

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

69th Legislative Day

June 26, 1987

Speaker Greiman: "The hour of 9:30 having arrived, the House will be in Session. Members will be at their chairs. Those not entitled to the floor will withdraw. The Chaplain for today will be Father Frank O'Hara, Pastor of St. Peter and Paul's Catholic Church of Springfield. Father O'Hara is a guest of Representative Michael Curran. The guests in the Gallery may wish to rise and join us in the invocation. Father O'Hara."

Father O'Hara: "In the name of the Father, and the Son, and the Holy Spirit. Oh God, by whose power alone men are enabled to live together as brethren. Look upon the broken body of humanity and grant that wherever people meet in counsel for the ordering of the world, Your Holy Spirit may bring them into unity and lead them in the way of peace. We ask this through Christ, our Lord. In the name of the Father, and the Son, and the Holy Spirit. Amen. Thank you."

Speaker Greiman: "The Gentleman from Will, Mr. Regan, to lead us in the Pledge to the Flag."

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

Speaker Greiman: "Roll Call for Attendance. Mr. Matijevich, are there excused absences on the Democratic side?"

Matijevich: "To my knowledge none. If there are I'll report later."

Speaker Greiman: "Mr. McCracken, are there any on the Republican side?"

McCracken: "Yes. May the record reflect the excused absences of Representatives Tuerk, Myron Olson and David Harris."

Speaker Greiman: "Let the record so reflect. Mr. Clerk, take the Roll. 113 Members having answered to the Call of the

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Quorum, a quorum is present. Representative Breslin in the Chair."

Speaker Breslin: "Agreed Resolutions."

Clerk O'Brien: "House Joint Resolution 107, offered by Representative Hensel. 108, Hensel. House Resolution 638, Stern. 639, DeJaegher. 640, DeJaegher. 641, DeJaegher. 642, DeJaegher. 644, Barnes. 645, Churchill. 646, Braun. 647, Novak. 648, Hultgren. 649, Hultgren."

Speaker Breslin: "Representative Matijevich."

Matijevich: "Madam Speaker, we have examined the Resolutions. They are all agreed to. And I move the adoption of the Agreed Resolutions."

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

Clerk O'Brien: "House Resolution 643, offered by Representative Morrow, with respect to the memory of Zinoba Johnson Eaton."

Speaker Breslin: "Representative Matijevich moves the adoption of the Death Resolutions. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Death Resolutions are adopted."

Speaker Greiman: "On page 2, Special Call, Special Order of Business, the subject matter is State Administration, Second Readings. And on that Order appears Senate Bill 47. Out of the record. On this Order appears Senate Bill 749. Mr. Leverenz. Is Mr. Leverenz in the Chamber? Out of the record. 999 and ... Out of the record. 1000 out of the record. 1129 on this Order of Business. Out of the record. And 1488. Out of the record. And now on State Administration, Third Reading. On this Order appears

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Senate Bill 236. Mr. Capparelli. Mr. Clerk, read the Bill on Third Reading."

Clerk Leone: "Senate Bill 237, a Bill for an Act ..."

Speaker Greiman: "Excuse me, 236, Mr. Clerk."

Clerk Leone: "Correction. Senate Bill 236, a Bill for an Act in relationship to pensions. Third Reading of the Bill."

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

Capparelli: "Mr. Speaker, this is a vehicle for our pensions, if we should determine or find that we can't do something with the pensions, it would be put on this Bill for the firemen and policemen. I ask for adoption."

Speaker Greiman: "The Gentleman moves for the adoption ... for the passage of Senate Bill 236. And on that is there discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk? 'aye', Mr. Levin. Yes. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 72 'ayes', 38 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Preston asks leave to allow the transcript to show that he would have voted 'aye' had he been present in the room. On the next ... On this Order appears Senate Bill 542. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 542, on page 3 of the Calendar, a Bill for an Act to amend the Hotel Operators Occupation Tax Act. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. Senate Bill 542 amends the Hotel Operators Occupation Tax Act to allow operators to retain 2.1% of receipts collected, or \$25 per calendar year

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whichever is greater. The operators would be allowed the retention as reimbursement for expenses incurred in collecting and remitting the Hotel Operators Occupation Tax. I'd ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, moves for the passage of Senate Bill 542. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 76 'ayes', 29 'nos', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. And on this Order appears Senate Bill 742. Mr. Clerk, read the Bill. Out of the record. On this Order appears Senate Bill 943. Out of the record. On this Bill ... Order appears Senate Bill 1138. Out of the record. On this Order appears Senate Bill 1470. Out of the record. Returning again, we'll try State Administration, Second Reading. On this Order appears Senate Bill ... or Senate Bill 47. Mr. Clerk, read the Bill."

Clerk Leone: "On page 10 of the Calendar, on the Order of Second Reading, Senate Bill 47, a Bill for an Act to amend the General Obligation Bond Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative McPike."

Speaker Greiman: "The Gentleman from Cook... from Madison, Mr. McPike."

McPike: "Withdraw."

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

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Clerk Leone: "Floor Amendment #2, being offered by Representative
McPike."

Speaker Greiman: "The Gentleman from Madison, Mr. MCPike on
Amendment #2."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. I hope the... I hope this has been cleared with the
other side, at least I asked my staff to take it. And I
hope it's an Agreed Amendment. It is the GO Bond Bill for
the year. The Amendment reflects the GO Bond increases as
needed to finance CDB's Fy '88 new capitol projects request
contained in House Bill 799 by Jeff Hays. It increases the
GO Bonds by a total of \$167,800,000. There is nothing in
here for DOT, as DOT has informed us that without a tax
increase, they need no new bond authorization at this time.
I move for the adoption of the Amendment."

Speaker Greiman: "The Gentleman from Madison, Majority Leader
McPike moves the passage of ... for the adoption of
Amendment #2 to Senate Bill 47. And on that, the Gentleman
from DuPage, Mr. McCracken."

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

Speaker Greiman: "He indicates he will."

McCracken: "Who did you talk to over on this side, Jim? I'm
looking around here and no one's familiar with this."

McPike: "I didn't talk to anyone. I asked the staff to run this
by your staff. Actually, this was the Amendment that we
started to offer on one of the vehicle Bills about four
weeks ago, and as far as I know it should be agreed to.
But I did not talk to anyone."

McCracken: "Let me ask you this then. You have an Amendment on
another Bill purporting to issue \$70 million dollars in GO
Bonds for the water. Is that Amendment going to be
offered? Is that consistent with this Amendment?"

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McPike: "Well, that would be voted on separately. Then that isn't ... That is in addition to this. And as you know, that relates to ... I believe that's on DeMuzio's Bill that requires ... That sets up a loan program and requires the locals to pay back the money for that."

McCracken: "Right."

McPike: "So that would not relate to this."

McCracken: "No, I understand, but when we discussed this last time, either the Water Bonds were a budget buster, or this amount of increase was a budget buster, depending on your point of view. My question is, that with this increase authorization, is it consistent with that Amendment? That's your Amendment."

McPike: "I don't follow the question. As I recall, when you offered \$70 million dollars in bonding, it was not to be paid back by the locals. If it's going to be paid back by the locals, I presume that's an additional revenue source. Now, if you agree that that's how it should be done, then I guess it's not a budget buster because DeMuzio's Bill says it's going to be paid back by units of local government."

McCracken: "That's right."

McPike: "If you issue GO Bonds and simply say that the State's going to pay them off with GRF, then I would tend to say that you're going to have to provide a revenue source for that."

McCracken: "Alright. Well, let me ask you this. Can we take this out of the record for just a minute? We can come over and discuss it with you."

McPike: "Should be glad to."

McCracken: "Okay. Thank you."

Speaker Greiman: "Alright. Then this will be out of the record. Next on this Order of Business with ... appears 1486. Ms.

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Wojcik, is ... you're a hyphenated Co-sponsor of this?
Alright. Mr. Clerk, read the Bill on Second Reading.
1470. No, I'm sorry. 1488."

Clerk Leone: "Senate Bill 1488, a Bill for an Act to amend an Act
in relationship to State Finance. Second Reading of the
Bill. There are no Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Greiman: "Ms. Wojcik is a hyphenated Co-sponsor. Third
Reading. Mr. Clerk, read the Bill on Third Reading."

Clerk Leone: "Senate Bill 1488, a Bill for an Act to amend an Act
in relationship to State Finance. Third Reading of the
Bill."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House. Senate Bill
1488 amends the State Finance Act, creates DCFS Children
Services Fund for the receipt of Federal Title 4E Foster
Care and Adoption Services monies. There is no stated
effective date, and what this Senate Bill 1488 provides
that all receipts from Title 4E Funding, excluding receipts
related to the Title 4E Foster Care and Adopt and Training
Program, are to be deposited in the DCFS Fund. I move its
favorable passage."

Speaker Greiman: "The Lady from Cook moves for the passage of
Senate Bill 1488. And on that, the Gentlemen from Cook,
Mr. Cullerton."

Cullerton: "Yes. If I could ask the Sponsor ..."

Speaker Greiman: "She'll yield for questions. Proceed."

Cullerton: "Representative, we have a recommendation by one of
our technical review attorneys for an Amendment. I
wondered if you could just take this out of the record,
we'd come right over right now and explain to you what we
think the problem is."

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Wojcik: "Fine."

Speaker Greiman: "Alright. Out of the record. Now, the next Bill is on the Order of Third Reading where we left off, Senate Bill 943, on this Order. Read the Bill."

Clerk Leone: "On the Order of Third Reading, page 6, Senate Bill 943, a Bill for an Act to amend the Private Detective and Private Security Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Madison, Mr. McPike."

McPike: "Thank you, Mr. Speaker. This is now a vehicle Bill. I believe it's been stripped. I expect the Senate to nonconcur, and I would eventually hope to get it into Conference Committee. I ask for the passage of the Bill."

Speaker Greiman: "The Gentleman moves for the passage of Senate Bill 943. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', this ... those ... Those in favor vote 'aye', those opposed 'no'. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 104 voting 'aye', none ... 1 voting 'no', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1138. Ms. Wojcik, did you wish to proceed on 1138? Ms. Wojcik? Out of the record. On the Order of Special Call, Economic Development, Second Reading appears Senate Bill 226. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 226, on the Order of Second Reading, page 9, a Bill for an Act to amend the Revenue Act. It's been read a second time previously."

Speaker Greiman: "Alright. Ladies and Gentlemen, we are going to stand at ease for about 5 minutes or so, so that certain technical problems with... mechanical problems with

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respect to the system can be repaired and restored. So, just stand at ease for about 5 minutes. Mr. Clerk, you had read 226 on the Order of Second Reading. Were there any Committee Amendments? Any Motions with respect to that?"

Clerk Leone: "Senate Bill 226, Amendment #1 and #2 were adopted previously. There are no Motions. Floor Amendment #3 is being offered by Representative Bernard Pedersen."

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

Pedersen: "Withdraw."

Speaker Greiman: "Withdraw it. Further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Bernard Pedersen."

Speaker Greiman: "Representative Pedersen."

Pedersen: "I would like to withdraw Amendment #4."

Speaker Greiman: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #5, offered by Bernard Pedersen."

Speaker Greiman: "Mr. Pedersen on Amendment #5."

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #5 provides that the Department of Conservation Forestry Management Plans, which would include land totaling 15 acres or less in Cook County, which were in effect on December 31, 1985, shall be eligible for the property tax break granted to Forestry Management Plans located outside of Cook County. The 15 acre cap will grandfather in three land owners who had established approved plans and made substantial improvements on the basis of the law at the time, only to have the law changed in 1985. In discussing this legislation, Chairman Keane made the suggestion that we add some kind of an acreage cap, in order to avoid exploitation of the Forestry Management Plan, by so-called fat cats. This wording was approved by Cook County Assessors Office, and in effect, eliminates the fat cats. So, I ask for a 'yes' vote."

Speaker Greiman: "The Gentleman from Cook, Mr. Pedersen moves for

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the adoption of Amendment #5 to Senate Bill 226. There being no discussion, the question is, 'Shall the Amendment be adopted?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #6, offered by Representative Flinn."

Speaker Greiman: "Mr. Flinn."

Flinn: "Withdraw #6 and #7."

Speaker Greiman: "Amendments #6 and #7 withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #8, offered by Representative Flinn."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, Amendment #8 does the following: First, the current law requires the taxing districts publish notice and conduct public hearings if the proposed tax levy exceeds the amount extended upon the preceding year levy, or estimated levy of more than 105%. What this Amendment does, it adds that the preceding year extensions shall also include any taxes abated by the corporate authorities prior to such extension. The effect of this proposal takes cognizance of the fact that the levies are generally inflated because they are based upon estimated EAV and must be abated when the two EAV are available. And I would move the adoption of the Amendment."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn moves for the adoption of Amendment #8 to Senate Bill 226. And on that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further

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Amendments?"

Clerk Leone: "Floor Amendment #9, offered by Representative Flinn."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn, on #9."

Flinn: "Thank you, Mr. Speaker. This Amendment affects counties of less than 275,000 population. And on request of the County Assessor, or the Supervisor of Assessment or the Township or Multi-Township Assessor requires the Department of Revenue to assess property of sanitary landfills. This is ... This mandate would be repealed September 1989. Currently, the Department of Revenue already assesses railroad property and pollution control facilities of utilities. So this is an extension of that same subject matter. I move for the adoption of the Amendment."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #9 to Senate Bill 226. And on that the ... is there any discussion? The Lady from Lake, Ms. Frederick."

Frederick: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment. It seems to me that this kind of decision does not belong in the Department of Revenue. Department of Revenue now provides advice and technical assistance to counties if they need it, but I would suggest that we oppose this Amendment."

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

Keane: "Thank you, Mr. Speaker. I rise in support of this Amendment. We have asked the Department of Revenue to assist those areas that have problems assessing landfills and we've put a repealer on it of September of 1989. It's just a situation to bring those areas of the State that need assistance ... technical assistance from the Department up to snuff so that from that point on, they can take care of it themselves. And I'd urge support of the

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Amendment."

Speaker Greiman: "The Gentleman from Lake, Mr. Churchill."

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

Speaker Greiman: "He indicates he will."

Churchill: "Representative, do we provide such assessment assistance to other people for other areas?"

Speaker Greiman: "Mr. Flinn?"

Flinn: "Yes, right now the Department of Revenue, as I mentioned, already assesses railroad property and pollution control facilities of utilities. And as I stated also, this is also a one shot deal. What it is, is to gut very valuable property which is being used for landfills off of the regular farm assessment. It's very difficult to get this done, so we're really asking for assistance from the Department of Revenue for what would amount to a one shot deal, come 1989, it's all over with, they're out of the business and everybody's on their own again. It's in order to expedite the assessment of landfills is what it amounts to. It's not putting the Department of Revenue in the business of doing this all the time."

Speaker Greiman: "Mr. Churchill."

Churchill: "Are you aware of any similar circumstances where the Department of Revenue has gone out and made a special assessment procedure in the past?"

Flinn: "Well I'm not aware, but there may have been. I've already mentioned the fact that railroads and pollution control is ... but beyond that, are you asking beyond that?"

Churchill: "Right. Have they gone out and done special assessment procedures for nuclear plants or for large buildings in the City of Chicago, or for ..."

Flinn: "Not to my knowledge. I'm not asking that either. I'm only asking that they treat landfills the same as pollution

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control facilities of utilities and treat them the same as they do railroads, with the exception of one time. This will amount to a one-time assessment because we have a sunset on this proposal."

Churchill: "In the past few years we have created a department, or a part of a department, to do special assessment procedures, and I believe if I'm not mistaken, that Representative Wolf and I had passed some money ... appropriation for money to this department to make special assessment procedures. Can you not go through a separate department to do this already?"

Flinn: "I think that only affected appeals."

Churchill: "I'm sorry, I didn't hear you."

Flinn: "I think that what you're talking about only affected appeals. We're talking about an out and out assessment ... one time assessment. This ... You were talking about appeals, I believe."

Churchill: "Alright, thank you. To the Amendment, I rise in opposition to the Amendment also. I don't think it's time for us to set up a special procedure to do this for one piece of land, a sanitary landfill. This is only for one piece of land. I think it sets up a terrible precedent. What we try to do is create a general assessment division so that the assessments of larger and awkward and unusual pieces of land can be done on a basis that the department does it on a continuing basis, rather than doing it on an item by item basis. And I think that this is the wrong way to go at this time. I rise in opposition."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn to close."

Flinn: "Well, I think it's pretty well explained, Mr. Speaker. I think everyone understands the Amendment, and I move for its adoption."

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Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' ... All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 65 voting 'aye', 44 voting 'no', none voting 'present'. Mr. Mulcahey votes 'aye'. 66 'aye', 44 'no'. And the Amendment carries. Further Amendments?"

Clerk Leone: "Floor Amendment #10, offered by Representative Hicks."

Speaker Greiman: "The Gentleman from Jefferson, Mr. Hicks on Amendment #10. Mr. Keane?"

Keane: "I would ask ... Thank you, Mr. Speaker. I would ask to withdraw Amendment #10."

Speaker Greiman: "Well, it's Mr. Hicks..."

Keane: "Table it. Move to table Amendment #10."

Speaker Greiman: "Moves to table Amendment #10. Those in favor of the Motion to table signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is tabled. Further Amendments?"

Clerk Leone: "There are no further Amendments."

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

Clerk Leone: "Senate Bill 226, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. Senate Bill 226 as amended, has a number of parts. The Bill mandates that the Department of Revenue must provide technical assistance to the County Assessors or Supervisors of Assessment upon their request with regards to proceedings before a Cook County Board of

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Appeals. The equalized assessed valuation of the property must be over \$500,000 and not used solely for residential purposes. House Amendment #1 reduced it to \$350,000 of a trigger. House Amendment #2 added the Bill ... adds to the Bill a revision of the Revenue Act to increase the Disabled Veterans Homestead Exemption from \$30,000 to \$47,500 in assessed valuation. Amendment #5, which we just adopted, requires ... deals with the special conservation program for timber in Cook County. And Amendment #8, which we just adopted, amends the truth in taxation portion. And then the final Amendment which we just adopted was the technical assistance to be rendered by the Department of Revenue for landfills with a repealer on it of September of '89. I'd be happy to answer any questions, and ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman moves for the passage of Senate Bill 226. And on that, the Gentleman from Warren, Mr. Hultgren. The Gentleman from Cook, Mr. Pedersen."

Pedersen: "Thank you, Mr. Speaker. Would you ... On Amendment #9 I inadvertently vote 'no'. Will you show the record that I would like to have voted 'yes' on that, please."

Speaker Greiman: "Transcript will indicate that Amendment #9, the Gentleman would have voted 'aye'. There being no further discussion, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate ... On this Order appears House Joint Resolution Constitutional Amendment #13. Mr. Clerk, on the Order of

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Second Reading, read it."

Clerk Leone: "On page 13 of the Calendar, House Joint Resolution Constitutional Amendment 13 which amends the tax sale section of the Revenue article. It's been read a second time as amended."

Speaker Greiman: "Are there any Amendments?"

Clerk Leone: "Floor Amendment #2 is offered by Representative Greiman."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich. Mr. Matijevich. Yes, Mr. McCracken, for what purpose do you seek recognition?"

McCracken: "We don't have the Amendment. I wonder if we could take it out of the record for a few moments?"

Speaker Greiman: "Sure."

McCracken: "Thank you."

Speaker Greiman: "Alright, while we're doing that, we'll return to the Order of Senate (sic - State) Administration, Third Reading. On that Order appears Senate Bill 742. Mr. Clerk, read the Bill. 742, Mr. Clerk."

Clerk Leone: "Senate Bill 742, a Bill for an Act to amend certain Acts in relationship to certain actions for Public Aid fraud. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Stephens on Amendment ... on Senate Bill 742."

Stephens: "Leave to bring this Bill back to Second Reading for the purposes of an Amendment."

Speaker Greiman: "The Gentleman asks leave of the House to return this Bill to the Order of Second Reading so the Bill may be amended. The leave is granted. Mr. Clerk, are there Amendments?"

Clerk Leone: "Floor Amendment #3 is being offered by Representatives Stephens and Berrios."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Stephens on

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Amendment #2 ... #3."

Stephens: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 to Senate Bill 742 amends the Public Aid Code and Administrative Code to establish a special fund for the receipt and disbursement of federal funds to the Illinois ... to Illinois code available under State Legislative Assistance Grant Program. I would move for its adoption."

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

Cullerton: "Okay, thank you, Mr. Speaker. First of all, I wanted to make sure that Floor Amendment #3 would be out of order if #2 was adopted. So #2 was not adopted. Is that correct? Okay, and then I understand that there will be a subsequent Amendment #4 that will also be adopted to supplement Floor Amendment #3. So I have no objection to the Amendment."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. Are there further Amendments?"

Clerk Leone: "Floor Amendment #4 is being offered by Representative Currie."

Speaker Greiman: "The Lady from Cook, Ms. Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. This is a corrective Amendment, a technical change in the disposition of the monies in the Immigration Reform and Control Fund. I move its adoption."

Speaker Greiman: "The Lady from Cook, Ms. Currie moves for the adoption of Amendment #4 to Senate Bill 742. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

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Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from St. Clair asks leave of the House so that this Bill may be heard at this time. Does the Gentleman have leave? Leave is hereby granted. Mr. Clerk, read the Bill on Third Reading."

Clerk Leone: "Senate Bill 742, a Bill for an Act to amend certain Acts in relationship to certain actions for Public Aid fraud. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. Senate Bill 742, as amended, would provide for preliminary determinations that there is probable cause that the property of a person charged with Public Aid recipient fraud, or vendor fraud, is subject to forfeiture. And also for the granting of injunctive relief prohibiting disposition of such property pending final disposition of the fraud proceedings. It also provides for payment of a portion of the proceeds from the ... from disposition of forfeited property to the Medical Fraud and Abuse Prevention Fund. It creates that Fund and revises the schedule for disposition of the proceeds of forfeitures. It has an immediate effective date also, with the Amendments that we added here today, Amendment 3 and 4. It deals with the Immigration Authority. As a result of action taken by the United States Congress and signed by the President in 1986, the Bill now includes a four year reimbursement to the State of Illinois for costs to the State of Illinois and local governments incurred, because of the implementation of the Immigration Reform and Control Act of 1986. I would be glad to answer any questions. And I would urge and move for the passage of Senate Bill 742."

Speaker Greiman: "The Gentleman moves for the passage of Senate Bill 742. And on that, the Gentleman from Cook, Mr. Cullerton."

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Cullerton: "Yes, Mr. Speaker, is the Board accurate? Are we on Floor Amendment #4 or ..."

Speaker Greiman: "No, we're on the Order of Third Reading."

Cullerton: "Fine. And the Board then has been corrected. Representative Stephens, I have a question for you. Now the original Bill, the purpose of the original Bill is to allow for a new procedure in prosecuting Public Aid fraud, is that correct?"

Stephens: "Yes, Sir."

Cullerton: "Now, as I understand it, there could be a probable cause hearing, which is a hearing that's heard, of course, without a jury to determine whether a defendant committed the offense. So this is ..."

Stephens: "No. No, not the offense. It's if the court and jurisdiction in its mind believes that there is a probable cause that then they can have a hearing to determine what... in the language of the Amendment is to determine what properties may have... that the person charged may have benefited by his abuse of the system."

Cullerton: "Let me ask you this. On page 3 of the Bill, on line 28..."

Stephens: "I'm sorry, would you repeat that?"

Cullerton: "Page 3 of the Bill, on line 28, that whole section there. Any action brought by the people of the State of Illinois. So this is where someone is charged with an offense, in which any restraining order, injunction or prohibition in connection with property subject to forfeiture is sought. So if someone is charged with an offense of Public Aid fraud, and the State wishes to seek an injunction, the Circuit Court presiding over the trial of the person charged with this offense shall first determine whether there's probable cause to believe that a person so charged has committed the offense."

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Stephens: "I'm sorry. Yes, that's true."

Cullerton: "Okay. So at that point in time, where the Judge then could take some action to determine ... And this is what my question is. What kind of action can that Judge take?"

Stephens: "Well ... the purpose of the Hearing is to determine whether the property or interest is subject to forfeiture under this subsection. To make that determination as we read on in the Amendment, prior to entering such ... any such order, the court shall conduct a hearing at which the people shall establish several things. First of all, that there is probable cause that the person so charged has committed the offense of recipient fraud and ..."

Cullerton: "Right. Okay, I understand."

Stephens: "Okay and on to ¶2, that probable cause that the property that they ... or interest may be subject to forfeiture pursuant to this subsection."

Cullerton: "Alright, and then after they're convicted then the property can be seized and distributed to the fund."

Stephens: "That's right. What the problem is, Representative Cullerton, and I think you're aware of this, is that when ... as the Statute now reads, when we ... these cases are tried, they are able to dispose of these assets and properties and interest in properties when they are pretty well certain that they're going to be convicted and then we have a tough time going back in and we can't get them to forfeit their rights."

Cullerton: "Yes. So, Mr. Speaker, I rise in support of this Bill. This Bill is basically aimed at vendor fraud. The recipient fraud ... most of the recipients don't have enough money to be forfeited. This Bill is aimed at vendor fraud. This Bill is aimed at the doctors and the dentists who provide services to welfare recipients and do it fraudulently. They double bill ... it could be opticians,

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not opticians, optometrists. They provide services, they double bill and the State finds out about it. This is an excellent Bill because not only would they be charged with a criminal offense, but the State can go in and freeze the assets. In many cases, these vendors who are committing these frauds, are very wealthy people, doctors, dentists, people who have made a lot of money off the State illegally. They can go in now and freeze their assets and then after their conviction, they will have that property seized and would go into a fund. One of the funds that it goes to is a Medical Fraud and Abuse Prevention Fund. So, I think it's ... that part of the Bill is an excellent Bill. It also covers recipient fraud, but I doubt that the State would spend much time going after, you know, the Public Aid recipients, unless they really abuse the process such that they had a whole bunch of assets that were subject to seizure. So, I think it's an excellent concept that Representative Stephens has and I would urge an "aye" vote."

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

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

Speaker Greiman: "He indicates he will."

Dunn: "Page four of the Act says that the court may seize any such property or interest subject to forfeiture under this Act as is necessary to insure that the property is not removed and so on. I don't see anything in the Bill which further defines exactly what property is subject to seizure, that may be defined elsewhere, but would you please explain? Supposing in the example just cited by the previous speaker about double billing, what can the department seize upon a finding of probable cause? Seize all the assets of the Medical Clinic? Attach the property, or just certain parts of the property? What limits and

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restraints are there upon the Department of Public Aid?"

Speaker Greiman: "Mr. Stephens."

Stephens: "Well, I think that the Amendment does not address that. I believe that's in the original language that was passed in the original Bill in the last Session. And just give me a second here, the Amendment does say that if it's established that any property or interest may be subject to forfeiture pursuant to this subsection. Let me see if the original Bill had that in it. I believe that it did, John, but hold on just a second."

Speaker Greiman: "Mr. Dunn, have you concluded your... no, alright proceed, Sir."

Dunn: "No, I don't have... I'm waiting for an answer."

Stephens: "Well, John, I guess your question is, what can they take? And I suppose that whatever that the guilty party has an interest in, in an amount ... in an amount high enough to cover the ... all that was taken and to make restitution to the State."

Dunn: "Well, that's part of my question. If there is a probable cause finding that there has been double billing to the tune of \$100, is Public Aid limited in its seizure procedure to grabbing \$100 worth of property, or can they attach the entire Medical Clinic?"

Stephens: "Well, the purpose is to get restitution. I doubt if it was \$100 that they would, you know, they would want a \$100 in cash back."

Dunn: "Well but the point is, what limits are there? Are there any?"

Stephens: "I think there is, if I'm reading in the original Bill, on page 2 of the Amendment. The original language starting at line 17, I believe that this answers your question, limiting it to an amount not to exceed 3 times the amount of such excess benefits or payments and also the sum of

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\$2,000 for each excessive claim for benefits or payments. Upon entry of such judgement for repayment of any excess benefits or payments, or for any civil penalties assessed by the Court."

Dunn: "Where are you ... Where are you reading from? The original Bill?"

Stephens: "That's ... No, it's current law. It's page 2 of the Amendment."

Dunn: "What Amendment?"

Stephens: "Excuse me, Amendment ... I think ... No, I'm sorry. Page 2 of the engrossed Bill. That's the original Bill. Senate Bill 742. We're talking about Section 8(a)-7 Civil Remedies, page 2, line 17 and on."

Dunn: "So the ..."

Stephens: "That's current law, John."

Dunn: "The seizure then is limited to assets which do not exceed three times the value of the ... of the amount of the fraud. Is that correct?"

Stephens: "That's part of it, yes. And again, John, and it goes on to say the sum of \$2,000 for each excessive claim for benefits or payments. And again, I want to point out that our Amendment does nothing to change that current law. That is the law today, and what our Amendment does is to allow for this preliminary hearing ... preliminary judgement of what your assets are."

Dunn: "Well but I... This looks to me like it says that any person convicted shall be liable for repayment, so on and so forth. But the... page 4 of the original Bill says that the seizure can be any such property or interest subject to forfeiture under this Act. And that doesn't seem to be a forfeiture provision to me. And I don't know where the forfeiture provision is. And the concern I have is that always the dilemma to get after the people who are

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bad actors, but not every finding of probable cause results in a guilty verdict. And for the few who are out there trying to provide medical services to the poor, who find themselves in the awkward position of having been charged with a crime and are later found to be not guilty, they might as well be guilty if all the assets are seized and they can't do business. So I would like to know what restraints there are, and I haven't really heard an answer to that question yet."

