, read the Bill."

Clerk O'Brien: "House Bill 265, a Bill for an Act to amend the County Historical Museum District Act. Third Reading of the Bill."

Speaker Breslin: "Representative Klemm."

Klemm: "Thank you, Madam Chairman... or Madam Speaker. House Bill 265 amends the County Historical Museum District Act. It does two things. One, it authorizes the district to make grants to not-for-profit historical clubs, and also, it corrected some obsolete language. When we passed the Bill in 1985, we referred to the Department of Conservation and we're changing that to change the reference of that Department of Conservation and the Department of Preservation to the Historic Preservation Agency which the Bill created. In my district, we have a number of people

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who would like to have a referendum which this would require, and they would also like to be able to have the authority to assist some of the museums that we have in the district. And although the Attorney General said that the law seems to appear to give that authority, it was deemed that it would be better if we specifically state that. And that's what this Bill does. And if there is no questions, you know... move the Motion."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 265. Does anyone stand in opposition? Is there any opposition to this Bill? Hearing now, the question is, 'Shall House Bill 265 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', none voting 'no', and none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 268, Representative Giorgi. Representative Giorgi. Is the Gentleman in the chamber? Out of the record. House Bill 283, Representative Klemm. Clerk, read the Bill."

Clerk O'Brien: "House Bill 283, a Bill for an Act to amend an Act authorizing townships to acquire and maintain lands for park purposes. Third Reading of the Bill."

Speaker Breslin: "Representative Klemm."

Klemm: "Thank you, Madam Speaker. House Bill 283 actually only changes one word in the existing statute. It changes the, where a township can acquire and purchase land for park purposes or golf courses from the existing language of 50 acres to what this Bill says to 100 acres. I have a county in... a township in my county that wishes to expand one of its township parks from the 50 acres to additional acreage. The law prevents them from doing that. This Bill would

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allow townships to increase their acreage from 50 to 100 acres and ready to answer any questions you have."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 283. Does anyone stand in opposition? Representative Homer."

Homer: "Will the Sponsor yield?"

Speaker Breslin: "He indicates he will."

Homer: "Representative Klemm, I understand what your Bill does, expands from 50 acres to 100 acres the number of acres that a township could purchase for the purpose of a golf course. Right?"

Klemm: "Park district... or golf course."

Homer: "Alright. And what is your specific situation you're addressing? Why did you introduce the Bill?"

Klemm: "A township wishes to have a larger township park with 50 acres right now, and they can't do that with the existing legislation."

Homer: "Is there one out there that is now restrained by the current law?"

Klemm: "Yes."

Homer: "Where is that?"

Klemm: "McHenry Township in McHenry County."

Homer: "McHenry County. There is a township in McHenry County that wants to acquire more than 50 acres for this purpose?"

Klemm: "That's right."

Homer: "What township is that?"

Klemm: "McHenry Township."

Homer: "McHenry Township."

Klemm: "When we were debating it in the Counties and Townships Committee, many of us felt that why we even have a limitation of the number of acres. We couldn't really realize and understand why we have that 50 acres. We felt that 100 acres was just an amount my township has asked for

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because that's what they would like to have up there."

Homer: "How many acres is a typical 18 hole golf course? How many acres does it occupy?"

Klemm: "I have no idea. Probably more than a hundred. I have seen a nine hole course being done in 35 acres."

Homer: "Thank you."

Speaker Breslin: "Does anyone stand in opposition? Hearing no opposition, the question is, 'Shall House Bill 283 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question... Excuse me. Representative Mays wishes to vote 'aye'. There are 104 voting 'aye', 4 voting 'no', and 3 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 293, Representative Black. Clerk, read the Bill."

Clerk O'Brien: "House Bill 293, a Bill for an Act to amend Sections of the Illinois Bovine Tuberculosis Eradication Act. Third Reading of the Bill."

Speaker Breslin: "Representative Black."

Black: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 293 simply provides that no tuberculin test be required for any cattle exhibiting in the state that originates from a tuberculin free state. I would ask your support of the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 293. And on that question, does anyone stand in opposition? Does anyone stand in opposition? Hearing no opposition, the question is, 'Shall House Bill 293 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no', and

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none voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Williamson, for what reason do you rise?"