Stephens: "Okay. Well, okay, there are restraints. And there is some discretion for the court if the ... Let's see what Section ..."

Dunn: "It may be in another Act. I don't know or another Section to the Chapter. But I don't have the Statute books ..."

Stephens: "Well, let's see, in Section D of or Subsection D of Section 8A-7: any person who commits the offense of vendor fraud or recipient fraud as defined in Section 8A-2 and Section 8A-3 of this Article ..."

Dunn: "Well, the Bill I have, all of page 7 is crossed off. What are you reading from?"

Stephens: "Page 2 of that Bill."

Dunn: "Page 2 of what?"

Stephens: "Page 2 of that same engrossed Bill that you have, I believe."

Dunn: "Alright, page 2, line what?"

Stephens: "Lines 29 on. Gentlemen, what our Amendment says, is that the court shall have at its discretion, if it has this preliminary hearing, it has at its discretion the right to release any funds that the ..."

Dunn: "Alright. Okay, I see what you're doing. Well then ... Okay, I see what you're saying. Not to prolong this any longer. To the Bill, Mr. Speaker and Ladies and Gentlemen of the House, the forfeiture provisions of this article

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include monies, profits or proceeds which makes a lot of sense. Monies, profits or proceeds obtained from the fraud, but the forfeiture provisions also include any interest or property which the sentencing court determines he has acquired or maintained directly or indirectly, in whole or in part, as a result of such offense. So, without any dollar limitation, if a disgruntled recipient somehow engenders the filing of a fraud claim and there's an unfortunate set of circumstances resulting in a finding of probable cause, the court can seize all the assets of what may be a well-meaning, well-intended clinic, which would ultimately be proven innocent of all charges, yet which would be destroyed wholly, totally and altogether at the threshold because of the seizure of all the assets. Bureaucracy generally needs to be restrained to prevent ..."

Speaker Greiman: "Bring your remarks to a close, please, Sir."

Dunn: "Prevent from doing this, and I think this Bill has some refining which needs yet to be done. And I would urge a 'present' vote on this Bill."

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

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

Speaker Greiman: "He indicates he will."

Williams: "First of all, this Bill, it is not limited to vendor fraud. Am I correct?"

Stephens: "That's correct. It is for vendor or recipient fraud. We think, though, and I think that evidence to date is, that the fraud that's happening in the State of Illinois and all medicaid fraud, is predominantly vendor fraud."

Williams: "But it is not limited to vendor fraud."

Stephens: "It is not limited. That's right. If a recipient is ripping off the system, yes, then they would be subject to this ... they are subject to the Act now, and this

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Amendment would be just as legitimate for recipients as for vendors."

Williams: "Okay, which vendors are the largest, would I say, violators of this particular ..."

Stephens: "I really don't know."

Williams: "What about Pharmacists?"

Stephens: "I do know that Pharmacists are involved ..."

Williams: "Dentists?"

Stephens: "I'm sure there are. I can't give you ... They're medical providers."

Williams: "Do you have an opinion from the Dental Society?"

Stephens: "Pardon me?"

Williams: "Do you have an opinion from the Dental Society on this?"

Stephens: "An opinion on what?"

Williams: "On this Bill?"

Stephens: "On this Bill? No, I doubt that they have taken a position, but if they have and you know about it ..."

Williams: "How about the Pharmacists? You're a Pharmacist."

Stephens: "I'm sure that Pharmacists, because we, as providers of Medicaid benefit ... as Medicaid providers in the State of Illinois, stand fully behind this Bill because ..."

Williams: "Are you sure?"

Stephens: "If there's a bad Pharmacist out there, we don't want them ... we don't want them giving pharmacy a bad name."

Williams: "Is this Ron Stephens, or is this the Pharmacist?"

Stephens: "The Pharmacy Association has not taken a position to my knowledge, neither has the Dental Association or any of the medical providers. But I can tell you as Ron Stephens, Pharmacists, that it's my opinion that Pharmacist stand united in cleaning up Medicaid fraud."

Williams: "Now, in terms of the forfeit... and the... say for instance, the Pharmacist and the guy who hands out condoms

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or something of that nature, would those things also be subject to forfeiture all of his assets?"

Stephens: "We're sold out. We're sold out."

Williams: "Okay, to the Bill. This particular Bill is somewhat troublesome to me, because what you have here is, you're creating within the Public Aid Department, a Junior IRS which has the ability to seize your assets prior to conviction, thereupon having your assets at some later date, possibly if conviction is found, your assets have been frozen. In the meantime, you've basically lost all use of them. Two or three, maybe six, maybe even a year later when they give you your assets back, you're broke. You're out of business. There's no way that a person ... and this doesn't... remind you, even though they may be after vendors, it doesn't stop at vendors. A small little guy who's sitting at home, who may possibly, accidentally do something that the Department conceives to be fraud, or turn around and find himself in a situation, whereas he's going to have all his meager assets frozen, and then two, maybe three years later when they finally go through the adjudicative process, they tell him he can have it back. In the meantime he's lost everything. This is a terrible idea. I don't think the Department of Public Aid should be in a position of the IRS. I don't like the position the IRS is in, and I don't want to make these people in the same way. I urge a 'no' vote. Those of you who like the Dental Society and all those other groups. You might think about this also. This is a bad Bill. Thank you."

Speaker Greiman: "The question is, 'Shall this Bill ... Yes, Mr. Stephens to close."

Stephens: "Well, thank you, Mr. Speaker, I'll try to be brief. The Gentleman's remarks are not well taken from this side of the aisle. The fact is, that ... although I can't stand

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here and speak for all the associations, I can say this. Medicaid fraud is a problem in Illinois. It has been. We're doing what we can to clean it up. We've taken the first steps. This is a refinement of the process. The courts do not have ... or do have the right, if they make judgement that they are withholding assets and ruining a businessman, they can come in and have those assets released. The fact of the matter is that Medicaid fraud should be cleaned up in Illinois. The Dental Society and all those who were mentioned, have not come out in opposition to this Bill. We need to proceed with this Amendment, and Senate Bill 742 is a ... will only affect those people who are ripping off the system, those people who are taking tax dollars and stealing from the State of Illinois. Nobody who is providing service in the State, nobody who is receiving service in the State legitimately, is going to be affected whatsoever by this Bill. I move for its adoption."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open and this is final action. Have all voted who wish? Have all voted who wish? Mr. DeLeo, one minute to explain your vote. Mr. Kubik, one minute to explain your vote. Mr. Clerk, take the record. On this question, there are 86 voting 'aye', 22 voting 'no', 3 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Ms. Barnes, for what purpose do you seek recognition? Representative Matijevich in the Chair."

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If many of you were wondering why there was such a good looking group of young high school students up in front of the Podium before, I would like to explain it to

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you. These 25 Illinois high school students are going to the Soviet Union as student ambassadors on the People to People Initiative for Understanding American-Soviet Youth. The program is a comprehensive 21 day education and cultural experience for these young people. This program was founded by President Eisenhower in 1963, in the conviction that steps towards peace begin, not with government, but with the people. And the students and their Legislators are Lisa Butler, who is from Representative Keane's district; Charles Barron, Representative DeLeo's district; Linda Chen, Representative Parcell's district; Joanne Kooney, Representative Pedersen's district; Angela Dahl, Representative Christensen's district; Sen Dinoyer, Representative Novak's district; Elizabeth Fray, Representative Ropp's district; Nicholas Keotos, Representative Harris' district; Tomoko Cazewa, Representative Parcells; Larisa Krenecki, Representative Ryder; Michael Learer, Representative Churchill; Jeff Pattawick, Representative Williamson; Rayford Palmer, Representative Leverenz; Amy Plavick, Representative DeJaegher; Joy Reedy, Representative Christensen; Joseph Romano, Representative Parcells; Lisa Schultz, Representative Hoffman, Keith C. Field, Representative Hicks; Todd Strong, Representative Ackerman; Teresa Valley, Representative McPike; Anna Wagner, Danielle McCarthy and Gabriel Toth, Representative Barnes; John Womick, Representative Richmond; John Lackley, Representative Breslin. And the teachers that are involved are Charles Hart of Orland Park, Patricia Peterson of Wilmette, Lois Enstenstrom of DesPlaines. On behalf of all the Legislators, we wish to wish you well and we would like you to stand up and take a bow. Godspeed and thank you for joining us."

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Speaker Matijevich: "Thank you. As long as we're in the mood for cheering, I understand Representative Dick Klemm just received a U.S. patent on one of his inventions. Congratulations, Dick. On the Order of the Special Order of Business, Economic Development, appears House Joint Resolution Constitutional Amendment #13 and that is on Amendment stage. The Gentleman from Cook ... By the way, this is on page 13 and this is Constitutional Amendment #13 so Judge Greiman is not superstitious at all. Representative Greiman, on the Amendment."

Greiman: "Thank you, Mr. Speaker. Amendment #2 just restructures the language and makes certain that there are ... that this Constitutional Amendment and the effect of it is limited to residential units that contain six or more flats or commercial or industrial property and makes clear that you can have six months. The redemption period can be limited to six months on all the scavenger sales, and brings down from five to two years on the general taxes which are delinquent and would be in Scavenger Act. I would ask you to adopt it. I think it's been agreed by most everybody who's involved in this issue."

Speaker Matijevich: "The Gentleman from Cook moves the adoption of the Amendment number ... Floor Amendment #2 to House ... HJR Constitutional Amendment #13. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "If we could all have your attention, we ask leave of the Body ... it would move the Resolution to Third Reading. Third Reading. Leave of the Body that we go to the Order of Resolutions. We've got a Resolution we want to read that I think everybody knows this person. It's a special person to all of us here. The Clerk will read

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House Resolution 650."

Clerk O'Brien: "House Resolution 650, offered by Speaker Madigan.
Representative Daniels ..."

Speaker Matijevich: "Could we have your attention please?"

Clerk O'Brien: "Whereas, on June 26, 1937, after a lengthy courtship, Mary K. 'Marina' Tepatti and Joe Lucco stood before Father Wubbee of St. Nicholas Church in Pocohontas, Illinois, and pledged themselves to one another; and Whereas, a former teacher and coach, and a Member of this Body from 1974 to 1978, Joe currently serves on the House Speaker's staff and is a member of the Illinois Basketball Coaches Hall of Fame; and Whereas, continuing a tradition which Joe started last year (when he forgot his anniversary), Marina and Joe Lucco will celebrate their Golden Wedding Anniversary belatedly, with a reception at the Knights of Columbus Hall in Edwardsville on July 19th; and Whereas, when they were wed, Joe and Marina could only imagine the rewards of their career that they were about to embark upon, but the example that they have set over the last fifty years will forever be reflected in the attitude of their children and grandchildren have regarding the institution of marriage; and whereas, the Luccos will be joined in their celebration by their son, Bill, and their daughter Marina, their four grandchildren, and many of their friends; Therefore, be it resolved by the House of Representatives, the 85th General Assembly of the State of Illinois, that we congratulate Joe and Marina Lucco on their Golden Wedding Anniversary; That we rejoice with them as they celebrate with family and friends, and that we wish them continuing happiness; and be it further resolved, that a suitable copy of this preamble and resolution be presented to Joe and Marina Lucco with our esteem and best wishes."

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Speaker Matijevich: "Leave of the Body that all names be added as Sponsors of the Resolution and Representative Giorgi moves for adoption. And Representative Lucco would like to say a few words to the Body. Is Coach Lucco here? First of all, it is my honor to present Joe Lucco with this Resolution. With the Resolution Joe, this embodies our respect for all that you have done, both as a former colleague; as a member of the Speaker's Staff; as one who is known all around Illinois; and even in the country as a Coach. And for all that you have done for the youth, you have struck your mark. And also, we want to express our wishes for many more years of health and happiness to you and your loving wife. God bless you, Joe."

Lucco: "Thank you. Thank you very, very much. And thank you, friend, John. I have one regret, and I must apologize, and she sends her regrets. Marina, my wife, planned on being here today, but couldn't come. Our granddaughter, #3, who is ten years old is just returning from France, tonight at 9:50. She has been over there as an exchange student for three weeks. So, she must go down there, and I must be home to help pick up the granddaughter, if nothing else. I ... after the act that we had here yesterday, remember the gentleman that was here, 103 years old? I'm sort of thinking of a poem that a friend of mine wrote me and sent to me just a couple days ago. He said fifty years isn't very long, but it's a good start. And when you're 103 years old, and we are not quite that age, but we look forward to that particular age. This is the kind of an age of vacations. Everybody takes vacations. Everybody said where are you going when you get through? What are you going to do when you retire? I always say, 'retire to what'? You going to retire, what are you going to do, go off in a hole? Are you going to fish for three weeks? Are

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you going to play golf for six months? Go to Florida twice? That's great. That's great. After that, why you'll be like we school teachers were, and the school kids. Kind of good to see school open up again. I'd always look at life this way. If you enjoy your work, you have a lifetime full of vacations. And that's the way I've looked at it. We have been here 75 years, been very, very fortunate. Marina and I have been together for 50. Our fathers got us together years before that, so I was kind of bashful, you know how it is. So, we only have two children, a son and a daughter, and we have four grandchildren. I came here in the Class of '75. The Class of '75, and they are all back there. We have ... that was a great class. There's been many of them, nice ones since then, but not to excel the Class of '75. Mautino and Mulcahey and Dunn etc., Hi Barnes. Right ... quite a few of us came in at that particular time. The ... I had a poem in my pocket. The fella that sang yesterday, I'm not even going to try to equal his. I'm saying 75 years isn't very old, really. But, we have been around a long time. Down in Southern Illinois, where Phelps comes from, they have an expression. You haven't been here long, but I've been around. I've been to two county fairs and a rodeo, and that kind of brings you up to date, and we in Southern Illinois. I had a poem, and it's something like this, but I'm not going to read it all. I would just like to read the first part of it to you about lifes clock. It's in my den at home, and if you ever get down there, you get to read the whole thing. 'The clock of life is wound but once, and no man has the power to tell just where the hands will stop, at late or early hour'. I think you ought to think about that once in awhile. I do. And I always read the sign every morning I get up. Not, quit your belly

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aching, that's on the other wall. But, it says today is the first day of the rest of my life. This has been a good year, our 50 years. I'll read this other poem. I stutter. At age 75 you develop a stuttering thing. Isn't that terrible? 'I believe for every drop of rain that falls, a flower grows. I believe that someone in the darkest night... somewhere in the darkest night; a candle glows. I believe for everyone who goes astray, someone will come to show the way. I believe. I believe above the storm the smallest prayer will still be heard. I believe that someone in this great somewhere, hears every word. Every time I see a newborn baby cry... hear a newborn baby cry, or touch a leaf, or see the sky, then I know why I believe'. This is a great place, I have enjoyed it, tremendously. When I stand with Greiman, Matijevich, and the rest of you out there, I know what I believe. I really don't know what they believe, but I really don't care, as long as they believe. Thank you so much."

Speaker Greiman: "Now on the Order of Special Call, Economic Development, Third Reading appears Senate Bill 144. Mr. Hicks, do you wish to proceed? 144. Out of the record. Ladies and Gentlemen, this is, as you know, the deadline date for Senate Bills on Third Reading. There is no guarantee that we will return to any Bill once it is taken out of the record. Once it has passed, we will try to accommodate everyone, but there is no guarantee. Mr. Hicks, 144? Out of the record. On this Order appears Senate Bill 591. Out of the record. On this Order appears Senate Bill 1123. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1123, a Bill for an Act to amend an Act in relation to Solid Waste Management. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Kane, Mr. Kirkland."

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Kirkland: "Thank you, Mr. Speaker. I explained this Bill a couple of days ago and then briefly took it out of the record. I'll explain it again. There's three parts to it. One part of the Bill creates the Illinois Solid Waste Loan Repayment Fund. The second part of the Bill allows a unit of local government to establish a tax or surcharge on the receipt or disposal of solid waste. The funds generated from that ... from those must be used for Solid Waste Management purposes of long term ..."

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

McPike: "Excuse me. Was this Bill amended on Second Reading? I thought the Gentleman agreed to take this back to Second for an agreement."

Kirkland: "I don't think I agreed to take it back. I agreed to take it out of the record."

McPike: "Pardon me?"

Kirkland: "I agreed to take it out of the record before, but you know, we've been going back and forth about the Amendment."

McPike: "Okay, fine, thank you."

Speaker Greiman: "Proceed, Sir."

Kirkland: "Funds generated would be used to ... The third part of the Bill would indicate that ... just a moment ... would require that the proceeds from the sale of waste paper collected by State agencies through Paper Recycling Programs, be put in a special fund, rather than just into the Paper and Printing Revolving Fund. I ask for passage of the Bill, please."

Speaker Greiman: "The Gentleman from Kane moves for the passage of Senate Bill 1123. And on that, the Gentleman from Madison, Majority Leader, McPike."

McPike: "Thank you. Would the Sponsor yield?"

Speaker Greiman: "He indicates he will."

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McPike: "As the Bill stands now, does this impose a new tax?"

Kirkland: "It allows the local governments, in addition to having authority to impose a fee, to now impose what would be a tax. They would call it tax or a surcharge."

McPike: "So the answer is yes. This allows local governments to impose a new tax. Is this ... This tax that the local governments impose, does this provide for a back door referendum?"

Kirkland: "No."

McPike: "Does it call for a front door referendum?"

Kirkland: "No."

McPike: "Is there any limits, whatsoever, as to the amount of this tax, or is it unlimited?"

Kirkland: "No limits on it."

McPike: "No limits whatsoever. To the Bill, then, Mr. Speaker."

Speaker Greiman: "Proceed."

McPike: "I asked the Gentleman if he would take this back to Second Reading so that we could work out a compromise to try to put some kind of reasonable limit on this tax, but the Gentleman decided that he would rather go with it as it is. So, I'm forced to rise in opposition to the Bill. We have generally, over the last few years, been reluctant to impose or to get the authorization to impose new taxes, unless there is some provisions for our back door referendum or a front door referendum, or at least that we put some kind of limitations on the ability to tax. This is a tax on solid waste disposal and I understand the reasons for that type of tax. But I think there should be some kind of limitations as to what we should put on it. So if the individuals on the House Floor want to vote for a new tax ... unlimited tax, a tax that has no front door or back door referendum on it, then they should vote for the Bill. But if they think there should be some kind of

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reasonable limits imposed, then I would ask for a 'no' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' I'm sorry, Mr. Kirkland to close."

Kirkland: "First of all, we had some discussion about the limits. It wouldn't apply just to a tax. There's also fees and surcharges allowed here and they are commonly known as tipping fees. There is a real question as to what any limit on those fees should be. There has been no limit for at least a year that these fees have been authorized. There are some communities that charge higher fees than the limits Mr. McPike's Bill would set. There are reasons for those, trying to set up clean up funds and so forth. Good reasons for those to not have the limits be as low as Representative McPike would ask for. And so I think the Bill makes sense and move for passage."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 19 voting 'aye', 84 voting 'no', 7 voting 'present'. The Bill fails. On this Order appears Senate Bill 1384. Mr. Clerk, read the Bill. Mr. Van Duyne, do you wish to proceed? Mr. Clerk, read ... Out of the record. On this Order appears Senate Bill 1400. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1400, a Bill for an Act to amend the Steel Products Procurement Act. Third Reading of the Bill."

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

Panayotovitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think Senate Bill 1400 was debated quite well

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during the Amendment, which then became the Bill. It's the Buy American legislation for State only ... for the State only and I'll stand for any questions that need be answered."

Speaker Greiman: "The Gentleman from Cook, Mr. Panayotovich moves for the passage of Senate Bill 1400. And on that, the Lady from Cook, Ms. Parcels."

Parcels: "Thank you, Mr. Speaker, would the Sponsor yield?"

Speaker Greiman: "He indicates he will."

Parcels: "First of all, I'd like to thank the Sponsor because he came over and explained some of my concerns with this Bill this morning, and I truly appreciate that. But I did notice that in Amendment #1, you put Canada into the Bill. Isn't that correct?"

Panayotovich: "Yes, Ma'am."

Parcels: "But then Amendment #2 appears to have taken it out. Is that correct?"

Panayotovich: "No, Ma'am. Not to my intent."

Parcels: "I think if you look at it, and it may have been by accident, but I think you amended on page 2, line 20 to put them in, and then the second Amendment amended lines 20 and 21 without putting Canada in again."

Panayotovich: "Amendment #2? I'm sorry. Amendment number... I'm sorry, would you go back to that, Representative."

Parcels: "I think Amendment #1... and I don't have it in front of me either. Do you have... I think it was page 2 that Amendment #1 amended, line 20 to put Canada..."

Panayotovich: "Page 2, line 17 and line 19 which was ..."

Parcels: "I have it... reading Amendment ..."

Panayotovich: "No it doesn't."

Parcels: "It says in line 21 by inserting 'or Canadian' after 'States' and on page 3 in line 1 by inserting 'or Canadian' after 'States'. Is that the same Amendment you're looking

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at?"

Panayotovitch: "Yeah, well that would come out after the 'and', so it doesn't delete it."

Parcells: "Okay, well it appears ... and maybe we better look at this technically if you intend to keep Canada in it, because then in Amendment #2 you say on Page 2, by deleting lines 20 and 21, which would then take Canada out and go on talking about the 50, 60, and 70 percent. And I just thought you ought to know that if your intention was to leave Canada in it."

Panayotovitch: "Thank you."

Parcells: "And then to the Bill, Mr. Speaker. I think this is ... "

Speaker Greiman: "Proceed."

Parcells: "I think this is one of those things that looks good on paper, and it looks very patriotic, but in fact it can be very detrimental to our State. First of all, it will destroy competition because those companies from foreign countries that are bidding, will eventually realize they have to come in at a figure 10% less than any of the U.S. competition, and they not only won't be able to do it, but they will eventually drop out of the bidding, and then the U.S. companies can go higher and higher, which will cost our agencies more and more money. The agencies themselves will have to hire help to figure out this 50, 60 and 70 percent. And then it's going to cost the agencies of the State and all our universities a great deal more money. We spend, oh, a billion and a half dollars in commodities and this could conceivably rise by that 10% figure, and I think that would be a bad thing to do. There is one other thing that it would be very detrimental, and that is the case of retribution. We've seen this happen before, the foreign countries will say, 'Hey, Illinois, you've been out here

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trying to sell us and now you don't want our products? We don't want your products either.' And we've been working very hard on this and I think it would be very detrimental. It would be very detrimental to our farmers. Because an easy way to retaliate is in agricultural products. We export one third to one half of our agricultural products, and our poor farmers, who know nothing about this, are going to be the guys to pay for this when the retaliation comes from foreign countries. I think this is very bad Bill. I think it's a great idea and the Sponsor means well, but I think it will serve to hurt the State of Illinois. And I ask for your 'no' vote."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp."

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

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

Ropp: "Why are you interested in increasing the cost of government by allowing some of these ... this 10% provision that you have in this Bill? Why would you want to do that?"

Panayotovitch: "Well, I don't know that it would increase that. That's your words. I would think that 10%... even if it's 10%, in some instances when we're going to go out and buy that foreign car, or a car for State... again I repeat State, so everybody is clear on that, this is only for State government, that its worth putting the people, or keeping the people in Peoria or the people in Chicago working and bringing them back to work, the ones that have been layed off if we're going to turn around and buy American made cars, instead of foreign cars."

Ropp: "Well it just looks to me like, if you really didn't mean it, as you kind of indicate, it might not be there, I would have left that out. Now in the next regard, it seems a bit unusual to have these percentages in. Because what in fact

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you're stating that we have businesses in Illinois now that you are going to not even allow to sell to Illinois because of this percentage factor. Why is that percentage factor in there?"

Panayotovitch: "The percentage factor is in there, again, to make sure that we are buying American made products. Let me just ... Do you know by chance, Representative, I'm not going to try to cross examine you here... Western Europe, do you know what their content law is in America... to buy anything out of Western Europe? Do you have an idea? Would you like to know, I guess, is the question? 80 percent."

Ropp: "Am I asking the questions, or are you asking the questions?"

Panayotovitch: "Western Europe says 80% content. Protecting themselves, Western Europe. So I think that if we get up to 50, 60 and 70% in the United States, we're still under Western Europe. And they're protecting themselves. You mean you don't want to protect the people in your district? You go back and tell them."

Ropp: "What you're going to do though, you're going to say in my automobile plant that we're not going to buy your car, and that's being built right in McLean County. Why do you want to prohibit that?"

Panayotovitch: "No, we want to buy your car right in your district. And if your car is made with 50 and 60 and 70% content American, which Caterpillar is even today, this day at 70%, you're going to buy that American made car instead of going and buying a foreign car."

Ropp: "No, under your provisions we won't be able to buy it. Because we're... maybe 50 or 60% may be foreign parts."

Panayotovitch: "It's not, but that's alright."

Ropp: "But, what you're telling me is that we're not really

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interested in trying to keep those people employed, but we want to come up with some new kind of a fabricated provision. Well, Mr. Speaker, to the Bill. This Bill has been around for a number of years. The intention is well intended by the Sponsor, but really we're not going to improve the situation at all. I might give a little definition, or an example to the Sponsor. I saw in a newspaper not too long ago, there was this businessman who was seated behind his desk with one of the employees coming in, and they had a chart in the background and the graph was going down, indicating business was not too good. And the caption under the cartoon was, and I'm not sure it was a cartoon, I think it was kind of factual, it says, 'I just had this crazy idea. Why don't we produce a superior product and provide superior service?' Now this Bill does anything but attempt to do that. And one of the things that we really need in the United States, is to produce that superior product, as we did a few years ago, and to provide a superior service to go along with it. The other thing that we've talked about any number of times, is the fact, the International feeling that will come about as this Bill moves along. We're telling our foreign buyers, 'We don't really want to trade with you'. We're telling them that we now are restricting our concern with a two-way street dealing with trade and that now ..."

Speaker Greiman: "Bring your remarks to a close, Sir."

Ropp: "The biggest thing that's going to hurt this area is our agricultural trade. Ladies and Gentlemen of the House, agricultural trade in the United States is one of the pluses that we used to have, and we have even seen that diminish. I urge a 'no' vote on this so that we can continue to try to produce a superior product and provide superior service. That's how we retain our world market,

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not by legislation of this type."

Speaker Greiman: "Ladies and Gentlemen if I might ... if the Chair might point out some statistics at this time. There were 164 Bills on the Calendar when we began this morning, and in two... in an hour and 55 minutes, we have done six Bills. This is the seventh Bill we will have done. The Chair does not mean to intimidate or cut off debate at all, but I think we should consider restraint, and where we are that these Bills have been debated often long on Second Reading. And on that, Mr. Wennlund, the Gentleman from Will."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I don't think there's a Member in this House that does not have either a manufacturer, or a retailer of products from General Motors, Ford, Chrysler, American Motors, Mercury Motors, Navi-Star, International Harvester, John Deere, Ford Tractors, 3M, Eastman Kodak, General Electric, Motorola, Xerox, IBM, Pitney Bowes, A&D and on and on. These established major companies in Illinois, huge employers in Illinois, would be ineligible to bid on State contracts and would become nonqualified vendors under this Bill. Not one district in this State would be left out. Vendors of all those products would be ineligible under this Bill. CMS is violently opposed to this Bill. And they're opposed to it because it's going to result in higher taxes and you're going ... when at a time when this State is trying to have a bare bones budget, the taxpayers of the State of Illinois are going to be forced to pay bigger dollars because of this Bill. I urge your 'no' vote on this legislation. Remember all those vendors and manufacturers in Illinois, who are the employers of Illinois, who are going to be destroyed by this type of legislation."

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Speaker Greiman: "The Gentleman from Warren, Mr. Hultgren."

Hultgren: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Earlier in debate, Representative Parcells indicated that the Sponsor of this legislation had really gone out of his way to try and explain his intention and I, too, benefited from several conversations with him and I appreciate very much his working so diligently to explain what's happening with the Bill. I have some concerns about the definition in the Bill. And looking at the Amendment, it defines products that consist of at least 50% United States content and then it goes on to say 60%, 70% and so forth. But it doesn't, I don't believe, provide any further explanation as to what domestic content would be. And in talking with manufacturers, and specifically manufacturers in my district, they have some concerns that as this Bill is currently worded, that they may not be able to sell products, that employ people right in Peoria and Galesburg, to the State of Illinois. Now the Sponsor has indicated to me, in no uncertain terms, that he doesn't intend that, but I fear that the language in the Bill itself is not specific enough to prohibit that result. And so for that reason, because I think the Bill may reach further than the Sponsor intends, and he certainly is well-intentioned, because I fear that it may in fact cost jobs in the Central Illinois area, I am compelled to vote against it and would urge others to do so."

Speaker Greiman: "The Gentleman from Madison, Mr. Wolf. Mr. Wolf moves that the previous question be put. All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the previous question be put. Mr. Panayotovich to close."

Panayotovich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In closing, to respond ... to respond to some

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of things that were said. All of the UAW Plants, GM, Ford, Chrysler, Deere, Caterpillar, all today fall under even the highest content of 70%, still fall under that. And these companies that were mentioned by one of my colleagues would still be able to go ahead and bid to sell the State. Now, Representative Ropp gave me the greatest part that can be said about this Bill. It's a two-way street. And he's right, it's a two-way street. Listen to this two-way street in this morning's Springfield paper, 'Foreign car makers make inroads but Japan's not worried'. Because last year, Japan sent 2.3 million cars to America, and America sent 2,345 to Japan. That's a two-way street if you're on Representative Ropp's words. Also the two-way street that we have, other countries with domestic content that worry about themselves, Spain, Portugal, Mexico, Venezuela, Columbia, Brazil, Chile, Argentina, Australia, New Zealand, South Korea, India, Indonesia, the Phillipines, South Africa, Western Europe, 80% content. England requires that you come in and be 80% within their country from Japan if you're going to build cars. It's a two-way street out there. Other people are worrying about themselves. We better start worrying about people in Illinois. We better start worrying about putting them to work and keeping them working. Keeping money coming in. Keeping food on the table. Taking the people that aren't working out there now off the welfare lists. Ten percent? Let's put a thousand people back to work, the 10% is gone. I move for passage of Senate Bill 1400."

Speaker Greiman: "The Gentleman from Cook, Mr. Panayotovich moves for the passage of Senate Bill 1400. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Mr. Bowman, one minute to explain your vote."

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Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm voting 'no' on this because I think what we need is a trade policy that is symmetric. That is useful in good times as well as in bad times. And just because we're going through some bad times now with the Japanese and the Germans being the big bullies on the block, we shouldn't run behind our mothers' skirts. I think what we need is a symmetric trade policy. Now Representative Panayotovich made a very good point in his closing, that some other countries have domestic content legislation. Well, maybe what we need is a quid pro quo. A policy that says, well, if another country has it, then we'll have it. But not with respect to countries that do not have such legislation. This legislation, in my opinion, is too broad, and that is why I'm voting 'no'. Thank you."

Speaker Greiman: "The Gentleman from DuPage, Mr. Barger. One minute to explain your vote."

Barger: "Thank you, your Lordship. Ladies and Gentlemen of the Assembly, it's quite often that Representative Bowman and I disagree, and very seldom that we do agree. In this particular case, though, he and I agree exactly. The international trade regulation should be set by the Federal Government, rather than by each individual state. John Deere is as 'Illinois' as any corporation ever could be, and they are now advertising on television that their lawnmowers have Japanese motors, and the motor is more than half of a lawnmower. I think we should consider very strongly opposing this Bill. It is not in our best interest. It's not in the best interest of those people who would like to manufacture in this country. I think it's very bad and I would suggest voting against it."

Speaker Greiman: "The Gentleman from Vermilion, Mr. Black. One minute to explain your vote."

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Black: "Thank you very much, Mr. Speaker. I am voting 'aye', and I think many of you here would say, 'Well, a Republican shouldn't do that.' Well, let me just tell you that I'm not worried about tradition and I'm not worried about my rating with the manufacturers' community. It may well cost me the election. But I'm telling you I represent a district where we're trying some new things and some new ideas. People, it's time we be creative. I have a plant in my district that if it stays open, and it's in trouble, it's going to because... it's going to happen because labor and management are going to work together and cooperate and sit down and talk together. The Gentleman has come over here and we've talked at length about this. It has a sunset clause. He said if it doesn't work, we'll do away with it. We're simply trying to keep people working, that's all. If you think we're going to pay higher taxes because of this Bill, wait until you see what we pay if we continue to let plants close and plants move overseas. That creates a tremendous desire and demand for public services, and, in fact, drives our tax base down when these plants close and move out. I... "

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

Pedersen: "Thank you, Mr. Speaker."

Speaker Greiman: "One minute to explain your vote."

Pedersen: "This is just another example of outworn, out-of-date, '30's style government intervention, which... Overall it just doesn't work. All of these things fall into the same kind of category, like 'Smoot Hawley', which caused the Depression. It protects one group, but whenever you do that, there are these ripples that affect all these other groups detrimentally. You get countries retaliating. So this is a big mistake. What we should be doing is working it up so it's more free trade, not all these obstacles to

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free trade that's bad for all of us."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 73 voting 'aye', 41 voting 'no', none voting 'present'. This Bill, having received the Constitutional Amendment... Constitutional Majority, is hereby declared passed. And now Mr. Capparelli on a Motion with respect to Senate Bill 236. The Gentleman from Cook, Mr. Capparelli, moves that the House reconsider the vote by which Senate Bill 236 was considered and passed. Now is there any discussion? There being none, the question is, 'Shall this Bill... shall this vote be reconsidered?' Mr. Capparelli, we're going to check the transcript to see whether, in fact, the Motion was tabled or not. There seems to be a question between whether the Motion... the Amendment that previously was adopted that would have put this in the posture of a Conference Committee was, in fact, tabled or not. There is a... the recollection of the Membership is different than that of the computer, so we're going to hold your Motion for a little while. We'll come back to it. On the Order of Economic Development Third Reading appears Senate Bill 1416. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1416, a Bill for an Act to amend the Illinois Banking Act. Third Reading of the Bill."

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

Capparelli: "Thank you. Thank you, Mr. Speaker. Senate Bill 1416 amends the Investment Section of the Illinois Banking Act to bring in the definition of 'money market fund' into conformity with the definition provided by the Federal Securities Law. I know of no opposition and I ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Capparelli, moves

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for the passage of Senate Bill 1416. There being no discussion, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 105 voting 'aye', 1 voting 'no', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order of Business appears Senate Bill 1493. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1493, a Bill for an Act to amend Sections of the Forest Products Transportation Act. Third Reading of the Bill."

Speaker Greiman: "The Lady from Sangamon, Ms. Hasara."

Hasara: "Thank you, Mr. Speaker. This legislation would allow the Department of Conservation to clearly determine ownership of logs being transported. They feel this legislation is needed to enable them to stop logs from leaving the State of Illinois illegally. I know of no opposition to the Bill and I move for its adoption."

Speaker Greiman: "The Lady from Sangamon moves for the passage of Senate Bill 1493. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'aye', none voting 'present', none voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill... I'm sorry, House Resolution 216. Mr. Ronan, do you wish to proceed on 216? Mr. Clerk."

Clerk O'Brien: "House Resolution 216 urges the Illinois Commerce

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Commission to investigate the sale of the Chicago and Illinois Midland Railway. Transportation and Motor Vehicles Committee recommends 'be adopted'."

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

Ronan: "Thank you, Mr. Speaker, Members of the House. I urge the adoption of House Resolution 216. It's a request brought to me by some of the rail unions in the state to look at the sale of the Chicago and Illinois Midland Railway to make sure that it's not a detriment to the citizens of the State of Illinois. It passed out of my Committee 18 to 0. Be glad to answer any questions concerning it."

Speaker Greiman: "The Gentleman from Cook, Mr. Ronan, moves for the adoption of Resolution... House Resolution 216. On that is there any discussion? There... the Gentleman from Adams, Mr. Mays."

Mays: "Will the Gentleman yield for a question?"

Speaker Greiman: "Indicates he will."

Mays: "What does this Resolution do, Mr. Ronan?"

Ronan: "I just read it. It... what it does, it asks the Illinois Commerce Commission to review the sale of the Chicago and Illinois Midland Railway. What we're trying to do is see if we want the Commerce Commission to review to make sure there's not going to be any irregularities in that sale, to protect the taxpayers of the State of Illinois and the individuals who work for that railway line."

Mays: "Is there any reason to believe that there is any goings-on with that?"

Ronan: "Well, there's... there's been a concern brought to me by a number of employees who work for the... for the railway line, to make sure that this is in the best interests in the... best interests of the State of Illinois."

Mays: "Does the State of Illinois do this with all railroad purchases or sales?"

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Ronan: "Well, we... "

Mays: "What role does the ICC play now in that kind of ... "

Ronan: "ICC regulates railroads in Illinois."

Mays: "And so they... do they approve or disapprove or investigate the purchases or sales or anything?"

Ronan: "I think the ICC absolutely has the jurisdiction to do this, number one. Number two, it gives them something to do to make sure that the taxpayers are well served."

Mays: "And how will the tax... "

Ronan: "ICC had no problem with this Resolution in Committee, as you remember, Representative Mays, because as I remember you were sitting there that day in Committee when we passed it out 18 to 0."

Mays: "This has been... what are the interests of the taxpayers in this process here? I mean, what are those interests we're going to serve the taxpayers by passing this Resolution that is something that can already be done by the ICC?"

Ronan: "Make sure... We want to... What we're going to do is we're... I'm just going to urge the ICC to make sure that they review this so that the taxpayers and the citizens of this State are protected and the employees who happen to work for that railway line."

Mays: "Thank you very much."

Speaker Greiman: "The question is, 'Shall the Resolution be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Resolution is adopted. On the Order of House... House Joint Resolutions appears House Joint Resolution 73. Mr. Clerk."

Clerk Leone: "House Joint Resolution 73 urges the U. S. Congress not to pass disruptive Federal Acid Disposition Legislation."

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Speaker Greiman: "The Gentleman from Franklin, Mr. Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. House Resolution 73 would urge the Congress to pass Federal Legislation that would assist in the clean... the use of clean coal technologies which will be very supportive of the... of support for the various types of methodologies that can be used for burning coal cleanly. This is an issue that's before Congress and I would ask for your favorable vote."

Speaker Greiman: "The Gentleman from Franklin moves for the adoption of House Joint Resolution 73, and on that, is there any discussion? The Gentleman from Winnebago... Winnebago, Mr. Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. I rise in support of the Resolution. We here in Illinois sit on a virtual gold mine of coal, which I think is our best asset, but yet because of its nature, we can't really utilize it to its full extent. This Resolution hopes that we can get to that coal and I think it's a good idea and I urge it be adopted."

Speaker Greiman: "The question is, 'Shall the Resolution be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Resolution is adopted. We will now proceed to the Order of State and Local Construction Second Reading on Special Call. And on that appears Senate Bill 1243. Mr. McPike. Mr. McPike in the chamber? And on this Order... On the Order of Third Reading appears Senate Bill 43. Mr. Giorgi? Mr. Giorgi? Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 43, a Bill for an Act to amend the Illinois Development Finance Authority Act. Third Reading of the Bill."

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

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Giorgi: "Mr. Speaker, I'd like leave of the House to return this Bill to the Order of Second Reading for the purpose of several Amendments."

Speaker Greiman: "The Gentleman asks leave of the House to return this Bill to the Order of Second Reading for the purposes of Amendment. The Gentleman has leave. Leave is granted. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Floor Amendment #3, being offered by Representative Anthony Young."

Speaker Greiman: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #4, being offered by Representatives Hoffman and Churchill."

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

Hoffman: "Thank you, Mr. Speaker. I'd like to withdraw this Amendment and all other Amendments except Amendment #10."

Speaker Greiman: "Are you the Sponsor of those Amendments?"

Hoffman: "Any that I'm Sponsor of I'd like to withdraw."

Speaker Greiman: "The Gentleman has asked leave to withdraw... "

Clerk Leone: "Amendments #5 through 9, Representative Hoffman is the lead Sponsor."

Speaker Greiman: "Alright. They are withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #10, offered by Representatives Hoffman, McPike and Churchill."

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

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Representative McPike and Representative Churchill and our staff... staffs, have looked long and hard at this asbestos abatement problem that we have in the school districts of this state. Amendment #10 proposes to do a number of things and I would just like to list those for you. They are all predicated on the... on the premise that there is no way that the state can afford to fund the

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program that we put in place last year, and in a little calmer times, we are looking at a way to address this problem. And what we do about this Amendment is we transfer the responsibility and authority for administering the provisions of the Asbestos Abatement Act from the Department of Public Health to the Department... or to the Capitol Development Board, because it is a... is a building problem. Some of the discussion has come to us that it's important to have one agency in charge of this and we just transfer the responsibilities from the Department of Public Health to the the Capitol Development Board for inspection. Secondly, we authorize downstate school districts and the Chicago school districts to levy a tax of... very similar... well, the same... basically the same as the Life Safety Code for asbestos abatement. Due to the differential levels of local ability to deal with this problem, they have the authority to levy this tax. We have not set a cap on that tax because, depending on how much asbestos in the school district will determine what it will cost. This is going to be under the Capitol Development Board so there is... there is control there, and this fund can only be used for asbestos abatement. It also authorizes downstate school districts and the Chicago school district to bond themselves in order to pay for the asbestos abatement work against the... against the tax levy. As I said before, CDB will assume all authority and responsibility; however, all the rules and regulations that have been promulgated by the Department of Public Health pursuant to the Act are not affected by this Amendment. They will just be administered by the Capitol Development Board. It permits school districts to initiate asbestos abatement projects in the absence of an order to do so, so if they have a problem they can go ahead and do it. Such

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projects, however, are going to have to be approved by the Capitol Development Board. It leaves all the current language of the Asbestos Abatement Act in place, because if at some future point in time we get some funding for this program from the State, that Act will be in place to distribute funds to the school. I'll be glad to respond to any questions."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #10 to Senate Bill 43. Does anyone rise in opposition? Hearing none, the question is, 'Shall Amendment #10 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Repre... Third Reading. Representative Giorgi now asks leave for immediate... Representative Giorgi."

Giorgi: "Madam Speaker, I took this Bill off of Third and put it back to Second for the purpose of Amendment. I'm told there is another crucial Amendment being drafted for this Bill so I'd like to leave it on Third as long as I have a promise from the Chair that it will call it later in the day so that these people are going to have a chance to put their Amendment on."

Speaker Breslin: "We will certainly try to do that, Representative Giorgi."

Giorgi: "And I don't want to be flim-flammed around."

Speaker Breslin: "Remember, Ladies and Gentlemen, that today is a deadline day. We are going to have to start moving much faster on these Bills. We cannot guarantee that we are going to get to come back to Bills. We will certainly try to accommodate you, Representative Giorgi, and every other Sponsor. What?"

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Giorgi: "Madam. This is a crucial Bill. It has to deal with the asbestos problem, asbestos is... We don't want to play with people's lives. You're going to have to tell me you're going to come back to the Bill or we're going to have a filibuster."

Speaker Breslin: "We are going to do our best, Representative Giorgi, but as to all Members, we must start moving faster. This Bill is on Third Reading. Out of the record. Senate Bill 117, Representative McPike. Out of the record. Senate Bill... Senate Bill 130, Representative McNamara. Out of the record. Senate Bill 432, Representative Weaver. Representative Weaver? Clerk, read the Bill."

Clerk Leone: "Senate Bill 432, a Bill for an Act to amend the Illinois Historic Preservation Act. Third Reading of the Bill."

Speaker Breslin: "Representative Weaver."

Weaver: "Thank you very much, Madam Speaker. I would ask leave of the House to bring this back to Second Reading for purposes of an Amendment."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second for the purposes of an Amendment. Does he have leave? Hearing no objection, the Bill is on Second. Are any Amendments filed? Mr. Clerk."

Clerk Leone: "Floor Amendment #1 is being offered by Representative Brunsvold and DeJaegher."

Speaker Breslin: "Representative Brunsvold, on Amendment #1 to Representative Weaver's Bill on Historic Place Registration. What's the Amendment... "

Brunsvold: "Madam Speaker, withdraw Amendment #1. It's technically incorrect."

Speaker Brunsvold: "Withdraw #1. Are there any further Amendments?"

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

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Brunsvold."

Speaker Breslin: "Representative Brunsvold."

Brunsvold: "Amendment #2 is a substantive language for the transfer of Blackhawk State Park, Campbells Island Historic Site and Albany Mounds from the Department of Conservation to Historic Sites, and I move for the adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 432. Is there any opposition? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Representative Weaver... "

Clerk Leone: "Correction. There is a third Amendment. Floor Amendment #3, offered by Representative Rea."

Speaker Breslin: "Representative Rea. Representative Rea on Amendment #3."

Rea: "Thank you, Madam Speaker, Members of the House. Amendment #3 is similar to an Amendment that we passed earlier which gives the Department of Conservation authorization to include the Wayne Fitzgerald State Park in their cash incentive program. I would move for an 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3, and on that question the Gentleman from Adams, Representative Mays."

Mays: "Will the Gentleman yield, please?"

Speaker Breslin: "He will."

Mays: "What Bill was this on that we passed earlier?"

Speaker Breslin: "Representative Rea to respond. Turn on Representative Rea."

Rea: "I believe it was on House Bill 916 and there appeared that

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there might be some problem with the Bill, not with the Amendment, but with the Bill. And this will only... there's no moneys that... this does not involve any moneys whatsoever. What it does is give them authorization the same as the other State Parks which they already... some of the other State Parks, they already have authorization so at and when that they should have moneys available, that they could enter into that same type of program."

Mays: "Is it your intent this year or next year to ask for \$500,000.00 to back this authorization up? Or ask for any money for that matter. Because we've opposed that in Committee and we beat it."

Rea: "Only when the... when the money would be available, Representative Mays, and that... that would depend upon... and that would depend upon the Department of Conservation as to what their plans would be."

Mays: "So with the tax increase... So you would not ask for an appropriation without a tax increase. Is that right?"

Rea: "I would not ask for an appropriation unless the moneys would be there."

Mays: "Thank you. To the Amendment. We have addressed the dollar side of this, I think, as often as we have addressed the authorization side, and that's why I raised the question as to whether we should go about doing this at this time. Clearly there are not any dollars in the budget to go ahead and effect this type of authorization and I would simply ask for a Roll Call Vote against this Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #3 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Rea, one minute to explain your vote."

Rea: "Thank you, Madam Speaker. As I said, there's no moneys

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involved. In fact, yesterday, if you recall, there was an Amendment which did have moneys, which I withdrew because of the moneys not being available. So I... "

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 57 voting 'aye', 43 voting 'no' and none voting 'present' and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "No further Amendments. The Bill moves to Third Reading. Representative Weaver now asks leave for immediate consideration of this Bill, as amended. Does he have leave? Hearing no objection, he has leave. Read the Bill, Sir."

Clerk Leone: "Senate Bill 432, a Bill for an Act to amend Sections of the Illinois Historic Preservation Act. Third Reading of the Bill."

Speaker Breslin: "Representative Weaver."

Weaver: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, the Bill, as we've already heard on the adopted Amendment, the underlying Bill deals with the Historic Preservation Agency and its ability to place properties on the Historic Register of Illinois without the permission of the owners. This... the basic underlying Bill simply requires that the owners permission be gained before that building is placed upon the Illinois Historic Register, and I ask for your affirmative vote on the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 432. And on that question, does anyone rise in opposition? Hearing none, the question is, 'Shall Senate Bill 432 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 103 voting 'aye', 3

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voting 'no', and 6 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. With leave of the Body I would like to go back to Senate Bill 117 for Representative McPike. Hearing no objection, read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 117, a Bill for an Act in relationship to waste water treatment. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 117, as amended, would provide for the state to issue 70 million dollars in GO bonds that would be used to match 350 million dollars coming from the Federal Government, and the total of that would be put into a revolving loan fund and the cities that are in non-compliance with the Clean Water Act, that is the 226 cities in Illinois that have been working with EPA, to provide plans to the EPA, that will allow for construction of new waste water treatment facilities to bring them into compliance. This would allow those 226 cities access to this revolving loan fund. They would borrow the money, build the waste water treatment facilities, and then pay the state back, with interest, the money that they borrowed. When the money... when the fund was built up again, then the secondary borrowers would be allowed to come in, and those would be those cities or townships, etc., in Illinois that need to have an extension, that are now in compliance, but would need an extension or modernization of the plant to provide for any new construction in their area. Be glad to answer any questions on the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 117, and on that question, does anyone rise in opposition? The Gentleman from Winnebago, Representative

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Hallock."

Hallock: "That you, Mr. Speaker... Madam Speaker, Members of the House. I'd like to indicate that we all support this on this side of the aisle. We have debated this issue for several months this Session. Mr. McPike, I believe, has a very good idea here. He presents the approach that we think is most feasible. With the GO bonds we can, in fact, help to repay these loans. It will make sure that the 236 communities in our state which have an immediate crisis can be addressed. It's a good idea and I urge it be passed."

Speaker Breslin: "Okay, we are trying to move along quickly. Does anyone rise in opposition? The Gentleman from DuPage, Representative McCracken."

McCracken: "Representative McPike came up with a good idea. We had this idea as well, and I stand in support of it."

Speaker Breslin: "The Gentleman from Will, Representative Wennlund."

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

Speaker Breslin: "He will."

Wennlund: "Mr. McPike... Representative McPike, will communities who have already commenced compliance construction also be eligible?"

McPike: "Well, I don't have the list of 226 here, but I think it's been sent to every Legislator, so if you happen to have one of those 226 communities, you are on the list."

Wennlund: "Thank you. Even though they have commenced construction?"

Speaker Breslin: "The question is, 'Shall Senate Bill 117 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 voting 'no', none voting 'present'. This Bill, having received the

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Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, again with leave of the Body, I'd like to go to Second Reading on State and Local Construction while Representative McPike is still on the Floor. The Bill is Senate Bill 1243. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1243, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any other Amendments or Motions?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative McPike."

Speaker Breslin: "Representative McPike."

McPike: "Amendment #2 is a technical Amendment. I would move for its adoption."

Speaker Breslin: "The question... the Gentleman has moved for the adoption of Amendment #2. Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative McPike now asks leave for immediate consideration of Senate Bill 1243, as amended. Does he have leave? Hearing no objection, he has leave. Read the Bill on Third, Mr. Clerk."

Clerk Leone: "Senate Bill 1243, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I don't know if the Governor will sign the previous Bill that... that we passed, and this is a second approach, a second method to allow these communities to fund these

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waste water treatment facilities that have to be built. This allows for a... a local unit of government to issue a... bonds and to pay for it with a tax increase. Currently they can do it if they have received a compliance order issued by the United States Environmental Protection Agency or the Illinois Pollution Control Board and this would add, rather now it's a compliance order issued to comply with the Federal Clean Water Act. As I said, they currently have this authority if they receive the... if they receive the compliance order from either of those two agencies and this would add a third provision, and it also adds, as a precaution, a back door referendum. So I would move for the passage of this Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1243, and on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1243 pass?' Those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Mr. Clerk, take the record. On this question there are 96 voting 'aye', 12 voting 'no', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of... Special Order of State and Local Construction Third Reading, the next Bill is Senate Bill 498, Representative Flinn. Clerk, read the Bill."

Clerk Leone: "Senate Bill 498, a Bill for an Act to amend the Illinois Manufactured Housing and Mobile Home Safety Act. Third Reading of the Bill."

Speaker Breslin: "Representative Flinn."

Flinn: "Madam Speaker, Senate Bill 498 is a Bill that dealt with pre-fab housing... Wait a minute. I think I promised somebody I'd take that out of the record. Take that out of the record right now."

Speaker Breslin: "Out of the record. Senate Bill 505,

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Representative Kirkland. Clerk, read the Bill. Clerk,
read the Bill."

Clerk Leone: "Senate Bill 505, a Bill for an Act in relationship
to the conveyance of certain state land. Third Reading of
the Bill."

Speaker Breslin: "Representative Kirkland."

Kirkland: "Madam Speaker, I seek leave of the Body to return the
Bill to Second Reading for some Amendments."

Speaker Breslin: "The Gentleman wants to return this Bill to
Second. Hearing no objection, the Bill is on Second. Are
there any Amendments filed?"

Clerk Leone: "Floor Amendment #1, being offered by
Representatives Richmond and McPike."

Speaker Breslin: "Representative Richmond."

Richmond: "Thank you, Madam Speaker, Ladies and Gentlemen of the
House. This Amendment... Amendment #1 to Senate Bill 505,
contains the conveyances which have already passed in House
Bill 932 and Senate Bill 549, which is currently in the
House. The Amendment also contains the language previously
contained in every Bill that we passed out of the House
dealing with conveyances. This is an agreed Amendment. I
ask for your support."

Speaker Breslin: "The Gentleman has moved for the adoption of
Amendment #1 to Senate Bill 505. Is there any opposition?
Hearing none, the question is, 'Shall Amendment #1 be
adopted?' All those in favor say 'aye', all those opposed
say 'no'. In the opinion of the Chair the 'ayes' have it.
The Amendment is adopted. Are there any further
Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by
Representative Van Duyne."

Speaker Breslin: "Representative Van Duyne."

Van Duyne: "Thank you, Madam. There was an altercation with the

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Department of Conservation as to a piece of ground called 'Treat Island', and this Amendment removes that from the Bill, and I move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 505. Is there any opposition? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, being offered by Representative Ewing."

Speaker Breslin: "Representative Ewing."

Ewing: "This provides for a lease of approximately six acres of land to the American Legion Post in Pontiac from the Department of Corrections at a dollar a year. The land being leased is river bottom land and is subject to flooding."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 505. Does anyone rise in opposition? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. A question? This authorizes the Department of Corrections to lease land from the American Legion Association and what will the land be used for?"

Ewing: "No, Representative. The American Legion Post has a building that had their headquarters at the edge of Pontiac and it's back from the Vermilion River a little bit. Across the river the Department of Corrections owns a farm which has about six acres of bottomland in brush, trees, it's not used for anything, that's adjacent to the property the American Legion sits on."

Cullerton: "So, this allows the American Legion to lease..."

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Ewing: "To use it for a dollar a year, they are going to clean the brush out of it and they use it for recreation purposes. It is not good for farming or anything because it... every time the river comes up, it goes under."

Cullerton: "Fine. Thank you."

Speaker Breslin: "The question is, 'Shall Amendment 33 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Representative Kirkland now asks leave for immediate consideration of Senate Bill 505, as amended. Hearing no objection, he has leave. Read the Bill on Third."

Clerk Leone: "Senate Bill 505, a Bill for an Act in relationship to the conveyance of certain state land. Third Reading of the Bill."

Speaker Breslin: "Representative Kirkland."

Kirkland: "Thank you, Madam Speaker. The Bill authorizes the Directors of Central Management Services, Agriculture Department, and Mental Health and Developmental Disabilities to convey certain state properties. The Bill is... in its form now, is a collection of several conveyances."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 505, and on that question, does anyone rise in opposition? Hearing none, the question is, 'Shall Senate Bill 505 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', none voting 'present'. This Bill, having

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received the Constitutional Majority, is hereby declared passed. Senate Bill 1308, Representative Farley. Clerk, read the Bill. Representative McCracken, for what reason do you seek recognition?"

McCracken: "Thank you, Madam Speaker. This Bill has already been considered and is on the Order of Consideration Postponed. Today is a deadline day. This Bill has already had its opportunity. Let's move on to Bills that have not yet had the opportunity and if there is time left, come back to these Considerations Postponed."

Speaker Breslin: "You are overruled, Representative McCracken."

McCracken: "This was... This was debated at length."

Speaker Breslin: "Representative... Turn the Gentleman off. You are overruled, Representative McCracken. We will not take a lot of time on this Bill. Representative Farley to present your Bill."

Clerk Leone: "Senate Bill 1308, a Bill for an Act to amend the State Space Needs Act. Third Reading of the Bill."

Speaker Breslin: "Representative Farley."

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We did discuss this Bill the other day. There was a little confusion which, in the meantime, I have talked to a few of my colleagues and explained a little bit more to them about their questions on the Bill, and I think everybody knows what the Bill does. What we're asking for is the Space Needs Commission to be part of the process of payout on jobs that is done in the Capitol Complex area and I would move for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1308, and on that question the Gentleman from Winnebago, Representative Hallock."

Hallock: "Well, Madam Speaker, Members of the House, to the Bill. I must say first of all, there's absolutely no need for

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this Bill. There's absolutely no need that... no reason why the Space Needs Commission should be in the power position whereby they have absolute oversight on everything that goes on in this Capitol Complex. We have the Secretary of State's Office, we have the Capitol Development Board, and many others who may, in many cases, have a need to be in charge of certain programs. To give the Space Needs Commission this absolute power is totally to abrogate the power of those other entities we talked about. This Bill is unnecessary. It's a bad idea. We voted on it yesterday and defeated it then. Let's defeat it again now. Vote 'no'."

Speaker Breslin: "The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much. Would the Gentleman yield?"

Speaker Breslin: "The Gentleman will yield, but I would suggest, Representative Mays, that it is more appropriate at this time to speak to the Bill."

Mays: "Alright. I'll forget the questions. Let me just... Let's get right to the heart of this issue."

Speaker Breslin: "Okay, let's go straight to the Bill."

Mays: "The thing that got us all going last yesterday when we addressed the thing was that this is a turf-building Amendment or Bill for the Space Needs Commission. They have the power right now of approval of a project conceptionally. They've got the power of oversight as the project is going on. They don't need anything else, because there's already two other agencies that have the power for the final payment. In Committee, when this was brought... I think this went through the Appropriations Committee, for some reason... but when it came through that Committee, whichever one it was, it was asked, 'How are we really going to save any money on this deal? How are we really going to expedite projects or keep them from being

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delayed. Who's really going to have any... or, you know, what's really going to change in determining who's going to decide what projects get funded and what ones don't?' And the resounding answer to each and every one of those questions was, 'Not a thing.' And that is why I reassert that this is simply a turf-building thing. It's giving somebody a job to do that wants something a little bit more. It may be well placed somewhere. I don't think we should do it. I think we've cast a wise vote last time and we should reaffirm it."

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

Churchill: "Thank you, Madam Speaker. I rise, also, in opposition to this Bill. We've had a lot of Bills on this Calendar over the past week. In fact, it was my impression that we probably could have put Bills on an agreed Bill list a long time ago, argued over the 10 or 20 Bills that we disagreed on, and we probably could have been out of here a week ago. You know, this is ridiculous. So fine, we keep the Calendar nice and fat. We go through all these Bills. Now there are Members here on the deadline day who have Bills that they want to pass, they want to get out of here, and we go back to a Bill that's been already considered. I think what we ought to do is everybody ought to vote 'no' on this, everybody ought to vote 'no' on every Bill that's on Postponed Consideration, until every other Member has had a chance to hear any Bill that they want to hear for the first time."

Speaker Breslin: "The Gentleman from Cook, Representative DeLeo."

DeLeo: "Thank you, Madam Speaker, Members of the House. I rise in support of Senate Bill 1308. I am a Member of the Space Needs Commission and I think this is a very important issue here this year. We've had projects in this Capitol

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Complex, and with the overruns and the restoration and they come back in and they want more and more money. I think if the Space Needs Commission had this authority and had this power, we could save a lot of money in the budget. I urge an 'aye' vote on Senate Bill 1308."