Williamson: "Speaker, I just wanted to bring it to the attention of the body that this was Representative Black's very first Bill that he has passed out of this House."

Speaker Breslin: "And an appropriate Roll Call. House Bill 316, Representative Kirkland. Representative Kirkland. Out of the record. House Bill 339, Representative Homer. Clerk, read the Bill."

Clerk O'Brien: "House Bill 339, a Bill for an Act to amend Sections of the Illinois Controlled Substances Act. Third Reading of the Bill."

Homer: "Thank you, Madam Speaker, Ladies and Gentlemen. This legislation would take a scheduled substance that is now a Schedule I controlled substance, alfentanil, and change it to a Schedule II substance. The FDA did last December already take this action, but it's necessary in order for this drug to be utilized in medical procedures in the State of Illinois for us to reschedule it as they did from a Schedule I to a Schedule II. Its use is limited only to professional medical use during surgery as an anesthetic. It has no other use beyond that and by changing it from a Schedule I to a Schedule II, it allows it to legally be used for that medicinal purpose and during the use by an anesthetist during surgical procedures. I would respectfully ask for passage of the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 339. Does anyone stand in opposition? Hearing no opposition, the question is, 'Shall House Bill 339 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On

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this question there are 108 voting 'aye', none voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 358. Excuse me. House Bill 357, Representative Hartke. Clerk, read the Bill."

Clerk O'Brien: "House Bill 357, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Hartke."

Hartke: "Thank you very much, Madam Speaker. House Bill 357 changes the Criminal Code and actually changes the method of notification in order to collect for a nonsufficient check. I'd be happy to answer any questions."

Speaker Breslin: "Representative... the Gentleman has moved for the passage of House Bill 357. Does anyone stand in opposition? Representative McCracken."

McCracken: "Will the Sponsor yield?"

Speaker Breslin: "He indicates he will."

McCracken: "This creates a civil liability for deceptive practices and does not create any criminal liabilities. Is that right?"

Hartke: "I think that's correct. Yes."

McCracken: "And treble damages are damages three times the amount of the check are available to the person who accepts the check?"

Hartke: "I believe that's correct."

McCracken: "And what type of notice is required?"

Hartke: "At the present time, as I understand, that you must send a certified letter, and they must sign for that certified letter. This would just change the wording of the Bill to 'sent'."

McCracken: "What's the difference between sent and delivered?"

Hartke: "Delivered means, they have to accept that, they have to sign for that certified letter. If it could be proved now

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that that letter has been sent, that is sufficient to go forth with court action."

McCracken: "Hell, okay. Thank you."

Speaker Breslin: "Representative Young."

Young: "Yeah, will the Sponsor yield?"

Speaker Breslin: "He indicates he will."

Young: "Okay. I understand that you've changed the notice requirement with this Eill."

Hartke: "That's a fact."

Young: "Whereas before someone had to actually receive notice of an action against them. Isn't that correct?"

Hartke: "That's correct."

Young: "And now, they don't actually have to receive it. Is that correct?"

Hartke: "That's correct."

Young: "So, in theory, an action can be taken against someone without them knowing that it was, in fact, going on. Couldn't it?"

Hartke: "That is correct. Representative Young, it has become apparent that many individuals who are avoiding court action by simply refusing to accept a certified letter. They've known... they know they have written a bad check and so forth, but when sent notice, they just refuse to accept that letter, therefore, avoiding court action. This changes that and allows merchants or individuals who have been given bad checks to send that notice and then proceed with court action."

Young: "So, once this Bill is passed, in theory will be bringing actions against people without knowing whether or not they actually have notice of the action, is that correct?"

Hartke: "It makes it much more difficult for those individuals who give bad checks to avoid prosecution."

Young: "Thank you."

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Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 357 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 95 voting 'aye', 10 voting 'no', and 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 358, Representative Hartke. Clerk, read the Bill."

Clerk Leone: "House Bill 358, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Hartke."