Speaker Breslin: "The Gentleman from Cook, Representative Kulas."

Kulas: "I move the previous question."

Speaker Breslin: "There is no need to do that. Representative Farley to close."

Farley: "I think everybody knows the issue."

Speaker Breslin: "The question is, 'Shall Senate Bill 1308 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Hicks votes 'aye'. Would someone help him, please? Thank you. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 62 voting 'aye', 51 voting 'no', none voting 'present'. Representative McCracken asks for a verification. Poll the Absentees, Mr. Clerk."

Clerk Leone: "A Poll of those Members not voting. Representative Williams is the only Member not voting."

Speaker Breslin: "Representative Williams votes 'aye'. Poll the Affirmative. Would all Members please sit in their seat so that a proper verification can be performed. Mr. Clerk, proceed."

Clerk Leone: "Poll of the Affirmative: Berrios, Bowman, Braun, Bugielski, Capparelli, Christensen, Cullerton, Currie... "

Speaker Breslin: "Excuse me. Representative Keane asks leave to be verified. He has leave. Proceed."

Clerk Leone: "... Daley, Davis, DeJaegher, DeLeo, Farley, Flinn, Flowers, Giglio, Giorgi, Granberg, Greiman, Hannig, Hartke, Hicks, Homer, Huff, Jones, Keane, Krska, Kulas, Laurino, LeFlore, Leverenz, Levin, Martinez, Matijevich, Mautino,

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McGann, McNamara, McPike, Morrow, Mulcahey, Novak,
O'Connell, Panayotovich, Phelps, Preston, Rea, Rice,
Richmond, Ronan, Saltsman, Satterthwaite, Shaw, Stange,
Steczo, Sutker, Terzich, Turner, Van Duyne, Williams, Wolf,
Anthony Young, Hyvetter Younge, and Mr. Speaker."

Speaker Breslin: "Any questions of the Affirmative?"

McCracken: "Yes. Thank you. Representative Hicks?"

Speaker Breslin: "Representative Hicks voted personally, and he
is also still here."

McCracken: "Where is he?"

Speaker Breslin: "He voted personally."

McCracken: "He didn't... He voted personally. How do you vote
personally? Did he stand up and say it?"

Speaker Breslin: "Yes. He stood up and said he wanted to vote
'aye'."

McCracken: "Okay. Well, alright. Representative Shaw?"

Speaker Breslin: "Representative Shaw? Representative William
Shaw. Is the Gentleman in the chamber? He is not. Remove
him from the Roll Call."

McCracken: "Representative Giglio?"

Speaker Breslin: "Representative Giglio. Frank Giglio is in the
chamber."

McCracken: "Representative Mautino?"

Speaker Breslin: "Representative Mautino is in the chamber.
Representative McCracken? Would you turn him on, please?"

McCracken: "Representative Leverenz?"

Speaker Breslin: "Representative Leverenz? Representative Ted
Leverenz? He is not in the chamber. Remove him from the
Roll Call."

McCracken: "Representative Laurino?"

Speaker Breslin: "Representative Laurino is in the chamber."

McCracken: "Representative Steczo?"

Speaker Breslin: "Representative Steczo? Terry Steczo. Is the

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Gentleman in the chamber? He is not. Remove him from the Roll Call."

McCracken: "Representative Christensen?"

Speaker Breslin: "Representative Christensen is in his chair."

McCracken: "Representative Satterthwaite?"

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

McCracken: "Representative... Representative LeFlore?"

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

McCracken: "Representative Bowman?"

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

McCracken: "Representative Sutker? Representative Matijevich?"

Speaker Breslin: "Representative Matijevich is in his chair."

McCracken: "Representative White?"

Speaker Breslin: "Mr. White is not voting."

McCracken: "Representative Hartke?"

Speaker Breslin: "Representative Shaw has returned to the chamber. Add him to the Roll Call. The Gentleman... Representative Hartke is in the chamber."

McCracken: "Representative Huff?"

Speaker Breslin: "Representative Huff is in the chamber."

McCracken: "Nothing further."

Speaker Breslin: "On this question there are 61 voting 'aye', 51 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1463, Representative Giorgi. Clerk, read the Bill."

Clerk Leone: "Page 8 of the Calendar, Senate Bill 1463, a Bill for an Act in relationship to asbestos. Third Reading of the Bill."

Giorgi: "Madam Speaker, I request leave of the House to move Senate Bill 1463 back to Second Reading for the purpose of an Amendment."

Speaker Breslin: "Representative Giorgi asks leave to bring this

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Bill back to the Order of Second. Hearing no objection, he has leave. Are there any Amendments filed?"

Clerk Leone: "Amendments #1, 2 and 3 were withdrawn. Next Amendment is Amendment #4, offered by Representative Young."

Speaker Breslin: "Representative Young withdraws the Amendment. Any further Amendments?"

Clerk Leone: "Floor Amendment #5, offered by Representative Anthony Young."

Speaker Breslin: "Withdraw. Any further Amendments?"

Clerk Leone: "Floor Amendment #6, offered by Representatives Churchill and Hoffman."

Speaker Breslin: "Representative Churchill withdraws. Any further Amendments?"

Clerk Leone: "Floor Amendment #7, offered by Representative Churchill."

Speaker Breslin: "Representative Churchill withdraws the Amendment. Any further Amendments?"

Clerk Leone: "Floor Amendment #8, offered by Representatives Churchill and Hoffman."

Speaker Breslin: "Withdraw the Amendment. Any further Amendments?"

Clerk Leone: "Floor Amendment #9, offered by Representative Giorgi."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, Amendment 9 is (tape malfunction). But what it does is creates an authority for asbestos abatement authority made up of the Director of Public Health, the EPA, the CDB, Comptroller and Attorney General, and there will be... they will have authority to identify and plan a program for abatement of the hazard from asbestos. They will coordinate all activities to the effect that public entities, and creates in the office of the Attorney General

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an Asbestos Litigation Division. I think most people are familiar with the Bill and I urge the support of this Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #9 to Senate Bill 1463. Does anyone rise in opposition? The Lady from Cook, Representative Pullen."

Pullen: "Madam Speaker, Ladies and Gentlemen of the House. I simply think that it would be a good idea if the Members of the House realized that included in this Amendment is an Asbestos Litigation Division in the Office of the Attorney General to go after manufacturers, suppliers, and installers, and I think that we should know that we are doing that when we vote on this Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #9 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Giorgi now asks leave for immediate consideration of Senate Bill 1463, as amended. Does he have leave? Hearing no objection, he has leave. Read the Bill on Third, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1463, a Bill for an Act in relation to asbestos. Third Reading of the Bill."

Speaker Breslin: "Representative Giorgi."

Giorgi: "I repeat. This creates an Asbestos Abatement Authority made up by the Director of the Department of Public Health, EPA, CDB, Comptroller and Attorney General. They will correlate all activities, and I did mention that it creates an Office of Litigation, because we do have some people that are guilty of this hazard, so we want this Bill put into force. I urge the adoption of the Bill."

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Speaker Breslin: "The question is, 'Shall... The Gentleman has moved for the passage of Senate Bill 1463, and on that question the Gentleman from Cook, Representative Preston."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in support of this very good Bill. The asbestos problem that we've experienced throughout the state, and particularly in the City of Chicago, is not a hazard that will jeopardize lives some time in the future, but it is a hazard that jeopardizes lives today, and though the effects might not be felt till some time in the future, those effects begin today with the inhaling of this really poisonous substance that is cancer-causing, health-affecting, and it is imperative that we take immediate steps today to start a course of action that will cure us of this asbestos that we find throughout construction projects in the State of Illinois, so I urge an 'aye' vote. We need it."

Speaker Breslin: "Does anyone rise in opposition? The Gentleman from McLean, Representative Ropp."

Ropp: "Madam Speaker, I just want to raise one question with the Sponsor. Would he yield?"

Speaker Breslin: "He will yield to one question. Representative Giorgi."

Ropp: "Is asbestos more hazardous to your health than secondary smoke?"

Giorgi: "I wish I had the answer to that question."

Speaker Breslin: "The Gentleman from Champaign, Representative Johnson. Do you rise in opposition, Sir? Proceed, Sir."

Johnson: "I rise in support of Senate Bill 14..."

Speaker Breslin: "The Gentleman supports the Bill. The question is, 'Shall Senate Bill 1463 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

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will take the record. On this question there are 75 voting 'aye', 35 voting 'no', and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. By agreement of both sides of the aisle, I'm going to a subject matter Call on Economic Development. There will be two Bills on that Call. The first Bill is 11... Senate Bill 1112, the second is Senate Bill 1113. The first Bill, Senate Bill 1112, Representative McPike. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1112, a Bill for an Act in relation to finance and development. This Bill has been read a Second Time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Turner withdraws the Amendment. Are there any further Amendments?"

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

Speaker Breslin: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "No further... no further Amendments."

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

Clerk O'Brien: "Senate Bill 1112, a Bill for an Act in relation to finance and development. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam Speaker, and Ladies and Gentlemen of the House. Senate Bill 1112 amends the Illinois Development Finance Authority Act, IDFA to expand the powers and duties of the Act. It really allows IDFA to continue to operate under the provisions of the new Tax Reform Act. It will make it a lot easier for local

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governments to access bonding through IDFA. It's intent, other than that, I think the primary effect of the legislation is to expand the financing options available to IDFA, and thereby expand the financing options that are going to be available to units of local government. Be glad to answer any questions on the Bill and I move for its passage."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1112. Does anyone rise in opposition? The Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Madam Speaker. I rise to support this concept. At times there are economies of scale that can be offered, and in this particular piece of legislation that's exactly what we are doing is offering an economy of scale from the state to the local governments. And I think it's a good program, something that we should put in place to allow the local governments to proceed on projects that they would not otherwise be able to accomplish."

Speaker Breslin: "The question is, 'Shall Senate Bill 1112 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 88 voting 'aye', 16 voting 'no', and 9 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1113, appearing on page 3 on your Calendar. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1113, a Bill for an Act in relation to the disposition of unclaimed property and to make uniform law with reference thereto. Third Reading of the Bill."

Speaker Breslin: "Representative Countryman."

Countryman: "Thank you, Madam Speaker. I ask leave to move this Bill back to Second for purposes of tabling an Amendment."

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Speaker Breslin: "The Gentleman moves the Bill back to Second. Does he have leave? Hearing no objection, the Bill is on Second. Are there any Amendments filed? Representative Countryman, do you wish to make a Motion?"

Countryman: "Yes. I move to table Amendment 2, I believe it is."

Speaker Breslin: "The Gentleman moves to table Amendment #2 to Senate Bill 1113. Is there any objection? Hearing none, the question is, 'Shall Amendment #2 be tabled?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #2 is tabled. Are there any further Motions or Amendments?"

Clerk O'Brien: "No further Motions or Amendments."

Speaker Breslin: "Third Reading. Representative Countryman now asks leave for immediate consideration of Senate Bill 1113. All those... Does he have leave? Hearing no objection, he has leave. Read the Bill on Third, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1113, a Bill for an Act in relation to the disposition of unclaimed property and make uniform law with reference thereto. Third Reading of the Bill."

Speaker Breslin: "Representative Countryman."

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1113 creates the Uniform Unclaimed Property Act. It provides for the disposition of unclaimed property including intangible property claimed by two or more states. It specifies where the property will presume to be abandoned. It requires filing of reports of abandoned property with the Director of the Department of Financial Institutions and authorizes the Director to adopt rules necessary to carry out the provisions of the Act. Provides for enforcement of the Act and provides penalties for failure to comply with the Act. Repeals the Uniform Disposition of Unclaimed Property Act. I'll be happy to answer any questions and I move for its passage."

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Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1113. Does anyone rise in opposition? The Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Better look carefully at this Bill. Senate Bill 1113 makes some changes in the Banking Act. Now, originally, when the Bill was introduced in the House, we wanted to allow the banks and financial organizations to refrain from presuming that an account was abandoned when an owner had a number of accounts and there was activity on one account, then the other accounts would be presumed to be active. Now if you live in Chicago or if you bank with the First National Bank of Chicago, or Continental, where they have all these computer printouts and you can have all your different bank accounts under one statement, that's fine, because you get one statement for four or five different accounts, CDs, Money Markets, and so on. But if you live downstate, and if you deal with a small bank who doesn't have these services, and you might have five accounts, one account for your children, for your... for their education and so on, after five years, because there's no activity on that account, that account is presumed abandoned. So look carefully at this. The other part is, now the banks, when an account does not have any activity on it, when you sign a signature card, there's a written contract between you and the bank. Now this would require another enforceable written contract requirement that would allow the bank to charge you certain money for not having any activity on that bank. This is a terrible Bill. It's opposed by the Illinois Bankers Association, and I would ask for a 'no' vote."

Speaker Breslin: "The Gentleman from Cook, Representative Piel."

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

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Speaker Breslin: "He will."

Piel: "Representative Countryman, I was under the assumption that there was an agreement made that this was going... that there was still problems with the Bill and that the Bill was going to go to Conference Committee and all the different parties were going to work this out. Am I correct?"

Countryman: "I was never party to that agreement. We put an Amendment on which was unnecessary. We took it off."

Piel: "To the Bill, Madam Speaker."

Speaker Breslin: "Proceed."

Piel: "Madam Speaker, Ladies and Gentlemen of the House. I... I reluctantly stand in opposition to the Bill. I was, you know, just approached about 15, 20 minutes ago in reference to the Bill and the Bankers groups conveyed to me that they were under the assumption that the Bill would go to Conference Committee to where the different parties were going to work out their problems with the potential Bill. Now, unfortunately, the Bill is sitting in a situation to where it will go directly to the Governor's desk if it is passed, and so I would ask, at the present time, for either the Gentleman to either take the Bill out of the record until the parties can try and work out their problems or for a 'present' or a 'no' vote if he wishes not to take it out of the record at the present time."

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

McCracken: "I rise in support of this Bill and ask my friends on either side of the aisle to support it. Whether or not it's in the perfect form, it certainly has a purpose. We want to clean this up and we need to move this Bill for that purpose. Representative Countryman has acted very responsibly in dealing with this issue. He is open to

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cleanup language, but let's move the Bill. It's very important to get it going. So vote 'aye'."

Speaker Breslin: "The Gentleman from Cook, Representative Terzich."

Terzich: "Yes. Representative Countryman. Why do we need this Bill?"

Countryman: "We need this Bill because it, in essence, it's the uniform Bill developed by the uniform law commissioners and it provides for disposition for unclaimed intangible personal property where there may be disputes by more than two states, and it changes some of the language where it specifies where property will be presumed to be abandoned."

Terzich: "I know, but we already have a law. I noticed you mentioned something that it would reduce from... to five years to cover unclaimed property. Is that correct? Was it seven and now you're doing it to five?"

Countryman: "That's right. Well, no, it's at seven. Excuse me. It's at seven, under the terms of the Bill. It was changed in the Senate to seven. The... but to answer your other question, there's several millions of dollars, which are waiting in other states to be turned over to Illinois, that are really legitimately would come into Illinois as abandoned property, as soon as we adopt this Bill."

Terzich: "What is the definition of abandoned property?"

Countryman: "Anything left inactive in a financial institution for seven or more years."

Terzich: "What happens if I have a CD or something like that and I just leave it in the... for example, my IRA account that I have money in a CD IRA account, and I never make another deposit into that. Is that an abandoned account?"

Countryman: "IRA's are excluded."

Terzich: "Specifically excluded?"

Countryman: "And CDs. Yes. And CDs may be rolled over twice

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before they even fall in the category."

Terzich: "For example, if I took out a CD six or seven years ago and I'm just leaving there, that would not be considered an abandoned property?"

Countryman: "No. Until it rolled over twice. So if you took out a five year CD it would have to roll over twice. It would take 15 years before it would even fall... fall in the category of being abandoned."

Terzich: "So if someone had a CD for say one year, on their IRA account, or two years and it was rolled over twice and there was no additional activity, then that would be considered an abandoned property if they didn't take any other action on it?"

Countryman: "I'm sorry, I... people were asking me other things here. Can you repeat that?"

Terzich: "If I took out an IRA and I had a CD and it was say a three year CD, and I rolled it over twice and I didn't, you know, then do you mean to say the third time or something like that, that it would be considered abandoned?"

Countryman: "No. It would be rolled over automatically. If you went in the bank to renew it, it wouldn't even fall in this category. So if you just abandoned it, if you didn't go into the bank, it would have to be rolled over twice, and I presume it would be for the same period of time... "

Terzich: "What amount of money are we talking about that it supposedly would generate to the state?"

Countryman: "Well, I answered... "

Speaker Breslin: "Representative Countryman."

Countryman: "Thank you, Madam Speaker. That there are several millions of dollars that will come to the state because they are in other states, if we adopt this Act, and that's the purpose of this Bill."

Speaker Breslin: "The Gentleman from Madison, Representative

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McPike."

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

Speaker Breslin: "He will."

McPike: "Under current law, after the property is finally abandoned, that money comes back to the state, doesn't it?"

Countryman: "Yes. It does."

McPike: "Where does the majority of that money currently go?"

Countryman: "State Pension fund."

McPike: "And this Bill reduces the abandoned property time limits from seven to five years?"

Countryman: "No. Not as it stands right now. It's at seven years."

McPike: "I thought the intent was to reduce it to five years."

Countryman: "There was an Amendment on the Senate to reduce it... it started out as reducing to five years, and there was an Amendment in the Senate to bring it back to seven years. The intent of the Bill, Representative, is to gain the benefit from this money that's out of the State of Illinois, but which was abandoned by Illinois residents by bringing in the Uniform Act so that the directors of financial institutions and other comparable units of government in the state can... can turn that property over to Illinois and that will increase money into the pension funds and those other funds."

McPike: "Right. Thank you. Madam Speaker, to the Bill. Everyone recognizes that we have a very, very tough budget year and usually it's Representative Dunn that gets up and hollers and screams on the House Floor because we don't fund pensions adequately. Now along comes a Bill that allows us to get more money into pensions and everybody starts nit-picking about the Bill. Most... the great majority of the money that currently comes to the State of Illinois from unclaimed property goes into the pension

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fund. I think that's about 18 million dollars a year. Here we have an opportunity to get money that is legitimately owed to the State of Illinois that is currently being held in Indiana or Kentucky or Iowa or some other state. We have an opportunity to get that property, get that money and put it in the pension funds and people are saying this is a bad Bill. I think the Gentleman has been very responsible in trying to move this along and get a compromise and at this point we have a choice between rather or not we want more money for state pension funds or less money. I think we should opt to take the money, put it in the pension funds where it belongs, and not leave it in Indiana, but pass this Bill out of here."

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

McAuliffe: "I move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The main question is put. Representative Countryman to close."

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The Majority Leader really aptly indicated what the benefits of this Bill will be to us and to the pension funds, but it also, it will inure for the future so that we're able to get this money from out of states into the... into the State of Illinois and into the pension funds. In addition to that, the present form of the Bill, and this Bill will go to the Governor as it stands with seven years, it doesn't change the underlying law. We already have an Act similar to this in place. We aren't changing, really, the substantive underlying Bill. What we are doing is we're giving the other states the ability, that are holding

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property that will inure to our benefit, the ability to turn that property over to us. I think this is a good proposal, particularly in a tight budget year, and I ask for your favorable vote."

Speaker Breslin: "The question is, 'Shall Senate Bill 1113 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Dunn. One minute to explain your vote. Representative Dunn. One minute to explain your vote. The Gentleman has decided not to explain his vote. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 76 voting 'aye', 35 voting 'no', and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The next Special Order of Business is State and Local Government Second Reading. It is page 5 on your pink sheet. The first Bill is Senate Bill 451, Representative DeLeo. Representative DeLeo. Out of the record. Senate Bill 487, Representative Flinn. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 487, a Bill for an Act to amend the Energy Assistance Act. Second Reading of the Bill. This Bill has been read a Second Time previously. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

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

Flinn: "Yes. Well, Madam Speaker, while you are trying to find Representative Ewing..."

Speaker Breslin: "He's here, Sir."

Flinn: "Well, it was agreed that Amendments 1, 2, and 3 be withdrawn. That might help refresh his memory and

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Amendment #4 is to be adopted."

Speaker Breslin: "Is that okay? Okay. Withdraw Amendments #1, 2 and 3, if there are no objections, and there are no objections."

Ewing: "Mr... "

Speaker Breslin: "Excuse me, Representative Ewing?"

Ewing: "Yes. I... I don't think I understood what the Sponsor was doing."

Speaker Breslin: "The Gentleman said that there had been an agreement to withdraw 1, 2, and 3, and then to adopt #4. Does that refresh your recollection?"

Ewing: "No."

Speaker Breslin: "Okay. Then Amendment #1... "

Ewing: "I'd like... I think... why don't you go on to the next Bill and give me just a second and then we'll come right back to this."

Speaker Breslin: "That's up to Representative Flinn. We are not coming back to Bills necessarily, Gentlemen. This is the last day."

Flinn: "Well... as a... "

Ewing: "No, I meant just... just a moment, Madam Speaker, because... "

Flinn: "Alright. I can wait a moment, but I don't want to skip the Bill. Let me refresh your memory some more. I talked to Representative McCracken and he and Representative Young have agreed on Amendment #4, and they are to withdraw the other three. I believe Representative McCracken can straighten you out."

Ewing: "Is that right? Alright."

Speaker Breslin: "Your memory is refreshed?"

Ewing: "My memory is refreshed."

Speaker Breslin: "Wonderful. Mr. Clerk, withdraw Amendments 1, 2 and 3, and on Amendment #4, who is to present that?"

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Representative Young?"

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

Speaker Breslin: "Representative Young."

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #4 will require the condition to qualify for the energy assistance programs for low and moderate income persons, that every 12 months they resubmit proof that they are still eligible for the program. I would move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to Senate Bill 487. Is there anyone in opposition? Hearing none, the question is, 'Shall Amendment #4 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Black."

Black: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. First of all I wish to thank Representative Flinn for allowing me to put Amendment #5 on his Bill. Amendment #5 to Senate Bill 487 will allow utilities to apply Illinois Home Energy Assistance Program, that's the IHEAP, Cooling Assistance Program payments to a household's current monthly bill. Now this is going to provide immediate relief to low income households who have a documented medical need for cooling. I think this is a very important Amendment. I appreciate the Representative letting me putting this on here. I ask your favorable consideration of Amendment #5 to Senate Bill 487."

Speaker Breslin: "The Gentleman has moved for the adoption of

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Amendment #5 to Senate Bill 487. Does anyone rise in opposition? The Gentleman from Livingston, Representative Ewing."

Ewing: "I don't... I don't rise in opposition, Madam Speaker, because the Sponsor of this Amendment has talked to me about it. But I would like some clarification for this Body if we're starting another entitlement program here, where the money is coming from. I don't know where this money comes from, and where is the money for this coming from? Is it a new expense?"

Speaker Breslin: "Representative Black. Representative Black."

Black: "Thank you, Madam Speaker. No, this is not a new entitlement program. It's from existing Federal funds. This just simply corrects something that the Illinois Commerce Commission said we could not do. That is to give some energy assistance during the summer to people in need who have a demonstrated medical need. It is not a new entitlement program. It's using existing Federal funds. It was the Illinois Commerce Commission's position that any money granted during the summer for energy assistance would have to apply to the short fall in IHEAP. I've talked to the utility companies. They have no major opposition to this Bill. I think the need is clearly demonstrated in light of some recent summer rate increases we've seen, and it is not a new entitlement program."

Speaker Breslin: "The Gentleman from Cook, Representative Preston."

Preston: "Thank you, Madam Speaker, and Ladies and Gentlemen of the House. I rise in support of this very good Amendment. It does... it will provide people who have a definite medical need for this kind of cooling assistance the same kind of assistance that we give to people who are low income families and have need for heat assistance. There

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are some people who have this very definite medical need for cooling assistance, and it's available throughout the counties throughout the state, and I'd urge your 'aye' vote."

Speaker Breslin: "Does anyone rise in opposition? The Gentleman from Macon, Representative Dunn."

Dunn: "I don't... I'm sure in support of the concept, but I'm confused by the... by the language, and maybe the Sponsor can clarify it for me. The Language of the Amendment seems to indicate that it would deny cooling assistance and I'm hurriedly trying to read how it fits into the text, but maybe... maybe the negative context of the rest of the paragraph does turn around into a grant. Would you explain this, please?"

Black: "I think you have... you raised a very good question, Representative. What we're doing by the negative language is to take this energy assistance for summer out of the current statute that says all this money would have to go to the short fall for the winter IHEAP program."

Dunn: "Alright. Okay."

Black: "We're simply removing and say, 'but this money that goes to the short fall shall not include cooling assistance funds that we're going to make available'."

Dunn: "Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #5 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Flinn now asks leave for immediate consideration of Senate Bill 487, as amended. Hearing no objection, he has leave. Read the

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Bill on Third."

Clerk O'Brien: "Senate Bill 487, a Bill for an Act to amend the Public Utilities Act and the Energy Assistance Act. Third Reading of the Bill."

Speaker Breslin: "Representative Flinn."

Flinn: "Thank you, Madam Speaker. What... you heard the Amendments and they were very small Amendments and did just some cleanup work in straightening out the statutes and the problem they had. But basically, what the Bill does, it prohibits the Illinois Commerce Commission from establishing a rule presuming that any portion of a reasonable amount of charitable donation could not be considered part of the operating expense, and to permit them to do that would simply cause the utilities to dry up charitable contributions for a reasonable amount. The other thing it does is it allows attorneys licensed in any other state or territory to be... to appear before the Commission, providing that state or territory has a reciprocal agreement or the same thing in their statutes, and the last thing it does, it provides for options for the participants of the IRAP program, which Amendment #4 took care of the reporting time. That's about all the Amendment does. It is a JCAR Bill, and that's why I'm handling it."

Speaker Breslin: "The question is, 'Shall Senate Bill 487 pass?' Is there any objection? Does anyone rise in opposition? Hearing none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Lady from Cook, Representative Davis, one minute to explain her vote."

Davis: "Well, I'm not explaining my vote, Madam Speaker. Ladies and Gentlemen of the House, I'd like to take this opportunity to introduce the new President of the Chicago Board of Education, Dr. Frank Gardner."

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Speaker Breslin: "Welcome, Dr. Gardner. Have all voted who wish? The Clerk will take the record. On this question there are 108 voting 'aye', 1 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. With leave of the Body I'd like to go back to Senate Bill 451, Representative DeLeo. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 451, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Stephens."

Stephens: "Thank you, Madam Speaker, and Ladies and Gentlemen of the House. Floor Amendment 1 to Senate Bill 451 would provide that recipients receiving such assistance, who are 18 years of age or older, shall have graduated from high school, or the equivalent, shall be enrolled in an instructional program leading to graduation, or shall be physically or mentally incapable of completing such programs, or be exempt... and be exempt if such programs are not available. What this is... this is language from what we call 'learn fair'. The basic issue is, are we going to put the emphasis on teaching... are we going to... are we going to say to the children of Illinois who happen to be part of a Public Aid caseload, are you going to... do you want to educate yourself, do you want to be in school, complete your education, get your high school diploma, and go on and work your way out of the welfare, or do you want to be allowed to just not have goals in life, not have any standards to set, and just drop out of school and be the next generation of welfare recipients. We think 'learn

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fair' is a legitimate idea whose time has come. This should be part of welfare reform. Many... many states around the Union are addressing this issue. I think Illinois... Illinois ought to be in the forefront in this, and I would move for the adoption of Senate... Amendment #1 to Senate Bill 451."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1, and on that question the Gentleman from Cook, Representative Young."

Young: "Point of inquiry, Madam Speaker. I would move that this Amendment is technically out of order. If the Parliamentarian would look at the Amendment. This Amendment inserts Section 2 between the Introductory Clause of Section 1 and Section 12-4.11 of the Public Aid Code, making the Amendment to this Section part of Section 2. Section 2 adds an effective date only. The Introduction to the Amendment is found in the Introductory Clause and the lang... in Section 1, and the language is found in Section 2, and I think it's out of order."

Speaker Breslin: "Representative Stephens, Representative Young is correct. Your Amendment is out of order. Representative DeLeo, what is your pleasure? Representative Stephens' Amendment was out of order. Are there any further Amendments?"

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

Speaker Breslin: "Representative Stephens."

Stephens: "Withdraw."

Speaker Breslin: "Withdraw #2. Are there any further Amendments?"

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

Speaker Breslin: "Representative Stephens."

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Stephens: "Well, this is a good one. This is... Amendment #3 decreases the amount of \$800.00 to \$550.00 for funeral expenses, and the amount of \$400.00 to \$275.00 for cemetery..."

Speaker Breslin: "Representative Stephens. Turn on Representative Stephens again, please."

Stephens: "Thank you, Mr. Electrician. As I was saying, these decreases reflect an 8.3% reduction due to Fiscal 88 Budget constraints. This Amendment also deletes the allowance of \$150.00 issued for outer containers, which are used to protect the integrity of the grave. The purpose of the Amendment, Madam Speaker, Ladies and Gentlemen of the House, is to show some restraint on our spending as we approach the final days of the Session, wherein we are trying to balance the budget. This is a good sense Amendment that will keep us within the spending limitations that we must set if we're going to go home with a balanced budget. I would urge the adoption of Amendment 3 to Senate Bill 451, and move for its passage."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 451, and on that question the Gentleman from Cook, Representative DeLeo."

DeLeo: "Thank you, Madam Speaker, Members of the House. Amendment #3... this Amendment would cut the combined allowance for funeral and burials by a net of \$75.00. I join in the man's Motion. I think it's a good Amendment. It reduces the amount. I urge it's adoption, Amendment #3."

Speaker Breslin: "The Lady from St. Clair, Representative Younge."

Younge: "Will the Sponsor yield?"

Speaker Breslin: "He will yield to a question."

Younge: "What is the reduction under your Amendment,

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Representative?"

Stephens: "What is the reduction?"

Younge: "Yes."

Stephens: "Well, it's \$250.00 for funeral expenses and \$125.00 for cemetery burials."

Younge: "You are, by this Amendment, reducing the funeral expenses \$250.00, did you say?"

Stephens: "By \$250.00 to the total of \$550.00."

Younge: "From \$800.00 to \$550.00?"

Stephens: "That's right, Representative."

Younge: "Isn't that balancing the budget on the backs of the dead? I think..."

Stephens: "Well, that's one way to put it. I would not put it that way. No."

Younge: "I think it is absurd to think about lowering the funeral expenses from \$800.00 to \$500.00. What kind of funeral can anyone get for \$800.00? To focus in on persons who are buried at public expense at this level, I think is absolutely absurd."

Stephens: "Well, what's absurd is to go back to the districts with a unbalanced budget."

Speaker Breslin: "The question is, 'Shall Amendment #3 be adopted?' 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 48 voting 'aye', 60 voting 'no' and 2 voting 'present' and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative DeLeo, do you wish to go forward with this Bill at this time? Read the Bill on Third, Mr. Clerk."

Clerk O'Brien: "Senate Bill 451, a Bill for an Act to amend the

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Illinois Public Aid Code. Third Reading of the Bill."

Speaker Breslin: "Representative DeLeo."

DeLeo: "Thank you, Madam Speaker, Members of the House. Senate Bill 451 amends the Public Aid Code in relation to reimbursements for funerals and burial expenses. It increases the maximum payment level for a funeral from \$600.00 to \$800.00. This includes the burial parks, cemetery charges, taxes and other related governmental fees. It increases the maximum payment for cemetery charges from \$300.00 to \$400.00, provides a \$150.00 allowance for outer containers that are required by the cemetery. The last increase we had for funeral reimbursements was in July 1 of 1984, and at that time we went from a maximum cap from \$400.00 to \$600.00. It's a fact that most professionals that are reimbursed by the Illinois Department of Public Aid to cover 60 % or more of usual cost of services and merchandise. This would... Senate Bill 451 would provide total reimbursement in a range of around 35%, when all costs are considered. I urge for an 'aye' vote on Senate Bill 451."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 451. Does anyone rise in opposition? The Lady from Cook, Representative Wojcik."

Wojcik: "Will the Sponsor yield for a few questions?"

Speaker Breslin: "He will."

Wojcik: "Representative, I'd like to know how much this legislation would cost in the Fiscal Year 88?"

Speaker Breslin: "Representative DeLeo."

DeLeo: "According to my analysis of the Fiscal Note, anywhere between 3 and 4 million dollars."

Wojcik: "Are there any expenses, that would be reimbursed, from the Federal Government?"

DeLeo: "No, there is not."

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Wojcik: "Do you know how much a funeral home charges for a funeral?"

DeLeo: "Well, I can only know from my related bad experiences, and I know you certainly can't get a funeral for six hundred dollars."

Wojcik: "To the Bill, Madam Speaker. I think, though the Representative is well intended. It isn't the time to propose such an increase. We're talking about income tax raising, we're talking about cutting budgets. We're also looking at a 48 percent increase. This is not the time, perhaps next year when we have our feet on the ground more firmly and we'll know exactly where we are going. We will know what type of revenue will be coming in from the Federal Government. We will be able to look at this in the future. I think it should be defeated. It's a bad Bill and I urge its defeat."

Speaker Breslin: "Representative DeLeo, to close."

DeLeo: "Thank you, Madam Speaker. I ask for an 'aye' vote on Senate Bill 451."

Speaker Breslin: "The question is, 'Shall Senate Bill 451 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? Have all voted who wish? This Bill requires sixty votes for passage. Have all voted who wish? The Clerk will take the record. On this question, there are 57 voting 'aye', 44 voting 'no' and 7 voting 'present'. Representative DeLeo. Poll of the Absentees."

Clerk O'Brien: "Poll of those not voting. Giglio. Greiman. Krska. Mautino. Mulcahey. Robert Olson. No further."

Speaker Breslin: "Representative DeLeo asks that the Bill... Representative Olson."

Olson: "Show me as a 'no'."

Speaker Breslin: "Record Representative Olson as voting 'no'."

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Representative McCracken. The Bill wishes to put the Bill on the Order of... Representative Mulcahey wishes to vote 'aye'. Record Representative Mulcahey, 'aye'."

McCracken: "As long as we don't call it on Postponed Consideration that's fine."

Speaker Breslin: "I can't promise that, Representative McCracken. Representative Curran changes his vote from 'no' to 'aye'. Representative Bowman changes his vote from 'no' to 'aye'. Representative Krska votes 'aye'. Have all voted who wish? The Clerk will take the record. On this question, there are 61 voting 'aye', 43 voting 'no' and 7 voting 'present'. Representative McCracken asks for a verification. Proceed with the Poll of the Affirmative, Mr. Clerk."

Clerk O'Brien: "Berrios. Bowman. Braun. Breslin. Brunsvold. Bugielski. Capparelli. Christensen. Cullerton."

Speaker Breslin: "Excuse me, Mr. Clerk. Representative McCracken, Representative Braun and Flowers wish to be verified. They have leave, as does Representative Young and LeFlore. Proceed, Mr. Clerk."

Clerk O'Brien: "Curran. Daley. Davis. DeJaegher. DeLeo. Dunn. Farley. Flinn. Flowers. Giorgi. Hannig. Hartke. Huff. Hultgren. Jones. Keane. Krska. Kulas. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. McNamara. McPike. Morrow. Mulcahey. O'Connell. Panayotovich. Phelps. Preston. Rea. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich. Turner. Van Duyne. Weaver. Williams. Williamson. Wolf. Anthony Young. Wyvetter Younge and Mr. Speaker."

Speaker Breslin: "Do you have any questions of the Affirmative? Representative McCracken."

McCracken: "Yes, thank you. Representative Richmond?"

Speaker Breslin: "Representative Richmond? The Gentleman is not

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in the chamber. Remove him from the Roll Call."

McCracken: "Representative Flinn?"

Speaker Breslin: "Representative Flinn. The Gentleman is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Giglio?"

Speaker Breslin: "Representative Giglio. Is not voting."

McCracken: "Okay, I'm sorry. Representative Rea."

Speaker Breslin: "Representative Rea. Jim Rea. Is the Gentleman in the chamber? Representative Rea. He is not. Remove him from the Roll Call."

McCracken: "Representative White?"

Speaker Breslin: "Representative Jesse White. Is not voting."

McCracken: "Representative Weaver?"

Speaker Breslin: "Who was your request?"

McCracken: "Representative Weaver?"

Speaker Breslin: "Representative Weaver. Mike Weaver. The Gentleman is not in the chamber. Remove him from the Roll Call. Representative Currie changes her vote from 'no' to 'aye'. Representative Greiman votes 'aye'."

McCracken: "Representative Berrios?"

Speaker Breslin: "Representative Berrios is in the chamber. And Representative Rea has returned to the chamber. Add him to the Roll Call. He's voting 'aye'."

McCracken: "Representative... Representative Giorgi?"

Speaker Breslin: "Representative Giorgi. Representative Giorgi is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Jones?"

Speaker Breslin: "Representative Jones is right here."

McCracken: "You were turned away, I didn't see you. Representative Matijevich?"

Speaker Breslin: "Representative Matijevich is in his chair."

McCracken: "Nothing further. Take the record."

Speaker Breslin: "Representative Hultgren. Representative

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Hultgren changes his vote from 'aye' to 'no'. Representative Williamson changes her vote from 'aye' to 'no'. Have all voted who wish? Have all... Representative DeLeo."

DeLeo: "Madam Speaker, I'd ask for leave for Postponed Consideration."

Speaker Breslin: "Very good. There are 57 voting 'aye', 44 voting 'no' and 7 voting 'present'. And the Bill will be placed on the Order of Postponed Consideration. The next Bill is Senate Bill 720. Representative Mautino. Is the Gentleman in the chamber? Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 720, a Bill for an Act to amend the Beer Industry Fair Dealing Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you, Madam Speaker. Amendment #1 defines successor clause in the Act and that's all the Amendment does. I move for its adoption."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #1 to Senate Bill 720. And on that question the Gentleman from DuPage, Representative McCracken."

McCracken: "What significance is there of this successor clause? In some respects it would require the successor to honor, not only union status or collective bargaining rights, but a particular collective bargaining contract. What is the significance of this Amendment?"

Mautino: "The significance is that that's a subject matter that we would like to have discussed over the Fall. What I intend to do is put the Amendment on the Bill, as I explained yesterday, and put the Bill into the... back into

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the committee for hearings. And the substance is that's a very important part, both for a wholesaler and a supplier on the successor provisions."

McCracken: "Okay. So you are going to make a Motion to extend the deadline on this?"

Mautino: "No, I am going to ask to have this Amendment adopted and then... I am going to ask to have the Bill as amended, returned back to the committee, Interim Study Calendar. That's exactly what I am going to do."

McCracken: "That's fine. Thank you."

Speaker Breslin: "Is there any further discussion? Hearing none the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you, Madam Speaker. I'd like to thank the Members of the House, it is my request that Senate Bill 720 as amended, be recommitted back to the Registration and Education Committee of the House, the Interim Study Calendar."

Speaker Breslin: "The Bill is on Third Reading. The Gentleman asks leave to move this Bill back to Interim Study."

Mautino: "The committee of which it was heard, which is the Registration and Education committee."

Speaker Breslin: "In Registration and Education Committee. Does he have leave? Hearing no objection, he has leave. The Bill goes back to Interim Study. Would all those not entitled to the House Floor please remove himself or herself, all persons not entitled to the House Floor. Members not entitled to the House Floor should not be admitted to this Assembly. Would they please leave. The

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next Bill is Senate Bill 1001. Representative McPike.
Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1001, a Bill for an Act to amend the
Code of Civil Procedure. This Bill has been read a Second
Time previously. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendments 1 thru 16, have been withdrawn
by their Sponsors."

Speaker Breslin: "Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 1001, a Bill for an Act to amend the
Code of Civil Procedure. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam Speaker, Ladies and Gentlemen of the
House. This Bill sets a period of... sets a Statute of
Limitations for actions to be brought against a Registered
Public Accountant, two years from the time the person
bringing the action knew or should have known of the cause,
or five years after the occurrence which allegedly caused
injury. I move for the passage of the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of
Senate Bill 1001, and on that question, does anyone rise in
opposition? The Gentleman from Morgan, Representative
Ryder."

Ryder: "As a Cosponsor to this Bill, and having worked through
the Committee process, I stand in support of the Bill.
It's well timed, its narrow in its focus and I believe it
deserves passage."

Speaker Breslin: "The question is, 'Shall Senate Bill 1001 pass?'
All those in favor vote 'aye', all those opposed vote 'no'.
Voting is open. Have all voted who wish? Have all voted

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who wish? The Clerk will take the record. On this question, there are 108 voting 'aye', 2 voting 'no' and 2 voting 'present'. This Bill, having receiving a Constitutional Majority, is hereby declared passed. Senate Bill 1047, Representative Hasara. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1047, a Bill for an Act in relation to reading machines for the blind and visually handicapped. Second Reading of the Bill."

Speaker Breslin: "Any Committee Amendments?"

Clerk O'Brien: "No Committee Amendments."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Representative Hasara."

Hasara: "Thank you, Madam Speaker. Amendment #1 increases the number of machines to be placed in Chicago Public Libraries from six to twelve. This answers the concern that some of the Representatives from that area have with the Bill."

Speaker Breslin: "The Lady has moved for the adoption of the Amendment #1 to Senate Bill 1047. And on that question, does anyone rise in opposition? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Representative Hasara, a Fiscal Note has been filed on your Bill. The Bill has to remain on the Order of Second Reading until you comply with the Fiscal Note Act. The next Bill is Senate Bill 1297, Representative Churchill. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1297, a Bill for an Act to repeal an Act and create Residential Mortgage Licensing Act. Second

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Reading of the Bill. Amendments #1, 2 and 3 were adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "A Motion to table Amendment #2, offered by Representative Churchill."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker. We're going to go with a subsequent Amendment, that cleans up Amendments #2 and 3. I have filed Motions to table both #2 and #3 at this time."

Speaker Breslin: "The Gentleman has moved to table Amendments #2 and 3. Are there any objections? Hearing none, the question is, 'Shall Amendments #2 and 3 be tabled?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendments are tabled. Are there any further Amendments?"

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

Speaker Breslin: "Representative Currie. Withdraw the Amendment. Any further Amendments?"

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

Speaker Breslin: "Withdraw the Amendment. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Churchill."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Floor Amendment #6, is a technical cleanup of Amendments #2 and 3. In addition to the other exemptions that had been placed in 2 and 3, it also exempts National Banks as long as they are located in Illinois. And it says that all exempted facilities have to file their reports of mortgage activity with the Commissioner of Savings and

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Loans."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #6 to Senate Bill 1297. Does anyone rise in opposition? Hearing none, the question is, 'Shall Amendment #6 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Churchill asks leave for immediate consideration of Senate Bill 1297, as amended. Hearing no objection, he has leave. Read the Bill on Third, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1297, a Bill for an Act to create the Residential Mortgage License Act. Third Reading of the Bill."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill rewrites and creates the Residential Mortgage License Act. Regulates and licenses those parties who wish to broker residential mortgages. It's a piece of legislation that has been worked on for several years. We now have the Commissioner of Banks and Trust Companies, the Commissioner of Savings and Loans, the Mortgage Brokers Association and the Realtors Association all in agreement with the Bill as it has been amended. I would ask for passage of this Bill."

Speaker Breslin: "The Gentleman has moved for passage of Senate Bill 1297. And on that question, does anyone rise in opposition? Hearing none, the question is, 'Shall Senate Bill 1297 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

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record. On this question, there are 111 voting 'aye', none voting 'no' and 2 voting 'present'. This Bill, having received Constitutional Majority, is hereby declared passed. Senate Bill 1298, Representative Churchill. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1298, a Bill for an Act to establish the Illinois Savings and Loan Residential Mortgage License Fund. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. Floor Amendment... No further Amendments."

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

Clerk O'Brien: "Senate Bill 1298, a Bill for an Act to establish the Illinois Savings and Loan Residential Mortgage License Fund. Third Reading of the Bill."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This is a companion Bill to the piece that we just passed. It creates the Deposit Fund, for the deposit of the various regulatory fees and monies collected, pursuant to the Bill that we just passed."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1298. And on that question, does anyone rise in opposition? Hearing none, the question is, 'Shall Senate Bill 1298 pass?' All those in favor signify by voting 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question, there are 111 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. The next Order of Business is a Special Order of

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State and Local Government, Third Reading. The first Bill is Senate Bill 172. Excuse me, Representative McCracken, for what reason do you object?"

McCracken: "Speaker, you are telling everybody, whose Bill gets passed up for a first vote that you may not get back to it, you can't guarantee that, yet of any of the Bills called on Postponed Consideration, they are all Democratic Sponsored Bills. This is the Citizens Utility Board Bill. This has been debated at length, has been voted upon and you would have us go to a Bill on Postponed Consideration, before both your Members and our Members get a first crack at their Bills. Skip these Postponed Considerations, if time allows, we can get back to them. I don't object to accommodating the Sponsors if we can, but don't put them in the Calendar like this. Ask your Members and our Members to go back to Bills for a second time, when their own Bills have not been heard."

Speaker Breslin: "Representative... Excuse me, Representative Churchill, I note that you have a Bill on this Order. Did you wish to speak to this issue? Proceed Sir."

Churchill: "Yes, I think we should leave the Bills that are on Postponed Consideration, on Postponed Consideration. There is a Bill that is coming up, that I have on this Order, that I was kind enough to take out of the record the other day, to accommodate Representative Capparelli. I'd hate to think that that Bill would get lost somewhere along the line, because we couldn't get to it, because we are considering Bills on Postponed Consideration. I think we ought to skip over the Postponed Consideration and go to the Bills that have not been heard yet."

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

Ewing: "Madam Speaker, just to ask for some fairness. I have a

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Bill that isn't even on this Order. Probably will never get called, the rate we are moving. And this Bill is going to take a lot of time. 172 is going to take a lot of time and we're going to try and beat it again. I don't think any Sponsor on that side has that right to have that much time in this Body on deadline day. Now, this hasn't been the practice in the past. You have not put... we have left things on Postponed Consideration, as an Order of Business. Now, maybe we should just stop movement at all in this House until you get some fairness back in it."

Speaker Breslin: "The Gentleman from McLean, Representative Ropp."

Ropp: "Yes, Madam Speaker, a question of the Chair. How can... why is it that a Bill can be on two kinds of Special Orders? I mean, here you've got 172 on Special Order and it's also under Consideration Postponed. It seemed like you would have to separate them. You can't include one Bill on four or five different Orders."

Speaker Breslin: "If there is a Special Order, they can be... under the Rules they can be provided on... if they apply to that subject matter, Sir."

Ropp: "Well, why do you have it on Consideration Postponed, then?"

Speaker Breslin: "Because it was a Bill that was heard once before and was postponed, for a later time. So, it fits under this..."

Ropp: "Well, I certainly agree with all the previous Speakers, that you'd better take care of all the other Bills. The Senate's all ready done this. And I hate to give any credit to the Senate, but they have already gone through their whole Calendar one time, which was our Bills. They have already been through the whole list once."

Speaker Breslin: "And we're trying to do that Representative

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Ropp. Representative Matijevich, would you consider accommodating this Body as has been requested? Representative Matijevich."

Matijevich: "Madam Chairman, I'll accommodate the Body, at the present time. This is a very important Bill, and I think it should be passed. But for the moment, I'll accommodate the Body and ask the Chair to come back to it. I think I deserve another shot sometime today."

Speaker Breslin: "Thank you, Sir. The next Bill is Senate Bill 360... Representative McCracken, for what reason do you seek recognition?"

McCracken: "Point of Order, Madam Speaker."

Speaker Breslin: "State your point."

McCracken: "The Bill has not been on the Special Order for three days as required by the Calendar requirements in the Rules. It cannot be suspended except for an extraordinary majority. This Bill has not appeared on this Calendar for three days and is not in Order for that reason and cannot be called. Ask you to Rule on that, because the Gentleman's indicated he is going to request you to come back to it sometime today. And only if there is room and time for other people to get their Bills called, are we willing to accommodate a second vote. So, rule on the Motion, it has not been on the Special Order for three days, that Calendar requirement cannot be suspended except by a 71 vote."

Speaker Breslin: "The Clerk will have to... are you referring your remarks to Senate Bill 172 or Senate Bill 360?"

McCracken: "172."

Speaker Breslin: "We have already taken Senate Bill 172 out of the record. The Gentleman has accommodated us. And we are going on to Senate Bill 360. Why are you rising in..."

McCracken: "Okay, well when you get back to it then, I'll ask you

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to Rule then."

Speaker Breslin: "Very good. This Bill is Senate Bill 360, Representative Keane's Bill. Read the Bill."

Clerk O'Brien: "Senate Bill 360, a Bill for an Act to increase the price for publishing legal notices. Third Reading of the Bill."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. I ask for leave to take this Bill back to Second Reading for purpose of an Amendment."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second for the purposes of an Amendment. Does he have leave? Hearing no objection, he has leave. Are there any Amendments filed?"

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

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. Floor Amendment #1 makes cognizance of a problem that Members on the other side of the aisle had when I presented this Bill earlier, and it provides an effective date of January 1, 1988. I'd move it's adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 360. Is there any objection? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Read the Bill on Third, Mr. Clerk. Oh, excuse me, the Gentleman asks leave to bring this... to have immediate consideration of this Bill on Third, as amended. Does he have leave? Hearing no

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objection, he has leave. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 360, a Bill for an Act to increase the price for publishing legal notices. Third Reading of the Bill."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. I discussed this Bill on Third before. It deals with the fees charged by newspapers for publishing the list of Tax Delinquent Property and Assessment changes. This increases the rates for advertising delinquent tax lists and assessment lists. And as I mentioned just a moment ago, it takes effect January 1, 1988. Be happy to answer any questions. And ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 360. Does anyone rise in opposition? The Gentleman from Vermillion, Representative Black."

Black: "Thank you very much, Madam Speaker, I don't rise in opposition. I would just like to thank the Representative for addressing some very specific concerns in his Amendment that some of my constituents had and I appreciate his willingness to do that."

Speaker Breslin: "The question is, 'Shall Senate Bill 360 pass?' All those in favor signify by voting 'aye', all those opposed vote 'no'. Voting is open. The Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Madam Speaker. I'd just like to say for the record, I may have a potential conflict of interest, so I am voting 'present' on this Bill."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 103 voting 'aye', 5 voting 'no', 3 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 370,

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Representative Matijevich. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 370, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker Breslin: "Representative Matijevich."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House.

Senate Bill 370 is an attempt to remove provisions of an archaic Law from the Statutes. What it does, it allows Alderman, County Board Members and Trustees of Villages to run for public office, even though they may hold liquor licenses or be directly or indirectly associated with liquor licenses. For example, Representative Mautino, is a beer distributor and he can run for the Illinois House, but he could not run for Alderman or County Board. And not only that, truck drivers that may deliver beer for Representative Mautino, could not run for their Village Trustee or Alderman. The Bill would not allow a County Board President nor a Mayor or President of a Village Board to run if they are liquor licensees, because of their position as the one who directly controls the licenses. We also amended it to accommodate Representative Peterson. We had passed a Bill that Representative Ewing sponsored, which would allow, under certain circumstances, public buildings to be used... to allow alcoholic beverages. And the Amendment, only by inadvertence, we didn't allow Township Buildings and we amended it for that purpose. I think this removes the discrimination in the law that is very archaic. And I would move for the passage of it."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 370. And on that question, does anyone rise in opposition? Hearing none, the question is, 'Shall Senate Bill 370 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

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record. On this question, there are 89 'ayes', 23 voting 'no'. And the Bill is passed. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 468. Representative Ewing, for what reason do you seek recognition?"

Ewing: "Madam Speaker, just a personal note, those are beautiful flowers and we are glad you got them. We wanted to remember you."

Speaker Breslin: "Thank you. Thank you. The next Bill is Senate Bill 468, Representative Novak. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 468, a Bill for an Act to amend an Act to regulate Ground Water Use. Third Reading of the Bill."

Speaker Breslin: "Representative Novak."

Novak: "Thank you, Madam Speaker. Those are nice flowers. You certainly deserve them. Members of the Legislature, Senate Bill 468, amends the Water Use Act of 1983 and the Soil and Water Conservation Districts Act, to establish a process for regulating ground water withdrawals. in Kankakee and Iroquois Counties, specifically. This Bill is a result of some of the problems that are occurring in the eastern part of Kankakee County and the northeastern part of Iroquois County. The Bill is supported by the Illinois Association of Soil and Water Conservation Districts and the Illinois Department of Agriculture. We've had a lot of discussions with the Illinois Farm Bureau about this Bill. And they do have opposition to it. There is a very delicate problem going on in the east end of our county. A lot of people do not have any availability for water, to take a bath or to consume, for the ordinary dealings of life every day. And we have irrigators out in the eastern end of the county, that need water to irrigate their crops so they can make a reasonable living. We're in constant communication with

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the Farm Bureau, the local Farm Bureau, in Kankakee County. And, with the Department of Agriculture and with the Representatives of the Farm Bureau and with the Representatives of the irrigators and also the citizens that are affected by this water problem. And we hope to resolve this situation soon. But, I urge the adoption of this Bill, because I think... I believe it's a good step forward to ameliorate this problem that is out in the eastern end of the County. And I ask for an 'aye' vote. Thank you."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 468. Does anyone rise in opposition? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Madam Speaker. Will the Gentleman yield?"

Speaker Breslin: "He will."

Black: "Representative, I think you did mention the dispute you're having with the Farm Bureau, but just for the record, the Farm Bureau is opposed to this Bill, as it stands. Is that correct? Thank you, very much."

Speaker Breslin: "The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker. Will the Gentleman yield for a question?"

Speaker Breslin: "He will."

Brunsvold: "Representative Novak, how would this... the Bill indicates the district would have emergency powers... power to restrict withdrawals of wells that are producing over 100,000 gallons of water per day. Now how does that affect small municipalities and villages?"

Novak: "That has nothing to do with that. The soil and water conservation districts, Representative, would... can recommend to the Department of Agriculture to place

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restrictions on the wells."

Brunsvold: "So this would not... they would not have any power over any municipality to control their water consumption?"

Novak: "No, not from my understanding."

Brunsvold: "Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 468 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? Have all voted who wish? The Gentleman from DuPage, Representative McCracken, asks for a verification if this gets the requisite number. Representative Braun. Well, we haven't gotten to that point yet. Have all voted who wish? The Clerk will take the record. On this question, there are 64 voting 'aye', 49 voting 'no' and none voting 'present'. Representative McCracken, do you persist in your request for verification? He does. Representative Braun asks leave to be verified. She has leave to be verified. Proceed with the Poll of the Affirmative, Mr. Clerk."

Clerk Leone: "Poll of the Affirmative. Berrios. Bowman. Braun. Breslin. Bugielski. Capparelli. Christensen. Cullerton. Curran. Currie. Daley. Davis. DeJaegher. DeLeo. Didrickson. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Greiman. Hartke. Hicks. Homer. Jones. Keane. Krska. Kulas. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McGann. McNamara. McPike. Morrow. Novak. O'Connell. Panayotovich. Phelps. Preston. Rea. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich. Turner. Van Duyn. Williams. Wolf. Anthony Young. Wyvetter Younge and Mr. Speaker."

Speaker Breslin: "Do you have any questions of the Affirmative, Mr. McCracken? Proceed."

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McCracken: "Yes, thank you. Representative Levin?"

Speaker Breslin: "Representative Ellis Levin. Is the Gentleman in the chamber? He is not, remove him. Representative Brunsvold seeks recognition. Representative Brunsvold."

Brunsvold: "Madam Speaker, change my vote to 'aye' please."

Speaker Breslin: "Change Representative Brunsvold to 'aye'. Proceed, Mr. McCracken."

McCracken: "Representative DeLeo?"

Speaker Breslin: "Representative DeLeo, Jim DeLeo, is the Gentleman in the chamber? He is."

McCracken: "Representative Williams?"

Speaker Breslin: "Representative Williams is in the chamber."

McCracken: "Representative Richmond?"

Speaker Breslin: "Representative Bruce Richmond. Is the Gentleman in the chamber? He is not. Remove him from the Roll Call."

McCracken: "Representative Terzich?"

Speaker Breslin: "Representative Bob Terzich? The Gentleman is not in the chamber, remove him from the Roll Call."

McCracken: "Representative Saltsman?"

Speaker Breslin: "Representative Saltsman? Don Saltsman. Is the Gentleman in the chamber? He is not, remove him from the Roll Call."

McCracken: "Representative Turner?"

Speaker Breslin: "Don Saltsman has returned to the chamber. Add him to the Roll Call voting 'aye'."

McCracken: "Representative Turner?"

Speaker Breslin: "Representative Turner? Art Turner. Is the Gentleman in the chamber? He is not, remove him from the Roll Call."

McCracken: "Representative Mautino?"

Speaker Breslin: "Representative Mautino is in the chamber."

McCracken: "Representative Flinn?"

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Speaker Breslin: "Representative Flinn? Monroe Flinn? The Gentleman is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Giglio?"

Speaker Breslin: "Representative Giglio is in the chamber."

McCracken: "Representative Hicks?"

Speaker Breslin: "He's in his seat."

McCracken: "Representative Panayotovich?"

Speaker Breslin: "Representative Panayotovich is in the chamber."

McCracken: "Representative Christensen?"

Speaker Breslin: "Representative Christensen? Ray Christensen. The Gentleman is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Van Duyn?"

Speaker Breslin: "Representative Van Duyn?"

McCracken: "He's here, I saw him. Representative Keane?"

Speaker Breslin: "He's in the chamber."

McCracken: "Representative Didrickson."

Speaker Breslin: "Representative Didrickson. The Lady is not in the chamber. Remove her from the Roll Call."

McCracken: "Nothing further."

Speaker Breslin: "Representative Van Duyn. You are recorded as voting 'aye' and you were not removed, Sir. On this question, there are 58 voting 'aye'... Representative Hannig changes his vote from 'no' to 'aye'. Representative Huff? You are not recorded as voting, Sir. How would you like to vote? He would like to vote 'aye'. There are 60 votes... 60 voting 'aye', 47 voting 'no' and none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. The next Bill, is Senate Bill 483, Representative Churchill. Clerk, read the Bill."

Clerk Leone: "Senate Bill 483, a Bill for an Act in relationship

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to Counties. Third Reading of the Bill."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker. I'd like leave to bring this back to Second for the purpose of an Amendment."

Speaker Breslin: "The Gentleman asks to bring this Bill back to Second. Is there any objection? Hearing none, he has leave. Are there any Amendments filed, Mr. Clerk?"

Clerk Leone: "Floor Amendment #3 is being offered by Representatives Capparelli and Barnes."

Speaker Breslin: "Representative Capparelli."

Capparelli: "I'd like to table this Amendment please."

Speaker Breslin: "Withdraw the Amendment. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative Capparelli and Barnes."

Speaker Breslin: "Representative Capparelli."