Hartke: "House Bill 358 is my return... my senior citizen driving Bill. In southern Illinois, we do not have drivers education facilities in the private sector for individuals who have never had a drivers license. This Bill authorizes high schools to offer that course to senior citizens. And I'd appreciate your support on this Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 358. And on that question, Representative Homer."

Homer: "Will the Sponsor yield?"

Speaker Breslin: "He indicates he will."

Homer: "Representative Hartke, It's my understanding that your Bill will require participating senior citizens to fully fund their share of the program."

Hartke: "That's true. It was questioned earlier whether, you know, we'd be running a competition with private enterprise in this, and I don't think we are, because we require those seniors to pay for their drivers education course."

Homer: "And there is no 50 dollar limit that can be..."

Hartke: "I don't think so. No."

Homer: "No. I think the Bill as written, there is a 50 dollar

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limit for certain other students who enroll in the course. But, for the purpose of your Bill, eligible seniors would have to pay the full amount of the cost of the program so there to be no cost to the school district. There will be no cost to the state in the form of a mandate. Correct?"

Hartke: "That's true. It's simply open to that school district. If they care to offer this course, fine, if they don't, that's fine, too. And they don't have to, you know, offer if they don't want to. Students in the high school, curriculum area, 15 to 21 years of age, take priority over those seniors also. I think this is a good Bill and it passed last year and got hung up over in the Senate, and I would appreciate your support on it."

Homer: "I think you got a good Bill there, Representative."

Hartke: "Thank you very much."

Speaker Breslin: "This Bill is on the Order of Short Debate. Does anyone rise in opposition? Representative Ewing."

Ewing: "Madam Speaker, before I say I am in opposition, I need to... one question answered. I wonder if the Sponsor would yield?"

Speaker Breslin: "He certainly will."

Ewing: "Yes. Does this mandate that the schools have to provide this or is this optional with the schools?"

Homer: "It does not mandate at all. It's purely optional of the school district. If they wish to offer this course for the seniors, they may."

Ewing: "But they're not required to?"

Homer: "No, they're not required to. If a school district has more than one high school unit, if they offer it at one, they do not have to offer in the other. It's strictly open and available."

Ewing: "Thank you."

Speaker Breslin: "There being no further discussion, the question

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is, 'Shall House Bill 358 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 102 voting 'aye', 7 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 388, Representative Cullerton. Clerk, read the Bill."

Clerk Leone: "House Bill 388, a Bill for an Act to amend an Act in relationship to formation of certain corporations. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Bill amends the Professional Services Corporation Act and the Medical Corporation Act. It simply permits an attorney to act as an initial incorporator. The law right now says that the person who is licensed to perform that occupation can only be the... can be the only one that can be the incorporator. This would simply allow the attorney to be one of the initial incorporators. It also would delete the current provision in the Act that says, 'no individual may own stock, or otherwise have an interest in more than one professional corporation'. And the reason for that change is to allow doctors to have their own professional corporation as well as HH... be involved with an HMO. The Bill is supported by the Illinois State Bar Association and the Illinois State Medical Society. And I would appreciate your support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 388. Does anyone stand in opposition? Hearing no opposition, the question is, 'Shall House Bill 388 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have

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all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Resolutions. Agreed Resolutions, Mr. Clerk."

Clerk Leone: "Senate Joint Resolution 32, offered by Representative Black. Senate Joint Resolution 36, offered by Representative Daley. Senate Joint Resolution 43, offered by Representative Parke and Wojcik. House Joint Resolution 57, offered by Representative Daley. House Joint Resolution 58, Curran. House Resolution 243, Hicks. House Resolution 246, Tate. House Resolution 247, Phelps. House Resolution 252, Olson; 253, Ewing; 255, Stephens; 257, Parcels; 259, Terzich; 260, Daniels - Hoffman; 261, Hensel; 262, Jane Barnes; 263, Curran; 264, Speaker Madigan; 265, Matijevich - et al; 267, Curran; 268, DeJaegher; 269, Hasara; 270, Mautino; 271, Mautino; 272, Ryder; and 275, DeLeo - et al."