Capparelli: "Thank you, Madam Speaker. Amendment #4 is actually the same Amendment as we had offered last week. But we had a problem on our side of the aisle, it's been corrected. And I'd move for adoption of Amendment #4."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to Senate Bill 483. Is there any objection? Hearing none, the question is, 'Shall Amendment #4 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Representative Churchill asks leave for immediate consideration of this Bill, as amended. Does he have leave? Hearing no objection, he has leave. Read the Bill on Third."

Clerk Leone: "Senate Bill 483, a Bill for an Act in relationship

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to Counties. Third Reading of the Bill."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The underlying Senate Bill 483, establishes a planning power for the County Board, by which they can develop a County Wide Solid Waste Committee, which can develop and implement a solid waste management plan. It provides for the procedures and the regulatory powers for the County Board to put that plan into place. And grants the County Board the power to produce and sell any product, resulting from the storage treatment or disposal of that waste. In addition, there have been a couple of Amendments put on the Bill. One for Representative Rea, for a Civic Center in one of his Communities. And then just now the Amendment that Representative Capparelli talked about. I'd ask for passage of the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 483. And on that question, does anyone rise in opposition? Hearing none, the question is, 'Shall Senate Bill 483 pass?' All those in favor signify by voting '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... Representative Le Flore votes 'aye'. There are 112 voting 'aye', none voting 'no' and 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 535, Representative White. Out of the record. Senate Bill 655, Representative DeLeo. Clerk, read the Bill. Representative DeLeo?"

DeLeo: "Thank you, Madam Speaker, Members of the House. I submitted a slip earlier to ask that Senate Bill 655 be put in Interim Study."

Speaker Breslin: "Very good. That will be done."

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DeLeo: "Thank you."

Speaker Breslin: "Representative Curran, for what reason do you seek recognition? Is someone seeking recognition for Representative Curran? With leave of the Body, we'll go back to Senate Bill 535. Representative Curran, has authorization to handle that Bill with leave of the Body. Does he have leave? Hearing no objection, he has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 535, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Breslin: "Representative Curran."

Curran: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 535 has received no negative votes in either the House or the Senate to this point. It establishes a basis for determining rules for reimbursement of facilities, such as the Hope School here in Springfield where people are... have two disabilities: either they're blind, developmentally disabled, emotional handicaps, speech impairments, total verbal ability... inability, or severe physical handicaps. What this Bill does, is establishes a special rate system for reimbursing these facilities and I think it's an excellent idea. Representative White passed a similar Bill here just a few weeks ago. I think we ought to pass this Bill as well and I rise in support and ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 535. Does anyone rise in opposition? The Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you. Would the Sponsor yield please?"

Speaker Breslin: "He will. He will."

Ryder: "Thank you. Representative, my reading of this Bill, and as I followed it through the Committee, indicates that, by definition, it does only benefit one school, which is the

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Hope School here in Springfield. Is that right?"

Curran: "That's not to say that other facilities couldn't be created, but there's only one facility that exists with that kind of a situation."

Ryder: "And it would be fair to say that what has happened in this circumstance is that we have written a definition that although it would be open to others, a definition that covers at this point, only the Hope School in Springfield."

Curran: "That's correct."

Ryder: "And isn't it true that it would be necessary for the Department of Public Aid to actually revise their documents, revise their categories in order to cover this new procedure and new payment schedule that you're indicating?"

Curran: "What the idea here would be is to have the Department do that, but we need to understand that the people who are being served here come from all around the world, actually. There could be other facilities set up to help the people with these dual or triple disabilities, and they could be set up here in Illinois, and they would apply categorically to all those facilities in the state."

Ryder: "That's the 'could be', but the point is that right now, we're just talking about one school that currently qualifies to these, and you've answered that."

Curran: "That's true. That's true."

Ryder: "And as a result of this, they're going to receive more money."

Curran: "No, there's no appropriation associated with this Bill and no appropriation necessarily, either, associated with this Bill."

Ryder: "My understanding of this Bill, and you may correct me if I'm wrong, but in Committee as we followed this through, the Sponsor... or the other Sponsor of the Bill indicated

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that it would cost about 267,000 dollars a year extra, over and above what they're receiving now. I realize that there's... "

Curran: "Well, we understand... "

Ryder: "Go ahead. I'm sorry."

Curran: "I'm hearing out of my other ear that it's been revised downward, and it's, as you know, an estimate."

Ryder: "Right. But what it... to the Bill. Thank you, Speaker. To the Bill. Ladies and Gentlemen, I reluctantly stand in opposition to this Bill in deference to those who are sponsoring it and also in deference to the Hope School, which is a fine institution and does wonderful work. The problem is that we're creating a special category for a school, creating rules for just one school, and obligating the state to pay approximately 250,000 dollars more per year for this one particular school. I rise in opposition to the Bill, and I would indicate that a red vote would be appropriate."

Speaker Breslin: "The Gentleman from Bureau, Representative Mautino."

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

Speaker Breslin: "He will."

Mautino: "Representative, currently, what is the formula from Public Aid for the institutions, statewide... that would be... that could benefit from their programs?"

Curran: "It's based on an average rate for all different types of facilities."

Mautino: "Is the rate currently today the same for Winning Wheels as it is for the Hope School?"

Curran: "Yes."

Mautino: "Winning Wheels has the same type of individuals in that school as you have with Hope, is that correct? You're familiar with Winning Wheels? Paraplegics, disabilities,

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people in wheelchairs... "

Curran: "No, it is not... what happens at Hope School is, you have those kinds of disabilities, but you have them doubled up. You'll have somebody who is blind, plus developmentally disabled - they're blind, plus retarded. They're blind, plus severely physically disabled... "

Mautino: "The same as Winning Wheels. Very similar cases, almost identical."

Curran: "Then, if that is the case, then this legislation would apply to more than just one institution in the state. It would not be special legislation."

Mautino: "How would that occur, according to your definition of the change? The problem we have is established on or before July 1st of '87. Would they then fall in that same category or would they not?"

Curran: "Is Winning Wheels mostly physically handicapped?"

Mautino: "One hundred percent combination of both, either physically disabled and also in a wheelchair because of an accident or from a disease."

Curran: "You mean, they're not only physically disabled, but also in a wheelchair? Is that their double disability?"

Mautino: "Yes."

Curran: "Did you hear my question?"

Mautino: "Would they qualify... Yes, I heard your question. My question to you is, will they qualify?"

Curran: "I don't think they would qualify if the 'double' would be physically disabled and in a wheelchair, but if they were physically disabled and visually impaired or physically disabled and total lack of verbal ability or physically disabled in any continent."

Mautino: "Two final questions, and I'll relate them to Winning Wheels. They passed a local bond authorization, they raised funds. Approximately 80 percent of those funds are

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provided by the local level because of the current formula. How much has Hope School done in that regard for themselves as well?"

Curran: "This... I don't know. This isn't my legislation. This is Representative White's Bill that I'm handling as a Chief Cosponsor because he's not here."

Mautino: "To the Bill, then, if I may, Madam Speaker."

Speaker Breslin: "Proceed. You only have 45 seconds left, Sir."

Mautino: "Well, I think you have a fine idea to help those in need. The problem that occurs is, I believe there are more than one facility in this state that should be addressed within that formula. If, in fact, we make only one... this provision for this one school, I think it's totally unfair to other areas where those same type of individuals are residing at this time. I really don't know how to vote on it, to be honest with you, Mike. My feeling is to vote against it for specific... specifically, only one institution being involved."

Speaker Breslin: "Representative Hasara."

Hasara: "Thank you, Madam Speaker. I rise in support of the Bill. I happen to sit on the Board of the Hope School, and I can tell you that this Bill originated when the administrators of the school invited Representative Jesse White out to look at their facility. Jesse left that school with tears in his eyes and said he would be delighted to guide this piece of legislation through this Assembly, which he has done in a marvelous fashion. I can assure everyone in this Body that there is a big difference between someone in a wheelchair who's physically handicapped and any individual at the Hope School. Springfield has, indeed, raised local funds for the school. However, you must realize most of the residents are from outside of the city. In fact, most of them from Illinois

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are from the Chicago area, and so that has been one of the problems, trying to raise funds locally. Indeed, the residents come from Illinois, from every other state in the union and from all over the world. Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 535 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? Have all voted who wish? The Clerk will take the record. On this question, there are 64 voting 'aye', 33 voting 'no' and 13 voting 'present'. Representative McCracken."

McCracken: "For a verification, Madam Speaker."

Speaker Breslin: "The Gentleman requests a verification. Are you sure? He persists. Read the Poll of the Affirmative, Mr. Clerk."

Clerk Leone: "Poll of the Affirmative. Barnes. Berrios. Braun. Breslin. Brunsvold. Bugielski. Capparelli. Christensen. Cullerton. Curran. Daley. Davis. DeJaegher. DeLeo. Doederlein. Dunn. Farley. Flinn. Flowers. Virginia Frederick. Giorgi. Greiman. Hannig. Hartke. Hasara. Jones. Keane. Krska. Kulas. Laurino. LeFlore. Leverenz. Martinez. Matijevich. McAuliffe. McGann. McNamara. McPike. Morrow. Mulcahey. Novak. O'Connell. Robert Olson. Panayotovitch. Phelps. Preston. Rea. Rice. Richmond. Ronan. Ropp. Saltsman. Shaw. Steczo. Stern. Sutker. Terzich. Turner. Williams. Wojcik. Wolf. Anthony Young. Wyvetter Younge and Mr. Speaker."

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

Shaw: "Change me from 'aye' to 'no', please."

Speaker Breslin: "Change Representative Shaw to 'no'. He changed to 'no', Sir. Do you object? Do you have any questions of the Affirmative?"

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McCracken: "Yes, Madam Speaker. Thank you."

Speaker Breslin: "Representative Matijevich asks leave to be verified, Representative McCracken."

McCracken: "Yes."

Speaker Breslin: "... As does Representative Laurino."

McCracken: "Yes."

Speaker Breslin: "They both have leave. Proceed."

McCracken: "Representative Flinn."

Speaker Breslin: "Representative Flinn. The Gentleman is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Richmond."

Speaker Breslin: "Representative Richmond. The Gentleman is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Christensen."

Speaker Breslin: "Representative Christensen. The Gentleman is not in the chamber. Remove him from the Roll Call. Representative McCracken. Would you turn on Representative McCracken, please?"

McCracken: "You may want to recognize Representative Barnes."

Speaker Breslin: "Representative Barnes."

Barnes: "How am I recorded?"

Speaker Breslin: "You're recorded as voting 'aye'."

Barnes: "Would you please change my 'aye' to 'no'."

Speaker Breslin: "Change the Lady's vote to 'no'."

McCracken: "Representative Braun."

Speaker Breslin: "Representative Braun. Carol Braun. Is the Lady in the chamber? She is not. Remove her from the Roll Call."

McCracken: "Representative Farley."

Speaker Breslin: "Representative Farley is in the chamber."

McCracken: "Representative Hartke."

Speaker Breslin: "Representative Braun has returned to the chamber. Add her to the Roll Call voting 'aye', and

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Representative Hartke is in the chamber."

McCracken: "Representative Rea."

Speaker Breslin: "Representative Rea. Representative Jim Rea. The Gentleman is not in the chamber. Return him... Take him off of the Roll Call, but the Governor has joined us. Would the Governor like to vote for this Bill? Welcome, Sir. Representative Steczo asks leave to be verified. The Gentleman has leave."

McCracken: "Representative Keane."

Speaker Breslin: "Representative Keane is in the chamber."

McCracken: "Representative Hartke."

Speaker Breslin: "Representative Hartke is being harassed by the Governor."

McCracken: "Representative Mulcahey."

Speaker Breslin: "Representative Mulcahey is in the chamber. Representative Christensen has returned to the floor. Add him to the Roll Call, voting 'aye'."

McCracken: "Representative Bowman."

Speaker Breslin: "Representative Bowman. Representative Woods Bowman is voting 'present'."

McCracken: "Okay. I'm sorry. Representative DeLeo."

Speaker Breslin: "Representative DeLeo. Jim DeLeo is in the chamber."

McCracken: "Representative McAuliffe."

Speaker Breslin: "Representative McAuliffe is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Huff."

Speaker Breslin: "Representative Huff? Doug Huff?"

McCracken: "I'm sorry. He's 'present'. Nothing further."

Speaker Breslin: "On this question, there are 58 voting 'aye', 34... 35 voting 'no', and 12 voting 'present'. Representative Levin, for what reason do you rise?"

Levin: "... Recorded?"

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Speaker Breslin: "You're recorded as voting 'present', Sir."

Levin: "Vote me 'aye'."

Speaker Breslin: "Representative Levin votes 'aye'. Representative Shaw changes his vote from 'no' to 'aye'. On this question, there are 60 voting 'aye', 34 voting 'no' and 12 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. With leave of the Body, in order to accommodate Representative Rice, I would like to go to the Order of Public Health, just for one Bill. That Bill is Representative Rice's Bill, Senate Bill 942. Clerk, read the Bill."

Clerk Leone: "Senate Bill 942, on page 11 of the Calendar. Senate Bill 942, a Bill for an Act to amend the Funeral Directors and Embalmers Licensing Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "Floor Amendment #2, is being offered by Representatives Rice and Shaw."

Speaker Breslin: "Representative Rice."

Rice: "This Amendment... this Amendment makes this Bill... it's changed from the enacting clause to be presented in the... Is she listening to me?"

Speaker Breslin: "Representative Rice, as I understand it this is an agreed Amendment. Just tell us what it does."

Rice: "The Amendment is the Bill. So it can go into Conference Committee, for additional... "

Speaker Breslin: "I see. The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 942. Is there any objection? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor signify by saying 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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Clerk Leone: "There are no further Amendments."

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

Clerk Leone: "Senate Bill 942, a Bill for an Act to amend the Funeral Directors and Embalmers Licensing Act. Third Reading of the Bill."

Speaker Breslin: "Representative Rice."

Rice: "We would like for you to vote on this, at this particular time, so it can remain open for an agreement vehicle."

Speaker Breslin: "The question is, 'Shall Senate Bill 942 pass?' Any objections? Hearing none. We'll vote on the question. The question is, 'Shall this Bill 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... Representative Panayotovich votes 'aye'. On this question, there are 102 voting 'aye', 2 voting 'no' and 5 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Now going back to the Special Order of State and Local Government, Third Reading, the next Bill is Senate Bill 929. Representative Ryder. Clerk, read the Bill."

Clerk Leone: "On page 3 of the Calendar, Senate Bill 929, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Breslin: "Representative Ryder."

Ryder: "Thank you, Madam Speaker. I'd ask leave of the House, to return this Bill to the Order of Second Reading for the purposes of an Amendment."

Speaker Breslin: "Does the Gentleman have leave to return this Bill to the Order of Second for an Amendment? Hearing no objection, he has leave. Are there any Amendments filed, Mr. Clerk?"

Clerk Leone: "Floor Amendment #1, offered by Representative

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Ryder."

Speaker Breslin: "Representative Ryder."

Ryder: "Thank you. The purpose of this is to provide that the Department of Public Aid is authorized to exchange information with the Department of Corrections in order to verify list and rolls, for the purpose of the administration of this Code. And I'd ask adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 929. Does anyone rise in opposition? The Gentleman from... the Gentleman from... is there any opposition? Hearing none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Ryder asks leave for immediate consideration of this Bill, as amended. Does he have leave? Hearing no objections, he has leave. Read the Bill on Third."

Clerk Leone: "Senate Bill 929, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Breslin: "Representative Ryder."

Ryder: "In addition to the Amendment, which we previously explained and was adopted, the Bill also relieves the Department of certain legal requirements for the responsibility and recruitment of some staff and agency... or agency staff. I would ask for a favorable vote on the Bill."

Speaker Breslin: "The Gentleman has moved for the adoption... the Gentleman has moved for the passage of Senate Bill 929. And on that question, the Gentleman from Cook,

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Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "I did understand the Amendment, but I did not understand the original Bill. Our analysis says it appears to be a vehicle. Is that accurate?"

Ryder: "Not with the Amendment on it."

Cullerton: "Well, I understand what the Amendment does. Is the original Bill a vehicle or does that do anything?"

Ryder: "The original Bill, as a result of the Department's own internal audits reflected the need to delete from them, some requirements that they recruit... that the Department Staff be recruited by the Department's Bureau of Staff Development. And this will relieve them of that obsolete legal requirement."

Cullerton: "Well, who's the Department of... this Bureau of Staff Development?"

Ryder: "The Training Bureau. CMS is now responsible for that, rather than the Department. So to say that the Department had to do it, was no longer operative."

Cullerton: "I think I understand, this deals with personnel matters at the Department of Public Aid. That's why I was curious what this does. And so now you don't have to follow the... if you want to hire somebody, at the Department of Public Aid, they don't have to be recruited by the Department's Bureau of Staff Development. They can be recruited by say maybe the second floor, the Governor's office."

Ryder: "I sincerely hope not. I think that CMS is the authority to do that, these days."

Cullerton: "Oh, I see. Thank you."

Speaker Breslin: "Any further discussion? Hearing none, the question is, 'Shall Senate Bill 929 pass?' All those in

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favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Representative... Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 935, Representative Mays. Out of the record. Senate Bill 1096, Representative Ronan. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1096, on page 7 of the Calendar, a Bill for an Act to amend the School Code. Second Reading of the Bill. Correction, Third Reading of the Bill."

Ronan: "Thank you, Madam Speaker and Members of the House. Senate Bill 1096 amends the School Code, specifies that falsification of data for State Aid Claims is perjury. This is an outgrowth of an Hispanic Dropout Task Force, that I served on about three years ago. It was a House Joint Senate Task Force. One of the things that we determined after numerous hearings, with the State Board of Education, that one of the biggest problems that we have in determining dropout rates and in determining what we can do about those dropout rates, is to make sure that the State is gathering accurate information from schools. What this Bill is going to do is, it is going to mandate that the people who gather that information and then sign an attendance status, actually has to do it. And is going to be held liable if they don't give accurate information to the State. If we are really going to do something about dropouts, if we are really going to determine how our educational systems are working in this State, we have to hold people accountable who are supplying information to this State in order to get reimbursement. I think it is a good solid concept. And I'll be glad to answer any

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questions concerning Senate Bill 1096."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1096. And on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1096 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 Lady from Cook, Representative Davis. One minute to explain her vote."

Davis: "Madam Speaker and Ladies and Gentlemen of the House. I feel that this type of legislation implies, that professional teachers or administrators are dishonest. Therefore, I must vote 'no'. I feel that maybe some other method of keeping attendance, needs to be mandated, however, I do not feel falsified records are sent to the State."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 110 voting 'aye', 1 voting 'no' and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1270, Representative Deuchler. Clerk, read the Bill. Do you want this Bill called, Representative Deuchler? It deals with an Amendment of the School Code, withholding information on child abuse. Out of the record. Senate Bill 1421, Representative Phelps. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1421, a Bill for an Act to provide for the regulation of Bed and Breakfast Establishments. Third Reading of the Bill."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1421, actually creates the Bed and Breakfast Act. Bed and Breakfast practice has been one that has been carried on throughout the State and of course the nation as a very effective attraction for tourism. Not

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only in Southern Illinois, but I think the whole State, offers a lot for tourism attraction by this kind of program. What this Bill does, is actually define what Bed and Breakfast establishment is. It also does not... is a little more lenient on the regulation that some of the people who have set up their Bed and Breakfast establishments throughout the State, have been regulated as Hotel and Hotel Restaurant accommodations, which is not the intent of the attraction, in place. So this Bill defines and also a more lenient regulation as a Bed and Breakfast isolated type program. Appreciate your support."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1421. And on that question, does anyone rise in opposition? The Lady from Kane, Representative Doederlein."

Doederlein: "Madam Chairman and Ladies and Gentlemen of the House. Will the Sponsor yield to a question?"

Speaker Breslin: "He will."

Doederlein: "Many universities use this as a fund raising, where through your alumni news you have Bed and Breakfast Clubs. Is this going to hurt them?"

Phelps: "Representative, I believe that it will accommodate and maybe even strengthen that type of practice."

Doederlein: "Well, I'm sure many homes don't want to put smoke detectors in all their bedrooms. This would kind of hurt them, because they would have to apply to that rule, wouldn't they?"

Phelps: "Well, the only thing this requires the counties and municipalities to regulate, license and inspect, the Bed and Breakfast establishments. That will be something that will be taken under consideration. I don't think it's as strictly applied as you are indicating."

Doederlein: "Then if the Alumni Association has a person in a

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home, like in Dundee, they would have to go to the building code person there to be licensed?"

Phelps: "There is a difference between permanent Bed and Breakfast establishment than those who are just looking at it as a part-time basis."

Doederlein: "Thank you."

Speaker Breslin: "Does anyone rise in opposition? The Lady from Lake, Representative Stern."

Stern: "Madam Speaker, I'm not opposing, I don't think exactly. The Village of Northbrook asked me to vote against this, unless it was amended in such a way as to make it a local option. Has it been so amended?"

Phelps: "Representative Stern, I don't think that it has been amended with that intention in mind. But, the locals understand that they do have the option to go about their regulation and guidelines, that we are seeking to this legislation. But, it hasn't been amended to assure that. I don't want to mislead you."

Stern: "Thank you. Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 1421 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', 8 voting 'no' and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1482, Representative Hicks. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1482. On page 8 of the Calendar. A Bill for an Act in relationship to the protection, preservation and management of groundwater of the State of Illinois. Third Reading of the Bill."

Speaker Breslin: "Representative Hicks."

Hicks: "Thank you, Madam Speaker, I'd like leave of the House to

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return this Bill to the Order of Second Reading, for the purpose of an Amendment."

Speaker Breslin: "The Gentleman asks to return this Bill to Second. Does he have leave? Hearing no objection, he has leave. Are there any Amendments filed, Mr. Clerk?"

Clerk Leone: "Floor Amendment #2, offered by Representatives Hicks, McPike and Peterson."

Speaker Breslin: "Representative Hicks."

Hicks: "Thank you, Madam Speaker. Amendment #2 to the Bill, becomes the Bill, deleting everything after the enacting clause. This Bill is a comprehensive groundwater Bill, here in Illinois, that has been worked on for sometime. As far as I know, the Bill is agreed to by all parties involved in the negotiations from the Illinois Manufacturers Association to the Environmental Council, the Pollution Control Board. I'll be happy to try to answer any questions."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2. And on that question, the Gentleman from Lake, Representative Peterson."

Peterson: "Yes, Madam Speaker, I would like to agree with Representative Hicks. This is an agreed Amendment, and I urge passage or adoption of this Amendment."

Speaker Breslin: "Representative Ropp."

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

Speaker Breslin: "He will yield to a question."

Ropp: "Does this Amendment now, affect or not allow... let's say, a local unit of government to drill water, in order to substantiate their need? In any way shape or form?"

Hicks: "No, Sir, I don't believe it restricts a local community from drilling a water well in anyway. It simply sets... puts in setback requirements for wells, to try to protect the current water that's available to those communities."

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It sets for drilling of injection wells and that type of thing. Also puts some other restrictions concerning industry and how close to certain types of industry, wells could be drilled."

Ropp: "Does it establish any provisions, if in fact, you meet all those guidelines and lets say some farmers well goes dry anyway. Is there any... lets say compensation that is given the farmer or what protection does he have other than this setback requirement, any?"

Hicks: "Representative Ropp, as I understand your question, if it is a private well, then certainly negotiations have to go on for the drilling of that well, for any compensation that would be... that would come about."

Ropp: "In other words that is understood, in the Bill... in the Amendment?"

Hicks: "Yes, Sir, that is correct."

Ropp: "Okay, thank you."

Speaker Breslin: "The question is, 'Shall Amendment #2 be adopted?' Representative Parke, do you have questions? Remember that the Amendment becomes the Bill. So you can ask questions on the Bill, in a moment, if you wish."

Parke: "Thank you, Madam Speaker. What in fact I am asking for is that on Senate Bill 1421, I'd like to be recorded as 'yes' on that vote."

Speaker Breslin: "The transcript will reflect that. The question is, 'Will Amendment #2 be adopted?' All those in... the question... the question is, 'Shall Amendment... Representative Wojcik, for what reason are you seeking recognition?"

Wojcik: "I am seeking recognition for the same purpose that Representative Parke did. I'd like to have an 'aye' vote."

Speaker Breslin: "You interrupted someone elses Bill."

Wojcik: "I understood, but it is perfect timing, since your are

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doing it now."

Speaker Breslin: "Representative Wojcik, the transcript will reflect that you wish to have recorded 'aye' on Senate Bill 1421. Is that right?"

Wojcik: "Yes. Thank you."

Speaker Breslin: "The question before this Body is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Hicks, asks leave for immediate consideration of Senate Bill 1482, as amended. Does he have leave? Hearing no objections, he has leave. Read the Bill on Third."

Clerk Leone: "Senate Bill 1482, a Bill for an Act in relationship to the protection, preservation and management of groundwater in the State of Illinois. Third Reading of the Bill."

Speaker Breslin: "Representative Hicks."

Hicks: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill... excuse me, Senate Bill 1482, as amended, does several things with the groundwater in the State of Illinois, and sets a comprehensive groundwater package. It basically establishes setback zones and buffer zones of two to four hundred feet in which no new drinking water wells may be drilled. No new potential sources of contamination may be located in those type of setback zones. It also defines industrial contamination sources, which are subject to the setback zones provisions. It allows for a thousand foot setback, for zone to be established by the Pollution Control Board, which regulates local ordinances for community water wells, only. It does

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several other things, I'd be happy to try to answer any other questions anyone may have."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1482. And on that question, the Gentleman from Lake, Representative Peterson."

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

Speaker Breslin: "He will. He will."

Peterson: "Thank you. Representative Hicks, in Section 8 of the Groundwater Protection Act, there is a provision dealing with the application of non-degradable degradation principle... the non-degradation principle. Will this provision allow for discharges into groundwater?"

Hicks: "Representative Peterson, yes it would. The concept of non-degradation must be considered along with the water use. Certainly, we would expect that in drinking water aquifers, the water would not be degraded below drinking water standards themselves or treatability levels. In other uses, non-degradation would be based upon the use of the water itself."

Peterson: "Thank you. In addition the Pollution Control Board will adopt groundwater standards, not drinking water standards. What's the reason for this distinction?"

Hicks: "Yes, Representative Peterson, drinking water standards would be very protective. In some cases drinking water standards apply only in the aquifers and others treatment at that point of use would be considered. Groundwater standards on the other hand, must be less restrictive based upon water use and potential use or treatability of that water."

Peterson: "Thank you. I have another question regarding the setback zones. When the setback zones are established in the Act are they all lateral measurements of say 200 or 400 feet at the surface?"

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Hicks: "Yes, they are."

Peterson: "And one last question, i Section 6B of the Act, deals with providing alternate water supplies, if someones well is contaminated. Certainly this is an excellent provision intended to protect the public health. Is this decision based on applicable groundwater standards? And am I right that for the purposes of Section 6B, application standards means drinking water standards?"

Hicks: "Yes, Representative Peterson, groundwater standards might be different than drinking water standards. But drinking water standards are intended to protect the public health and should prevail under Section 6B of the Act."

Peterson: "Thank you, Representative, that's all the questions I have on this particular Bill."

Speaker Breslin: "The Gentleman from Warren, Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Hultgren: "I have been reading through our analysis and if I understand this applies only to community wells. Is that right?"

Hicks: "No, Representative, it does include private wells and setback requirements based on those, it is not just community wells."

Hultgren: "So, if I wanted to drill a well, a new well, on my 160 acres I would have to have approval under this Act?"

Hicks: "No, Representative, if you wanted to drill on your own property and as long as you are not drilling a well within the current requirements of 200 feet of an existing well, as far as, an injection well goes, if you are just drilling a private water well, you would not have to have prior approval."

Hultgren: "One other question then with regard to a community

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well, if there is a small subdivision in a rural area, but it's unincorporated and three or four neighbors have a water well agreement and want to drill a new well. Is that a community well? Where it is not a governmental entity that's drilling the well, but private land owners by contractual agreement?"

Hicks: "I believe, Representative, in the Act there is a condition for semi-private wells and I would think that that would fall under the semi-private use, not as a community well itself, with the situation as you described it."

Hultgren: "Then... how does the Act affect the semi-private well?"

Hicks: "You would... Under current regulations, you would have to be permitted by Public Health and this Act would not change those current regulations."

Hultgren: "Thank you."

Speaker Breslin: "The Gentleman from Winnebago, Representative Hallock."

Hallock: "Thank you. Will the Sponsor yield for a question?"

Speaker Breslin: "He will."

Hallock: "I notice that a definition of units is included. It appears that setback in technical standards would apply to discreet operations such as impoundment rather, than to the entire facility or plant, is that correct?"

Hicks: "Yes, Representative, the intent is not to regulate something that is already being regulated. Rather, we've picked out specific operations or units which would be regulated. For example, an entire refinery would not be regulated, but a waste pile on that property possibly could be regulated."

Hallock: "Thank you. Further... the board under this is required to adopt appropriate regulations by a certain

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time. Am I correct to assume that the intent is for the board to hold hearings, gather evidence and adopt regulations if the record so warrants? And not adopt regulations if the evidence so indicates?"

Hicks: "Yes, Representative, that's correct. It should be clear that the intent is to determine not only what regulations are necessary, but if regulations are really necessary so that we aren't duplicating those regulations or making sure that it doesn't happen two or three times."

Hallock: "Thank you. Then lastly, I'd like to be sure, that I understand what happens in a recharge area. It appears that the board can adopt regulations for new units in any recharge area, but for existing sources only in recharge areas surrounding community wells. Is that correct?"

Hicks: "Yes, Representative, that is correct. The intent was to limit the number of units which would have to be retro-fitted, the maximum recharge area for existing units is 2500 feet around a community supply well."

Hallock: "Well, thank you, for the answer to those questions. Madam Speaker and Members of the House, this is an outstanding Bill. And I urge your support."

Speaker Greiman: "Representative Greiman in the Chair. The Gentleman from Franklin, Mr. Rea."

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

Speaker Greiman: "He indicates he will yield for a question."

Rea: "I have a... yes, one question. What about the coal companies are they... is there any exclusion there as far as waste?"

Hicks: "Yes, Representative, we've agreed during the negotiations to exempt coal mining from the Act because they are currently covered under the Surface Mining Act and should not have to duplicate those coverages on two different... two or three different types of regulations on them. So

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they are already covered."

Rea: "Thank you."

Speaker Greiman: "Further discussion? The Gentleman from Jefferson, Mr. Hicks, to close."

Hicks: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a very comprehensive Bill. In the fact, that groundwater protection in Illinois is a very vital thing to our future. I think that a lot of work has gone into this Bill. Many meetings at 7:30 in the morning. And I would urge that everyone vote 'green' on a very fine piece of legislation, I believe."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those oppose vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'aye', 2 voting 'no' and 1 voting 'present'. And this Bill, having received the Constitutional Majority... Mr. Mulcahey votes 'aye'. 106 voting 'aye', 2 voting 'no' and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1506. Mr. Clerk, read the Bill. Excuse me, Ms. Flowers, we'll come back to that. We'll come back to that a little later. We'll come back to it. On this Order appears Senate Bill 427 on the Order of Second Reading. Clerk, read the Bill."

Clerk Leone: "On page 10 of the Calendar. Senate Bill 427, a Bill for an Act in relationship to state funds disbursed for county Purposes. It's been read a Second Time, previously. There are no Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Representative

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Cullerton."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The County of Cook asked not to be included in this Bill, the Amendment takes Cook County out. I move for the adoption of the Amendment."

Speaker Greiman: "The Gentleman from Cook, moves for the adoption of Amendment #1 to Senate Bill 427. And on that, is there any discussion? The Gentleman from McLean, Mr. Ropp."

Ropp: "Thank you, Mr. Speaker. I just want to raise the question, what is it about Cook County that it wants to be so unique?"

Cullerton: "Representative Ropp, if the Amendment didn't go on, they were going to oppose the Bill and probably kill it. So, I thought it would be, as a gesture towards you to save the rest of your Bill. I'd ask for you to accept this Amendment."

Ropp: "Yeah, I will accept it but I thought maybe for the Body, you... or... might have mentioned some of the things, that were a bit unique, that required this to be on verus not putting it on and then attempting to kill the Bill. I'll support the Amendment."

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

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

Speaker Greiman: "Indicates he will yield for questions."

McCracken: "Other than political threats, what's the justification for taking Cook County out of the Bill? I mean, what is the rationale? Why has Cook County always got to be different? Chicago and Cook County?"

Cullerton: "Well, sometimes the rationale comes from..."

McCracken: "What's the rationale in this particular case?"

Cullerton: "Well it could be that it is just a bad Bill. And

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that..."

McCracken: "Is that the reason?"

Cullerton: "It could be, to tell you the truth at this point in time, since I thought the Amendment wasn't going to be accepted, I didn't get into the philosophy of behind why they thought it was a bad Bill. So, I would speculate..."

McCracken: "No one ever gave you the reason for it."

Cullerton: "Well, not after we agreed that they... after the Sponsor agreed that Cook County would be taken out, I didn't get into it. But, I would suggest to you the size of the County alone, might be the rationale. The Bill apparently attempts to change the method by which state and federal money is disbursed with certain exceptions, for the Regional Superintendent of Schools or Regional Education Centers. So this would add Cook County to that list of exceptions."

McCracken: "What is it about the size, that makes this impractical or undesirable?"

Cullerton: "Now, that I don't know."

McCracken: "Then why do you want it? Other than someone told you to put it on and you told Representative Ropp you wouldn't pass the Bill unless Cook County was excluded."

Cullerton: "Right. Well, I tell you what, if the Amendment doesn't go on when we get to the Bill on Third Reading, I'll have an answer for you."

McCracken: "I'm asking you to explain it to me now."

Cullerton: "And I told you I don't know."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' All those in favor 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

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

Clerk Leone: "Senate Bill 427, a Bill for an Act in relationship to state funds disbursed for county purposes. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. Senate Bill 427 states that any monies that come into a county, either state or federal, shall be sent directly to the County Treasurer. The reason for this, often times monies that go to Highway Department ultimately end up in the Treasurer's Office. But we loss a lot of time and we loss some actual interest in which the Treasurer could generate additional monies for that particular county. So, it's kind of a speeding up process and it's an attempt to have a little more control of those dollars coming into the county, and it's very important downstate."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Oh, I'm sorry, Mr. Cullerton. I did not see you seeking recognition. Mr. Cullerton."

Cullerton: "Well, I just wanted to explain my vote. I just wondered why Cook wasn't included, it sounds like a fairly good Bill."

Speaker Greiman: "Have all voted who wish? Mr. McCracken, to explain your vote."

McCracken: "I don't have a witty retort. But I would like to know, just nod your head: was there any reason, other than Cook County likes to have it's own laws? They don't want to be in the State, do they?"

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question,

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there are 113 'aye', none voting 'no' and none voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On State and Local Construction, Special Call appears Senate Bill 43. Mr. Giorgi. Mr. Clerk, read the Bill."

Clerk Leone: "On page 4 of the Calendar, Senate Bill 43, was heard previously today. Amendment #10 was adopted and it was moved back to Third Reading. Senate Bill 43, a Bill for an Act to amend the Illinois Development Finance Authority Act. Third Reading of the Bill."

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

Giorgi: "Mr. Speaker, this is a Bill we had earlier this morning and we were waiting for an agreed Amendment, and I'd like to have leave of the House, to move this Bill back to Second Reading."

Speaker Greiman: "Does the Gentleman have leave of the House to return this Bill back to the Order of Second Reading, for the purpose of an Amendment? Does the Gentleman have leave? Leave is granted. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Floor Amendment #11, is being offered by Representatives Hoffman, McPike and Churchill."

Speaker Greiman: "The Gentleman from DuPage, Mr. Hoffman on Amendment #11."

Hoffman: "Mr. Speaker, first I would like to have leave to table Amendment #10."

Speaker Greiman: "The Gentleman asks leave to table Amendment #10 to Senate Bill 43. Is there leave? Leave is granted. Amendment 10 is tabled. Proceed on 11."

Hoffman: "Thank you, Mr. Speaker. Amendment #11 is exactly the same as Amendment #10, except that we have changed some of the language relative to the Chicago Tax Levy, to fit into

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their text cycle. And I would move Amendment #11."

Speaker Greiman: "The Gentleman from DuPage moves for the adoption of Amendment #11 to Senate Bill 43. Is there any discussion? The Gentleman from Cook, Mr. O'Connell."

O'Connell: "This Amendment #11 is this the Amendment that raises the authorization under the Life Safety Bond Provisions for School Districts?"

Hoffman: "It doesn't do it in the Life Safety Code, there's a separate one that is set aside, but it functions exactly the same way as the Life Safety Code. The language has been changed from 10 and 11 is found on page... the bottom of page 11 and the top of page 12. And that language applies only to the City of Chicago, the changed language."

O'Connell: "This tax is strictly at the local school district level."

Hoffman: "Yes."

O'Connell: "It has no State involvement whatsoever?"

Hoffman: "Correct."

O'Connell: "Thank you."

Speaker Greiman: "Mr. O'Connell. Further discussion? The question is, 'Shall the Amendment be adopted?' All those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Winnebago, Mr. Giorgi, asks leave of the House, using the Attendance Roll Call, to allow this Bill to be heard at this time. Is there leave? Leave is granted. Mr. Clerk, read the Bill on Third Reading."

Clerk Leone: "Senate Bill 43, a Bill for an Act to amend the Illinois Development Finance Authority Act. Third Reading of the Bill."

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

Giorgi: "Mr. Speaker, I ask the House to support the enactment of Senate Bill 43, which the Amendment is the law or the intended law. And it is cosponsored by Hoffman, Churchill and McPike."

Speaker Greiman: "The Gentleman from Winnebago moves for the passage of Senate Bill 43. On that is there any discussion? There being none. The question is, 'Shall this Bill... I'm sorry, the Gentleman from Vermilion, Mr. Black.'"

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

Speaker Greiman: "Indicates he will yield for questions."

Black: "Representative Giorgi, if I am looking at this correctly, it simply puts the responsibility on local school districts. Creates something very similar to Life Safety Levy, otherwise, we're giving them a levy, with no referendum procedure whatsoever. Is that correct?"

Giorgi: "I think that's correct."

Speaker Greiman: "Mr. Hoffman, did you wish to respond?"

Hoffman: "Thank you, Mr. Speaker. That's absolutely correct, it can only be for asbestos removal and that has to be approved by the Capital Development Board. It cannot be used for anything else. Only for asbestos removal."

Black: "Thank you, very much."

Speaker Greiman: "Further discussion? The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 85 'aye', 26 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Granberg, wishes

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the record to note that he would have voted 'aye' on this measure. On this Order appears Senate Bill 130. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 130, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill."

Speaker Greiman: "Mr. McNamara."

McNamara: "Thank you, Mr. Speaker. I'd like to move this Bill back to Second Reading for the purpose of a Motion."

Speaker Greiman: "The Gentleman asks leave of the House to return this Bill to the Order of Second Reading. Gentleman has leave? Leave is granted. Mr. Clerk, are there any Amendments or Motions to this Bill?"

McNamara: "Mr. Speaker, I believe on Motion #14..."

Speaker Greiman: "No, Mr. Clerk... the Clerk will advise us."

Clerk Leone: "Floor Amendment #15."

Speaker Greiman: "Are any Motions with respect to this? Gentleman from Bureau, Mr. Mautino."

Mautino: "If I may, inquiry, Mr. Speaker. I believe Amendment #14 was the last Amendment adopted to this Bill. Is that correct, Mr. Clerk? Amendment 14 was my Amendment. Is that correct?"

Speaker Greiman: "Yes, Mr. Mautino... Mr. Clerk, is that correct, was 14 the last Amendment?"

Clerk Leone: "The last Amendment to be adopted was #14, offered by Representative Mautino."

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

Mautino: "I seek recognition to table my Amendment since I drafted it incorrectly. And I would like to at this time move to table Amendment 14 that has been adopted I believe by a voice vote yesterday."

Speaker Greiman: "The Gentleman moves to table Amendment #14 to Senate Bill 130. And on that, is there any discussion?"

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There being none, the questions is, 'Shall the Amendment... shall the Motion carry?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion to table carries and Amendment 14 is tabled. Are there further Amendments?"

Clerk Leone: "Floor Amendment #15, being offered by Representative Hultgren."

Speaker Greiman: "Gentleman from Warren, Mr. Hultgren."

Hultgren: "Withdraw Amendment #15, please."

Speaker Greiman: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #16, offered by Representative Hultgren."

Speaker Greiman: "Gentleman from Warren, Mr. Hultgren."

Hultgren: "Withdraw Amendment #16."

Speaker Greiman: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #17, offered by Representatives Hannig and Rea."

Speaker Greiman: "Gentleman from Macoupin, Mr. Hannig. Withdrawn. Okay. Further Amendments?"

Clerk Leone: "There are no further Amendments."

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

Clerk Leone: "Senate Bill 130, a Bill for an Act to add Sections to the Public Utilities Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. McNamara."

McNamara: "Thank you, Mr. Speaker, Members of the House. The Bill, as it came over from the Senate, was a Bill that provided for advertising expenditures to be... required the copy of the advertisements to be included in that legal notice twice a year to customers and that the information is available or sent into... directly into their... into their customers. Amendment #3, which is presently part of the Bill, prohibits the passing along of the cost of the

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'Braidwood' II nuclear power facilities to consumers. Amendment #6 amended the Bill as it was amended and a new portion amends the Public Utilities Act by adding a Section, when a tax which has been imposed by the IRS on the utility is removed or reduced, the utility commission may order the reduction and utility rates not to exceed the tax savings. And Amendment #9, which is now part of the Bill, provides that where the ICC funds that a public utility has charged an excessive or unjustly discriminatory amount to a claimant and if it appears that there are other... are other similarly situated customers, the ICC may extend their remedy ordered to all such customers. I'd be happy to answer any questions on this Bill."

Speaker Greiman: "Yes, the Gentleman from Cook, Mr. McNamara, moves for the passage of Senate Bill 130. And on that, the Gentleman from Franklin, Mr. Rea."

Rea: "Thank you, Mr. Speaker and Members of the House. Will the Sponsor yield?"

Speaker Greiman: "Indicates he'll yield for questions."

Rea: "It's my understanding that this Amendment applies only to the nuclear facilities and I'm referring particularly to the term in the Amendment 'loaded fuel'. And to clarify the intent of the Amendment and for the record, would you agree that the term 'loaded fuel' applies only and specifies that to nuclear generating facilities?"

McNamara: "In response to your question, the answer is yes. It was and is the intent of this Amendment to apply only to nuclear generating facilities. I can see where the term 'loaded fuel' may be interpreted as possibly meaning something other than nuclear facility, but for legislative record, let it be shown that the term 'loaded fuel', as well as the substance of this Amendment, applies only to the nuclear generating facility... facilities and it does

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not apply to coal or other related fossil fuel sources."

Rea: "Thank you."

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

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 130 as it came over from the Senate was a very good Bill. However, when we adopted House Amendment #3 to Senate Bill 130, it became one of the worst Bills of this Session. House Amendment #3 is an attempt at capping excess capacity and it applies to coal, oil fired and nuclear generating facilities. This type of limitation has been fully debated and rejected in the past. Under the present Illinois Law, as a result of this Legislature's rewrite two years ago of the Public Utilities Act, the state has a statutory long range energy planning process. Now, Common Wealth Edison's 'Braidwood' Unit II is 94 percent complete and will be generating low cost electricity in less than one year. 'Braidwood' Unit II would not, however, be the only generating facility subject to the effects of Amendment #3. No utility would ever build a coal burning facility if faced with the prospect that recovery on such an investment could virtually be impossible under Amendment #3. Ladies and Gentlemen, we talk about cleaning up our environment. We talk about clean air. We talk about acid rain. And yet, we don't do anything about these things. We stick our heads in the sand and we become provincial and say, no, no, not in my backyard. We jump on the band wagon because right now it's popular to be against the utilities. Let's attack the utilities. Let's protect the consumers. That's the call. Well, let me tell you something, the President of the Citizens' Utility Board called me yesterday, and he said, 'I understand that you're in opposition to Senate Bill 130'. And I said, yes. And we talked about it at length.

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And after we finished our conversation, he said to me, and these were his words, he says, 'Well, we think that Senate Bill 130 might save the consumers maybe 100 dollars in two or three years. We think it might, maybe.' And I said, well, I know that if Senate Bill 130 passes, it will lay off 2700 people. It will cost the state 400 permanent jobs right now. Ladies and Gentlemen, think about it. In the long run the consumer will be hurt because price of energy will go up and economic development in the state will come to a halt. Let's pull our heads out of the sand. Nuclear energy is here to stay. Let's deal with it realistically. Nuclear power will make energy cost efficient and more affordable in the future. If you want to help the people in the State of Illinois, vote against this Bill."

Speaker Greiman: "Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The previous speaker is absolutely correct. This is not going to be of any assistance in the long run to the people of the State of Illinois. This is a sham when you get right down to it. And the truth of the matter is you put all of these together and you have one very, very, very bad Bill. Now, the previous speaker was talking about Amendment #3. You go down to Amendment #6, that puts into law something that the Commission already has the authority to do, and is involved in an ongoing process to do that. Amendment #9, which permits the ICC to extend relief in customer cases to all similarly situated customers, leads you to wonder how are you ever going to find those customers. The cost to find those customers could well be more expensive than whatever the customers might get in return. Let me make one other point relative to that, there is no precedent in state law or in administrative agency practice to deal with similarly situated customers."

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We don't back into something for the group as a whole. That's the reason you have a judicial process. Let's not subvert that process with the idea that we're going to improve the situation for the consumers. In the long run, the consumers are the ones who are going to pay the price, and we don't need to put an additional burden on them. And I believe that the passage of Senate Bill 130 will do exactly that, and I ask that you vote 'no' on this legislation."

Speaker Greiman: "The Gentleman from Vermilion, Mr. Black."

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

Speaker Greiman: "Indicates he'll yield."

Black: "I listened very carefully to the comments of Representative Kulas. I think here's a Gentleman with a reputation, a solid reputation, as a friend of the consumer and a friend of the working man. And I know, Representative McNamara, you read into the record your legislative intent. But I... As I read this Bill, and as I listened to Representative Kulas, I think you would agree, perhaps, if you would answer this question. There is some confusion as to what the Amendment... amendatory process has done to what was a good Bill when it came over here. I know what your intent is, I know what I heard you say, but would you not agree that there perhaps is reason to fear for what this Bill now actually does, could it, number one, not stop... could it stop a coal fired small generating plant from being built?"

McNamara: "It will not stop any facility which meets the criteria from being built. The answer is no."

Black: "I appreciate your answer. I'm not sure I'm in agreement. I know you're a man of integrity, but I can say this, and let me speak to the Bill, Mr. Speaker."

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Speaker Greiman: "Proceed."

Black: "I simply would rise in support of what Representative Kulas has said. Here is a good Bill with a good idea. It comes over from the Senate and we add Amendments to this thing willy-nilly to where it looks like a Christmas tree at Marshall Fields. I don't think there is ten people in this place that understand what this Bill does right now, and in all deference and with all due respect to the Sponsor, I'm not at all sure that he knows what some of these Amendments do. If we pass this Bill, we may very well put a burden on the consumer that will cost him ten times what he'll save. Oh, it's a great idea to go back home and say look what I've done for you. But, I'm not sure we know what we've done to him or her at this point. I think the only safe vote at this particular point is a 'no' vote. It's a shame we had to clutter up a good Bill. I urge a 'no' vote on Senate Bill 130."

Speaker Greiman: "Gentleman from Cook, Mr. Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is imperfect. There are a lot of things I'd like to see in it that aren't, but the provisions that are in it are reasonable and I think will greatly benefit the consumer. The basic Bill, I think, is excellent in terms of what it does, in terms of advertising. As far as Amendment #3, I don't think that there is any ambiguity, but the case law is very clear. If there is ambiguity in the language of the statute, you look to the legislative intent. We have clear legislative intent from the Sponsor of the Bill that this, Amendment #3, applies only to nuclear power plants. It doesn't apply to any others. That is what a court would look to if there was ambiguity and I don't think ambiguity exists. So, there is no problem with what Amendment #3 applies to. As far as

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Amendment #6, why should any consumer or business be paying taxes to a utility one day more than is necessary if the tax rate that the utility's paid has been reduced. And that's what this Amendment #6 does. Finally, Amendment 39 does not set up the class action. This has been discussed at length. I have... On several occasions, on this floor, indicated that there is no precedent for an administrative agency to do class actions, but there is ample precedent that many administrative agencies in Illinois, as well as other states, do deal with situations when more than one consumer is affected by a particular decision. That's what Amendment #9 does. It says that if there are a thousand consumers, each of whom have had an unnecessary charge that... and there is evidence that all one thousand are similarly affected, they each don't have to file individually. That's silly. This is an excellent Bill. It's been well worked out. Again, I would prefer to do a lot more, but I know this is the best we're going to do and I strongly urge its passage."

Speaker Greiman: "The Gentleman from Hill, Mr. Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. Will the Sponsor yield for a question, please?"

Speaker Greiman: "Indicates he will."

Regan: "Representative, would you consider at all, because I like some of the things in this Bill, the removal of Amendment 3, the tabling of Amendment 3?"

McNamara: "Representative Regan, one of the points is, as I said, if we remove that, we have removed a significant amount of savings to the taxpayers in your legislative district. Those savings, by estimate, can amount to 160 to 250 dollars a year for your constituents. Yes, there are some people fighting against it, the big money, the big interest groups, but they're the people in your and my area that are

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suffering. No, is the answer."

Regan: "To the Bill. I don't know if everyone really knows exactly what the situation is with excess capacity at this point. It takes ten to fifteen years to build an atomic plant for energy purposes. What you're asking utilities to do is think ten to fifteen years in the future exactly what the need for electricity will be at that time. We're running out of water in all the states. We may be lucky in Illinois, even with the high cost of doing business the way it is now. When water runs out of these other states, we've got fresh water. Manufacturers' jobs will come back to this State of Illinois. At the time that that swell starts, we better have electricity available. What this Bill is doing is absolutely causing utilities never to build another atomic energy plant again. What it will cause them to do is build little plants that they can build in two years that run on jet fuel, like little turbines. The cost of electricity will be overwhelming if this happens. The situation with the money involved, I believe, that it's probably over a billion dollars invested in this one plant at this time, 95 percent all most completed. It's absolutely ludicrous to sand bag it, to put into moth balls. I vote 'no'."

Speaker Greiman: "The Gentleman from Macoupin, Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. It's my understanding that the United Mine Workers support this Bill. And so, I hope that that puts to rest any thoughts that somehow this would adversely affect coal. But let me also say that I represent a district where we just in the process of seeing a nuclear power plant come on line. And unfortunately, as a result of that, we're seeing our power bills nearly double because of a nuclear power plant and the cost that it incurs. You know, in my district, back in

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1979, 60 Minutes came in and did a big expose on how these nuclear power plants are costing four and five times more than they are supposed to cost, how we're seeing all these great overruns and all this wastefulness that even here in government where we're accused of waste, we would consider it a travesty. But the point is that the Gentleman from Cook is trying to prevent his consumers in that part of the state from having to bear these outrageous costs. I, as one who have a power plant in my area run by nuclear power, only wish that I had thought of this Bill about two years ago. I'd ask for a 'yes' vote."

Speaker Greiman: "Mr. Young, Gentleman from Cook."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill. Particularly in support of Amendment #3. It's clear what we're looking at today. If there aren't any other consumer Bills left to face this General Assembly, then this is certainly one vote that could be cast in favor of the consumer. Right now, we are suffering from excess capacity. The bills are killing our senior citizens. They're ruining the lives of people who are on fixed incomes, and what we're doing is we're paying profits for capacity that we don't need. My district has recently seen Commonwealth Edison close the distribution center in the middle of the City of Chicago. Chicago has two distribution centers, whereas they used to have three and the reason the third distribution was closed is because there is no need. We were told by the people at Commonwealth Edison that demand has decreased. Now, if the demand has decreased, why in the world do we have to keep building and paying for nuclear power plants that create more and more nuclear waste? This state has fourteen nuclear power plants. One of the previous speakers says, 'If we pass this Bill, we may never build another one'.

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Well, I think we will never need another one. Eleven are already on line. California has six. New York has seven. We have eleven on line. We're paying for plants not on line. We're paying for it with money that people on fixed incomes cannot afford. This Bill gets so much debate, so much opposition because it's clear that the big money is behind defeating this Bill. If you care about consumers, if you care about people on fixed incomes, if you care about senior citizens, give them a break. Let's pay for energy as we need it. We don't need 'Braidwood' II. We don't need fourteen nuclear plants. We don't need all the nuclear waste these plants generate. Give the consumer a break. Let them just pay for what they use."

Speaker Greiman: "Gentleman from Cook, Mr. McNamara, to close."

McNamara: "Thank you, Mr. Speaker. We heard quite a few innuendos, misjustifications by the opposition to this Bill. First of all, let's take 2,400 construction jobs that will be lost. If this plant is 94 percent complete, how long are we going to lose them for? We may not even lose them at all. The proper management decision that Commonwealth Edison should make is to finish the plant, put it in moth balls before its nuclear fueled. That allows it in the future, when the capacity is necessary, to come on line. It allows it in the future to make the proper determination, and it also allows us to save dollars for our people. Why are we looking for excuses to vote against this Bill? Are we afraid to say no to Commonwealth Edison? No to the special interest groups? We were sent down here to protect our people and to protect our people by the excessive rates that are there. Let's be realistic about this. Let's not just sit back in our chairs very lazily if you happen to come from any of the counties such... if you come from Franklin Park, it affects your people. If you

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come from Park Forest, it affects your people. We must realize that this is a very logical plan. It has gone so far in management terms to allow Commonwealth Edison to make the right decision. And how do they do this? They can always start up again because if you'll notice in this Section of the Bill, it says, it excuses conservation as an alternate energy form. That was put in there on purpose. Someone mentioned that perhaps the Sponsor doesn't know what's in the Amendments. Let me assure you that this Sponsor knows what's in these Amendments, knows that it's good for the people and knows that everyone of you that vote 'no' on this has come on to this House floor, thrown your people off to the side and said, 'Today, we vote for Commonwealth Edison and all of the big money'. Isn't it time we start speaking for our people now? I ask for your 'aye' vote."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr... Yes, Mr. McNamara, to explain your vote. One minute."

McNamara: "Thank you, Mr. Speaker. I would hope that in these last few days where we were called out by all of the lobbyists, the special interest groups that have money involved, that we would think of our people. We're going to see by your votes up there whether you do or not. And I think that that's a very important thing to look forward to. If you want to be responsible and I heard those words on this House floor about tax increases and responsibilities and everything else, yet you're afraid to take a leadership role, then what are you doing down here? You have a responsibility to the constituents of your

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district. That's important. It's important for all of us. If we don't take that seriously, we don't belong here. And I think we will see the ones that don't belong here very simply by the red votes that are up there. Let's hope that some reason applies. Let us hope that we will be able to continue to put the green votes up there. Help our people. They need our help. Let's not abandon them."

Speaker Greiman: "The Lady from... I'm sorry. The Lady from LaSalle, Ms. Breslin, to explain... one minute to explain your vote."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. I said it yesterday and I will say it again today. This Assembly has continually pointed to the Illinois Commerce Commission saying, 'They're not doing their job. It's their fault that the rates are so high'. If you don't pass this Bill, it won't be their fault any longer. We give them the guidelines within which they must operate. If they don't have the authority, they can't make the decisions. If we don't pass this Bill, it's no longer their fault, it's our fault and the consumers will know it."

Speaker Greiman: "Gentleman from Cook, Mr. Huff, one minute to explain your vote."

Huff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to touch just briefly on another consideration, and that is the environmental impact. Starting this year, Com Ed is going to begin burying its nuclear waste. A lot of us don't understand that nuclear waste, as the physicists understands it, it is gamma radiation, Ladies and Gentlemen. Gamma radiation is the strongest radiation known to man. It has a half life of five thousand years. I submit that when Com Ed who already knows of a pernicious and devastating effect that this can have, we will find when we start to burying this waste that

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land space will become finite very quickly. And we will find out at that time that our underwater tables have become contaminated. Our cash crops like corn and soybeans won't be worth a nickel and it will be left to our mutated generations to tell Com Ed that you have indeed left us in a happy state. I think a green vote is the right vote for the preservation of the humanity of the citizens of this state; because, if we don't do this, this state may very quickly become uninhabitable."

Speaker Greiman: "Gentleman from Cook, Mr. Shaw, one minute to explain your vote."

Shaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think that this is a vote here where that the lobbyists versus the citizens, the little people, out in the community. And the... this Bill will prove that whether the people have any say about what happens in this government or the lobbyists. I think that's what this issue is all about, and I don't believe that no Representative here was elected by the lobbyists. I think they were elected by the people from their respective district, and I think that they should vote for the people of their respective district. I think that's what this vote is about. And if you go throughout your community or your district, wherever you come from, you'll hear people talking about the high utility bills. And I believe that if you put a green vote up on this Bill, that that will make the difference. You can no longer go back to your district and tell the people of your district that you voted for them when you put a red vote up on this board. You can't do that because the people back in your district want you to put a green vote up on that board and stop these utility companies from charging those high prices. Now, it's either the lobbyists or the people. Thank you."

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Speaker Greiman: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question... Yes, Mr. McNamara, for what purpose do you seek recognition?"

McNamara: "Poll of the Absentees."

Speaker Greiman: "The Gentleman is within his rights. Mr. Clerk, poll those not voting."

Clerk O'Brien: "Daley. DeLeo. Krska. Leverenz and Panayotovich."

Speaker Greiman: "On this question there are 58 voting 'aye', 40... Mr. Leverenz, for what purpose do... Mr. Leverenz votes 'aye'. On this question there are 59 voting 'aye', 42 voting... Mr. McNamara... Mr. McCracken, for what purpose do you seek recognition? Okay. 59 voting 'aye', 42 voting 'no', 9 voting 'present'. Mr. Homer, for what purpose do you seek recognition?"

Homer: "I'd like to explain my vote."

Speaker Greiman: "Well... Mr. Homer..."

Homer: "No, I haven't... I didn't speak in debate. Why can't I explain my vote?"

Speaker Greiman: "Very quickly, Mr. Homer. Usually we allow that when someone is going to make his change in dramatic moment. Proceed, Sir."

Homer: "Well, thank you very much. I would point out... I would take a difference of opinion with one of the speakers who commented on Amendment #6, which was my Amendment, and I think a very important one to consumers throughout the State of Illinois. The issue there is very clear. Because of the tax reform Act of 1986, the utilities in this state will reap an 850,000,000 dollar windfall. The question is, 'Who should get that windfall?' Should it go to the utilities in the form of higher corporate profits or should it go where it belongs, back in the pocket of the consumer?"

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That's the issue on Amendment #6. I'd urge your support."

Speaker Greiman: "Thank you. And Mr. Curran, for what purpose do you seek recognition?"