Speaker Breslin: "Representative Matijevich."

Matijevich: "Madam Speaker, we have examined the Agreed Resolutions. They are all of the congratulatory type. So, I move the adoption of the Agreed Resolutions."

Speaker Breslin: "The Gentleman has moved for the adoption of the Agreed Resolutions. All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Agreed Resolutions are adopted. Death Resolutions."

Clerk Leone: "Senate Joint Resolution #39, offered by Representative Hennlund, in respect to the memory of William G. Barr. House Resolution 266, offered by Representative Matijevich - et al, in respect to the memory of Michael Pucin. House Resolution 251, offered by Representative Hicks, in respect to the memory of Stanley

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Koziara. House Resolution 248, offered by Representative Rice, in respect to the memory of Eunice Hennington. And House Resolution 244, offered by Representative Curran, in respect to the memory of Charles Klaphake."

Speaker Breslin: "Representative Matijevich, on the Death Resolutions."

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

Speaker Breslin: "The Gentleman has moved the adoption of the Death Resolutions. All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Death Resolutions are adopted. Representative Farley is recognized for an announcement. Representative Farley."

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'd like leave of the Body to have House Bill 259, House Bill 431 and House Bill 1604 posted for the Labor and Commerce Committee tomorrow at 2:00."

Speaker Breslin: "Representative Farley has moved that the posting rules be waived so that House Bills 259, 431 and 1604 can be heard in the House Labor and Commerce Committee tomorrow. And on that question, the Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Madam Speaker. I would simply ask that the Gentleman talk to the Minority Spokesman on the Committee prior to making this request."

Speaker Breslin: "Representative Farley."

Farley: "No, but if you wait a minute, I will."

Mays: "I think it might be a little premature at this point to ask for leave. I don't even know what the Bills do."

Farley: "These Bills would be heard by a Subcommittee, and I'm just trying to put them in a posture where we can refer them to a Subcommittee. I will be talking to the Minority

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Spokesman."

Speaker Breslin: "Okay. Are there any objections?
Representative Tuerk."

Tuerk: "Well, Madam Speaker, my comments go along the same line.
I think the Gentleman should talk to the Spokesman before
we act on this request."

Speaker Breslin: "Okay. Representative Farley, we'll take this
out of the record and come back to you shortly.
Representative Giglio is recognized for an announcement."

Giglio: "Madam Speaker, the Democrats would like to Caucus
immediately after adjournment in Room 114."

Speaker Breslin: "That's the Democratic Caucus immediately after
adjournment in Room 114, Ladies and Gentlemen.
Representative McCracken is recognized for an
announcement."

McCracken: "Thank you, Madam Speaker. Would the Republican
Spokesman of the Committees meet in Representative Daniels'
office immediately after adjournment? Thank you."

Speaker Breslin: "Representative Mulcahey, for what reason do you
rise?"

Mulcahey: "Yes, parliamentary inquiry, Madam Speaker."

Speaker Breslin: "State your inquiry."

Mulcahey: "Has that Democratic Caucus been cleared with anybody?
Has that been cleared with..."

Speaker Breslin: "It was cleared with me."

Mulcahey: "Oh, okay. Thank you. Just want to make sure."

Speaker Breslin: "Representative Farley."

Farley: "Yes, Madam Speaker, Ladies and Gentlemen, I did talk to
the Minority Spokesman and she does agree that we could,
with leave of the Body, suspend the rules and have these
posted for tomorrow."

Speaker Breslin: "You have heard the Gentleman's request, Ladies
and Gentlemen. Is there any objection? Hearing no

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objection, House Bills 259, 431 and 1604 will have the posting rules waived so that these Bills can be heard tomorrow and put into a Subcommittee for hearing, as I understand it, tomorrow in the Labor and Commerce Committee. Representative McPike moves that the House adjourn until noon tomorrow. Noon tomorrow. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and this House stands adjourned until noon tomorrow. All Democratic Members are to go to a Caucus immediately in Room 114. All Democratic Members go to Caucus immediately in Room 114."

06/11/87
12:10

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