Curran: "Well, I had my light on at the time, Mr. Speaker, just to make sure that you knew that I wanted to hear what Representative Homer had to say, but I have a comment I'd like to make as well."

Speaker Greiman: "Well, if I didn't see your light, I certainly apologize. Proceed, Sir."

Curran: "Thank you. One of the previous speakers said that nuclear energy was here to stay. I think that's what they had to say about the Hindenberg and the Titanic, in fact. You know, if you really want the people who have voted to send you here, to have their utility bills go down, then you vote for this. That's where it is. If you want the people who sent you here to have their utility bills go down, then you vote for this; otherwise, it fails by one vote. And next year, this comes back to haunt everybody."

Speaker Greiman: "Excuse me, Mr. Daley, for what purpose do you seek recognition? Mr. Daley votes 'aye'. Mr. McCracken, for what purpose do you seek recognition? On this question there are 60 voting 'aye', 42 voting 'no', 9 voting 'present'. Mr. McCracken."

McCracken: "Verification, Mr. Speaker."

Speaker Greiman: "Alright. Gentleman from DuPage requests a verification of the affirmative vote. Mr. Clerk."

Clerk O'Brien: "Berrios. Bowman. Braun. Breslin. Brunsvold. Bugielski. Capparelli. Christensen. Countryman. Cullerton. Curran. Currie. Daley. Davis. DeJaegher. Dunn. Farley. Flowers. Giglio. Giorgi. Granberg. Greiman. Hannig. Hartke. Homer. Huff. Jones."

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

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Shaw: "Leave to be verified, please."

Speaker Greiman: "Mr. Shaw, Mr. Preston and Ms. Braun wish to be... have leave to be verified. Mr... And Ms. Davis wishes to have leave. They have leave? Alright. Yes, Mr. McCracken, do you wish to withdraw your verification request?"

McCracken: "No. Just... I... I'm just wondering. What is it they do when they all get leave?"

Speaker Greiman: "I've often wondered myself. Mr. Clerk. They leave."

Clerk O'Brien: "Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McGann. McNamara. McPike. Morrow. Mulcahey. Novak. O'Connell. Phelps. Preston. Rea. Rice. Richmond. Saltsman. Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich. Turner. Van Duyne. Williams. Williamson. Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker Greiman: "Mr. McCracken, questions of the Affirmative Roll Call?"

McCracken: "Thank you, Mr. Speaker. Representative Steczo."

Steczko: "Mr. Steczo. Mr. Steczo. Is he in the chamber? Mr. Steczo. How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Greiman: "Remove him from the Roll Call. Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. Representative Berrios."

Speaker Greiman: "Mr. Berrios. Is Berrios... Mr. Berrios in the chamber? How is Mr. Berrios recorded, Mr. Clerk?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Greiman: "Then remove Mr. Berrios."

McCracken: "Representative Giglio."

Speaker Greiman: "Mr. Giglio. Mr. Giglio in the chamber? Mr. Giglio. How is Mr. Giglio recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

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Speaker Greiman: "Remove Mr..."

McCracken: "Remove him."

Speaker Greiman: "I... That's my line. Remove Mr. Giglio from the Roll Call."

McCracken: "Representative Krska."

Speaker Greiman: "Mr. Krska. How is Mr. Krska recorded? Is he in the chamber? Mr. Krska. He's not voting."

McCracken: "He's not voting. Thank you. Representative Farley."

Speaker Greiman: "Mr. Farley is at his desk."

McCracken: "Representative McGann."

Speaker Greiman: "Mr. McGann. Mr. McGann. Mr. McGann is here at the door."

McCracken: "Representative Laurino. Representative Laurino. Representative Laurino."

Speaker Greiman: "He's at the rear of the chamber."

McCracken: "Representative Bugielski."

Speaker Greiman: "Mr. Bugielski is here at the... near the door. Further questions?"

McCracken: "Representative Williamson."

Speaker Greiman: "Representative Williamson is at the rear of the chamber."

McCracken: "Representative Countryman."

Speaker Greiman: "Mr. Countryman. Mr. Countryman. Mr. Countryman. How is Mr. Countryman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Greiman: "Remove Mr. Countryman from the Roll Call."

McCracken: "Representative Phelps."

Speaker Greiman: "Mr. Phelps. Representative Phelps. Mr. Phelps. How is Mr. Phelps recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Greiman: "Mr. Phelps is in the door."

McCracken: "Thank you. That's all."

Speaker Greiman: "Mr. White, for what purpose do you seek

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recognition? Mr. White votes 'aye'. Mr. Cullerton, for what purpose do you seek recognition, I'm sorry."

Cullerton: "Well, I have... I have... I have an inquiry. Since he had not yet voted, I think he should be entitled if he wants."

Speaker Greiman: "Absolutely."

Cullerton: "To explain his vote as well."

Speaker Greiman: "If he wishes to, he might do that. But..."

Cullerton: "He might have some questions. He wasn't here for the debate, he might... He..."

Speaker Greiman: "...Apparently, I think you want to explain his vote, Mr. Cullerton."

Cullerton: "No, I think... He wasn't here for the debate, he might want to ask Representative McNamara some questions about what the Bill does."

Speaker Greiman: "Alright. Mr. White votes 'aye'. Mr. White votes 'aye'. On this question there are 57 voting 'aye', 42 voting 'no', 9 voting 'present'. Mr. McNamara requests that the Bill be placed on the Order of Postponed Consideration."

McNamara: "Yes. Yes. Yes, Mr. Speaker, I request Postponed Consideration on this measure."

Speaker Greiman: "The next Order of Business on Special Call appears... Consumer Protection. On the Order of Senate Bills Third Reading appears Senate Bill 378. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 378, a Bill for an Act in relation to state occupation and use taxes. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Keane. Mr. Keane. On this Order appears... Out of the record. On this Order appears Senate Bill 1287. Mr. O'Connell. Mr. O'Connell in the chamber? Mr. Clerk, read the Bill."

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Clerk O'Brien: "Senate Bill 1287, a Bill for an Act to create the Consumer Deposit Security Act. Third Reading of the Bill."

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

O'Connell: "Thank you, Mr. Speaker. This Bill provides for security... determines who will get the interest on security deposits for a personal property under 25,000 dollars. You may recall, Amendment #2 was adopted which provided that any security deposit over 150 dollars the interest thereon would go to the benefit of the lessee of personal property and under 150 dollars the interest would go to the lessor. And that... with that Amendment, it took away any opposition that surfaced in Judiciary I Committee and I would ask for a favorable Roll Call and be happy to answer any questions."

Speaker Greiman: "Gentleman from Cook, Mr. Culler... no, Mr. O'Connell, moves for the passage of Senate Bill 1287. And on that, is... there being no discussion, the question is, 'Shall this Bill pass?' All in favor signify by saying... by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 102... 106 voting 'aye', 1 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1328. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1328, a Bill for an Act in relation to handicapped and disabled, mentally ill persons. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Peoria, Mr. Saltsman."

Saltsman: "Thank you, Mr. Speaker. This Bill was developed by the Citizens' Council on Mental Health and Developmental Disabilities, which I was a member of, and it comes to the

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response of some of the hearings that we have had during the past year. This Amendment with the Bill was agreed upon with the Department of Public Health and it seems like it's an agreed Bill. And we should have no problems with it. I ask for your favorable vote."

Speaker Greiman: "Gentleman... Gentleman from Peoria, Mr. Saltsman, moves for the passage of Senate Bill 1328. And on that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Would the Sponsor yield? Representative Saltsman, does the original Senate Bill still stand? Is that still in the Bill after the Amendments?"

Saltsman: "No. It's been modified by our House Amendment and it's been agreed upon."

Cullerton: "Well, let me just ask you this. Does... do we still establish the position of inspector general within the Department of Mental Health?"

Saltsman: "It's recommended and it's recommended he be appointed by the Director of Mental Health instead of the Governor."

Cullerton: "Okay. So then, it's possible that he may not be a former U.S. Attorney, then."

Saltsman: "It could even be you. Yes."

Cullerton: "Okay. Thank you."

Speaker Greiman: "Gentleman from Cook, Mr. Leverenz."

Leverenz: "Sponsor yield?"

Speaker Greiman: "Indicates he'll yield for questions."

Leverenz: "Does that means we have two inspector generals?"

Saltsman: "No."

Leverenz: "Just one or is there a one star and two star, three star for food?"

Saltsman: "This will be within department, Representative Leverenz."

Leverenz: "And the other guy's gone."

Saltsman: "Yes."

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Leverenz: "Now, I understand. Thank you."

Saltsman: "No. You have the one for all the departments, but this will be a separate one in a department."

Leverenz: "Would we, then, next year see the one for the Department of Revenue and DOT and Public Aid pop up."

Saltsman: "That is possible, but it's not the intent. And this is designed directly for this department only."

Leverenz: "Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 97 'aye', 15 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Alright. We... the next item would be in this Call, Senate Joint Resolution 60. The Sponsor is not feeling well. When Mr. Rice returns to the floor, we will accommodate him and call this no matter where we, you know, at the end of whatever Order of Business we're on. Mr. Panayotovich, would you find out for us Mr. Rice's current condition? On the Special Order - Public Health, Second Reading, appears Senate Bill 482. Mr. Matijevich, do you wish to proceed? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 482, a Bill for an Act to amend an Act in relation to the consolidation of alcohol and drug abuse programs. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Floor Amendments? Were there any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Floor Amendments?"

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

Speaker Greiman: "Gentleman from Cook, Mr. McNamara, withdraws Amendment 2. Further Amendments?"

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

Speaker Greiman: "Gentleman from Lake, Mr. Matijevich, on Amendment 3."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #3 becomes the Bill. Senate Bill 482 is the Bill that many of you know we discussed on my Motion to discharge Committee relates to the Department of Alcoholism and Substance Abuse consolidated licensure initiative. Some of you may be aware, too, that this was an agreed Bill that came out of the Senate and then we realized that the language caused a semantic problem with the liquor, beer and wine industry. They objected to the term 'chemical dependency'. And when I had the Motion to discharge, I said we would meet to resolve our differences. And we've done that satisfactorily to meet all objections to the Bill. The Bill deletes all references to 'chemical dependency' and uses the term 'alcohol and other drug dependencies'. The employers and the City of Chicago had some concern that they would not be able to have employee assistance programs and other intervenor programs like the City of Chicago does. We have amended the Bill to clarify this. The Bill is, as I said, a licensure Bill and establishes three categories of licensure by the Department of Alcoholism and Substance Abuse: one, as to treatment services; two, as to intervention services; and three, as to persons conducting research which involve the possession, dispensing or administration of a controlled substances. The Bill has been thoroughly worked out and I

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want to acknowledge the fact that Loleta Didrickson... the Cosponsor in the House and the Senate Sponsors, Dawn Netsch and Forest Etheredge, worked together cooperatively to bring these people together and meet with the Director, Atkins. It is now, I believe, an agreed Bill, and I would appreciate the support of the adoption of Amendment #3."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment 3 to Senate Bill 482. Is there any discussion? There being none, the question is, 'Shall the Amendment adopted?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

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

Speaker Greiman: "Gentleman from Cook, Mr. McNamara, on Amendment 4. Withdrawn. Further Amendments?"

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

Speaker Greiman: "Gentleman from Cook, Mr. McNamara, on Amendment 5."

McNamara: "Thank you, Mr. Speaker. Amendment #5 provides information of referral hotlines established by the Department of Alcohol and Substance Abuse. And also, it provides for radio announcements, billboard advertising, using the theme that drug usage and addiction is a crippling disease. It's a progressive type of legislation that will actually try for the prevention of the alcoholism and drug abuse. It is permissive in this area and I urge for its adoption."

Speaker Greiman: "Gentleman moves for the adoption of Amendment #5. And on that, is there any discussion? There being none, the question is, 'Shall Amendment be adopted?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair,

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the 'ayes' have it. That Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Gentleman asks leave to have this Bill heard at this time using the Attendance Roll Call. Leave? Leave is granted. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 482, a Bill for an Act in relation to the consolidation of alcohol and drug abuse programs. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Lake, Mr. Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House, I think everybody now is aware of the Bill and I appreciate your support of the Bill."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote... Oh, I'm sorry. Wait a minute. Hold on. Hold on. Hold on. Mr. Mautino."

Mautino: "Would the Gentleman yield for a question?"

Speaker Greiman: "He indicates he will."

Mautino: "Representative, could you give me some type of line up of products that are include in your definition of 'chemical dependency'?"

Matijevich: "First of all, we don't use the term 'chemical dependency' at all anymore, Rich. That's been excluded all together where we use now the term 'alcohol and other drug dependency'. So, we have met with the beer industry and Bill Olson and Billie Paige and the liquor industry and everybody's on board now, so we don't use that term whatsoever. They're in total agreement with us with the Bill now. They've removed all objections."

Mautino: "Thank you. Thank you."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All

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those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 106... 109 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1013. Mr. Clerk, read the Bill. Mr. Kulas. Mr. Kulas. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1013, a bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there Floor Amendments?"

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

Speaker Greiman: "Lady from LaSalle, Ms. Breslin, on Amendment #1."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, under the current environmental law, local governments are responsible for approving the location of new waste management facilities, such as a sanitary landfill. Under this Bill, that procedure is being... is being changed. If the landfill developer is going to be allowed to receive an EPA permit before a local siting decision is made, as we... would be provided under this Bill, it's my opinion that it is important that several changes must be made in the EPA permitting process to ensure that it is open and accountable. As a consequence, this Amendment would do the following things. First of all, after the EPA receives an application for a landfill permit, it must give public notice of its preliminary determinations to issue or deny the permit and give notice of the opportunity for a public hearing on that preliminary determination. Secondly, the

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public notice must be published in a newspaper of general circulation in the county in which the landfill is proposed to be located. In addition, the state's attorney, the chairman of the county board and each Member of the General Assembly from the affected legislative district must be notified. Three, any party who participated in the permit proceeding, including affected citizens and local planning agencies, may petition the Illinois Pollution Control Board to contest the issuance or condition of an EPA permit to construct a landfill, provided that such appeal is not frivolous. Now, the landfill developer already has that right, under the Illinois law, to contest an EPA decision to deny a permit. I ask for the adoption of the Amendment."

Speaker Greiman: "The Lady from LaSalle moves for the adoption of Amendment #1. And on that, the Gentleman from Will, Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 will give the necessary public input in the landfill siting process. It's a vital Amendment to preserve the environment in the underground water aquifers of Illinois. It's a process that interveners, interested citizens, hydrologists and professionals at all levels will have a definite input into the EPA process. And I urge all of the colleagues on both sides of the aisle to vote in favor of this Amendment."

Speaker Greiman: "Gentleman from Cook, Mr. Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand in opposition to Amendment #1. Senate Bill 1013 is a Bill which is going to look at one of the biggest problems facing the State of Illinois in the next few years, and that is the problem of disposal of solid waste. What are we going to do with our garbage? We don't want

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any garbage scows laying around in the Mississippi like they are off of New York and that's what's going to happen if we don't do something about this. Now, I have introduced House Joint Resolution 109 which will form a task force on this problem. My intention on Senate Bill 1013 is to oppose all the Amendments except Amendment #8, which is my Amendment, put the Bill into a Conference Committee and hold it till next year after we get a report from this task force on the disposal of solid waste. You all have sponsored Amendments. You all want your Bills to go out the way you put your Bills in. I ask you to oppose this Amendment and vote 'no'."

Speaker Greiman: "Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. Will the Lady yield for a question?"

Speaker Greiman: "Indicates she will."

Mautino: "Representative Breslin, as I understand it, your Amendment puts local control back into the Bill that does not have the first option on the permit, is that correct?"

Breslin: "That is correct."

Mautino: "The current leg... the current statute that was embodied in Senate Bill 172 had the local permitting at the first step, is that not true?"

Breslin: "That is correct. And this Bill attempts to change this. This Amendment gives the public more participation in the permitting process, which I think is appropriate since the permitting process is going to go before the siting process."

Mautino: "To the legis... to the Amendment, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

Mautino: "Ladies and Gentlemen, in 1975 this same Amendment came before this House of Representatives when there were 177 Members in this House. Since that time, we have taken

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giant strides in providing for local permitting and the opportunity for local citizens to have a say in the hazardous and low level nuclear waste arena. This Amendment was part of a Bill I presented at that time that got 16 votes. Since that time, we've enacted that legislation and, please, do not take away the permitting by the local government at the first step in the process. If you do, what will happen, Ladies and Gentlemen, is the hundreds of thousands of dollars that are spent through the court system addressing this question at the state level will preclude any chance of local individuals to have a say. I respectfully request an 'aye' vote not only for the local areas where there are those sites or possible sites to be presented, but to save the taxpayers in this state an awful lot of money. It's a good Amendment on a bad Bill. It makes this Bill palatable if adopted."

Speaker Greiman: "Lady from LaSalle, to close."

Breslin: "Thank you, Mr. Speaker. We've come a long way since 1975. Our constituents and this Assembly are far more environmentally conscious. This is an Amendment that they would want to have on this Bill. I urge its adoption."

Speaker Greiman: "Question is, 'Shall the Amendment be adopted?' All in favor say 'aye', those opposed 'no'. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Homer, one minute to explain your vote."

Homer: "Thank you, Mr. Speaker. I've... I'm voting 'no' on the Bill... on the Amendment because the Bill is a terrible Bill. It takes a giant leap backwards in giving local control on siting of landfills. And while I recognize the Sponsor's Amendment would go part way toward restoring that local control, I think the proper thing to do would be to

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defeat the Amendment and then to defeat the very bad Bill which it purports to amend."

Speaker Greiman: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 81 voting 'aye', 29 voting 'no', 2 voting 'present', and the Amendment's adopted. Further Amendments?"

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

Speaker Greiman: "Lady from LaSalle, Ms. Breslin. Withdraw Amendment 2. Further Amendments?"

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

Speaker Greiman: "Gentleman from Will, Mr. Van Duyne. Mr. Van Duyne. Mr. Kulas, for what purpose do you seek recognition?"

Kulas: "I move to table Amendment #3."

Speaker Greiman: "Gentleman moves to table Amendment #3. Yes, Mr. Klemm is here. You may still, of course, pursue your Motion. Mr. Klemm, who is the Sponsor... hyphenated Sponsor, is present. Yes, Mr. Kulas."

Kulas: "If he's a hyphenated Cosponsor, I'll withdraw my Motion."

Speaker Greiman: "Alright. Mr. Klemm. Thank you. Mr. Klemm."

Klemm: "Thank you, Mr. Speaker, and thank you, Mr... Representative Kulas. Amendment #3 does really what the Sponsors of Senate Bill 1013 had really told everybody that this was really a provision that would be only in effect really for Cook County, in other words only because they were having some difficulties down there. I think during the discussion with many of the people, Senate Bill 172, which many of us who were here then fought hard for. So, we decided that if it only affects Cook County and it doesn't affect the counties down where we are, outside of there, that Senate (sic - House) Amendment 3 will say,

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alright, we'll leave this Bill if it is passed to be effective only in Cook County, therefore protecting the collar counties, the downstate counties from being the dumping ground without the siting requirements that we think are so vital for the county board and the public to protect their own interest. And so, simply, Amendment #3 applies only to counties of less... or this Bill would not apply to counties of less than three million inhabitants, and I ask for its adoption."

Speaker Greiman: "Gentleman moves for the adoption of Amendment #3. On that, the Gentleman from Cook, Mr. Kulas."

Kulas: "Thank you, Mr. Speaker. Well, I'm glad that some people finally woke up. One of the reasons that I took the sponsorship of Senate Bill 1013 is because, again, this Legislature tends to stick its head in the sand when it has a big problem. They say, 'Oh, we don't want the garbage in my back yard. Put it in his back yard.' Well, there is no more back yards, and we've got to face this problem. I'm not going to fight this Amendment. Put the Amendments on. I'm going to put this Bill into a Conference Committee. I got House Joint Resolution 109 coming up, and we've got to face this problem. Let's look at this problem. Let's not... let's not put our heads in the sand."

Speaker Greiman: "Further discussion? The question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

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

Speaker Greiman: "Lady from LaSalle, Ms. Breslin, on Amendment 4."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen."

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Amendment #4 limits the application of this Bill to sanitary landfills only. I want to make it very clear that I agree with Representative Homer's view of this Bill. I think it is a bad environmental Bill. However, in a fear that it might pass, my effort is to make it better than it was and that is a sincere attempt. I do not want to mislead you. I will be opposing the passing of the Bill, or the putting of the Bill into a Conference Committee at this point."

Speaker Greiman: "Lady moves for... I'm sorry."

Breslin: "I would hasten to say that I have suggested that the Bill should go into Interim Study where it can have a thorough oversight of the Environmental Committee. I think that's the place that it ought to be. I ask for the adoption of this Amendment in lieu of that."

Speaker Greiman: "The Lady moves for the adoption of Amendment #4. And on that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, a question of the Sponsor."

Speaker Greiman: "Indicates she'll yield for questions."

Cullerton: "In light of Amendment #3, which made the provisions applicable to Cook County only, how does Amendment #4 mesh with that?"

Breslin: "It makes it apply to sanitary landfills only, which appears to be the concern of the Sponsor."

Cullerton: "Sanitary landfills only in Cook County?"

Breslin: "Correct."

Cullerton: "Fine, thank you."

Speaker Greiman: "Gentleman from Cook, Mr. Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You just heard from the Lady. Was an Amendment I'm not going to oppose anyway. What you just heard... the only reason she's putting on these Amendments is because she wants to kill the Bill. She wants to stick her head

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back in the sand and not look at the problem that's ahead of us. Now, we've tried that system for the last decade and what's happened - things have just gotten worse. Something has to be done. Let's do something about it. I won't fight the Amendment. Put the Amendment on."

Speaker Greiman: "Question is, 'Shall the Amendment be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment 35, offered by Representative Churchill and McCracken."

Speaker Greiman: "Gentleman from Lake, Mr. Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I guess I stand and the first thing I do is make the same disclaimer that Representative Breslin did. I think Senate Bill 1013 is a terrible Bill. But I also agree somewhat with what Representative Kulas says and that is that we can't stick our head in the sand. We have to have other options. A few years ago I stood up on this floor and I offered an option where we could create local planning districts for solid waste. I stood up later and I offered an option that we would allow the creation and building of incinerators and the sale of the energy that's produced by those incinerators. I think you'll find that at some point along the line in the next few days that there will be an Amendment before this Body that will finally put the final pieces in place so that we can go to incineration instead of landfilling. Senate Bill 1013 is a terrible Bill, because what it does do is it ruins the siting requirements at the local level. What this Amendment, Floor Amendment 35, does, it says that we're going to take those same siting requirements that you have at the local level and we're going to make those the same

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requirements that the State EPA has to use. In addition, it extends those criteria to other siting procedures. If this bad Bill is ever going to get out of here, it ought to have some protective language in it, and I think Floor Amendment #5 is the thing that does that. If we're not going to get it out of here then, fine, let it die. I don't believe it should go in Interim Study to be further studied. I believe it should be tabled and forever lost."

Speaker Greiman: "Gentleman from Cook, Mr. Leverenz."

Leverenz: "Sponsor yield?"

Speaker Greiman: "Indicates he will."

Leverenz: "Did he explain the Amendment? And I agree with the other things he said. But did he explain what the Amendment did?"

Churchill: "Yes, what I said was that this takes the same siting requirements that you find at the local level and makes those the siting requirements to be followed by the EPA."

Leverenz: "Does this then stay with what we know to be 172, or does it, as the Bill did, reverse what we might know as 172?"

Churchill: "I requested, and I believe that the language is the same; that it would take the 172 siting requirements and put them in the State EPA, as well as at the local level."

Leverenz: "Who gets... Where does it get heard first, at the local level or then the state level first?"

Churchill: "I'm not sure that I know the answer to that question. I believe that at the present time it goes to the local level first. I don't believe that this Bill changes the timing of that."

Leverenz: "Well, does your Amendment affect anything to do with the first hearings being conducted at the local level?"

Churchill: "No."

Leverenz: "Which we all know is 172 that we fought very hard to

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get three or four years ago. If it doesn't do anything with that, then I guess I'd be in favor of the Amendment. But I think we don't want that hearing first ever conducted at the state level."

Churchill: "I believe the hearings are held first at the local level before they go to the state for the permit."

Leverenz: "Good Amendment. Thank you."

Speaker Greiman: "Gentleman from Fulton, Mr. Homer."

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

Churchill: "Yes."

Homer: "Representative Churchill, I have the same question as Representative Leverenz, but I don't... I'm not sure that you've answered him correctly. Under current law, 172 set up a procedure where an applicant for one of these regional pollution control facilities would first have to go through the local... local county board, local municipality for siting. That would be the first step. And then once they've gotten that approval, then they would go to the EPA for a permit. Now, the Bill change... reverses the order. The Bill says that first they go to the EPA and then, if they get... they can go ahead and get a permit and then, after that, they go to the locals for siting. Now, your Amendment has the exact same language with respect to that on the top of page five as does the original Bill. So, I think, unless you can convince me otherwise, that your Bill does, in fact, controvert the provisions of 172 by switching the order just the same as the original Bill does. Is that not correct?"

Churchill: "I... My reading of the language is that they could not... the state could not issue a permit unless the applicant submits proof to the agency that the location of the facility has been approved by the county board of the county. That's the way I read the language on the bottom

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of page four and the top of page five."

Homer: "Well, that's exactly what the Bill does though. That's the exact language used in the Bill, to reverse the order. And our legal staff has analyzed that Amendment that you have to say that you've done exactly, in that respect, what the original Bill does. That language means that the permit may be granted. See, you're striking language there. Under the current law, it says no permit may be granted. Your Amendment strikes that, and it says 'may be issued'. That's a different verb. In other words, the EPA, under your Amendment and under the Bill may grant a permit. They just can't issue it until after some other things are complied with."

Churchill: "Representative Homer, I had not requested that it be that way. I had requested that the local siting procedures continue to exist. I see the interpretation that can be placed on this and perhaps the interpretation can be such that the local siting requirements would be obviated by the state requirements. That is not my intent in this piece of legislation. I think that the language is subject to interpretation and, therefore, would not be a good Amendment. And so, therefore, I'm going to withdraw this Amendment, because I think that you are probably correct."

Homer: "Thank you."

Speaker Greiman: "Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Wennlund."

Speaker Greiman: "Gentleman from Will, Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment provides for an amending procedure at the time of completion of the applicants case before a 172 hearing before a county board or local agency. It will facilitate the siting process and allow technical

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amendments to be made without extending the time requirements under the original 172 provisions. It will allow applicants who request siting approval to make technical amendments without going through the entire procedure again. And I don't want to send a false signal. I agree with the Sponsor of Amendment #1 that House (sic - Senate) Bill 1013 should be placed in Interim Study so that it can be given adequate consideration and so that both sides of the fence can sit down and work out all of the problems with the entire procedure. I move for its adoption."

Speaker Greiman: "Gentleman moves for the adoption of Amendment 6 to Senate Bill 1013. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Wennlund."

Speaker Greiman: "Gentleman from Will, Mr. Wennlund, on Amendment 7."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #7 is a technical change. It changes the wording from 'the Act' to 'this Act'. I move for its adoption."

Speaker Greiman: "Gentleman moves for the adoption of Amendment #7 to Senate Bill 1013. There being no discussion, the question is, 'Shall it be adopted?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative Kulas."

Speaker Greiman: "Gentleman from Cook, Mr. Kulas, on Amendment

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8."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #8 would address one of the problems brought up previously that in this... in the case of the application the Environmental Protection Agency would have to provide a copy of the draft, permit or notice of intent to deny the application to the county or to the governing body of the municipality in which the facility is to be located within five days of taking such action. I would move for its adoption."

Speaker Greiman: "Gentleman from Cook, Mr. Kulas, moves for the adoption of Amendment #8 to Senate Bill 1013. And on that, the Gentleman from Fulton, Mr. Homer."

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

Speaker Greiman: "Indicates he will."

Homer: "Representative Kulas, how does Amendment #8 differ from the Bill?"

Kulas: "Well, there..."

Homer: "First of all, let me ask another question first. Amendment #8 would wipe out all the Amendments that we just adopted, correct?"

Kulas: "I don't believe so."

Homer: "It would... Wouldn't it eliminate..."

Kulas: "Well, you might be correct."

Homer: "... Amendment #1 that Representative Breslin offered and the Amendment that Representative Klemm offered also that limits the application to Cook County?"

Kulas: "You're the Assistant Parliamentarian, you tell me. Does it knock out the other Amendments? Because if it does, I'll withdraw the Amendment."

Homer: "Well, okay. I'd ask the Parliamentarian to take a look at that, because it clearly does do that. It deletes everything after the enacting clause and rewrites the Act."

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So, I think it's clear that it does that and the Sponsor said, Mr. Speaker, that, in that event, he would withdraw his Amendment."

Kulas: "Mr. Speaker, I'll withdraw Amendment #8."

Speaker Greiman: "Amendment #8 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. Kulas, asks leave of the House to use the Attendance Roll Call to have this Bill heard on the Order of Third Reading at this time. Does the Gentleman have leave? Leave is granted. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 1013, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Kulas, on Senate Bill 1013."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We spent a lot of time on this Bill. We've heard a lot of rhetoric. We've put on a lot of Amendments. The only reason the Amendments were put on was to try to kill the Bill. I am telling this General Assembly that there is a major problem facing the State of Illinois and, whether you like it or not, we have to face that problem. Now, Senate Bill 1013 at least tries to address that problem. If the old way didn't work, let's try a different way. Now, I'm not going to push Senate Bill 1013. I want to put that Bill into a Conference Committee and then, after we... after this House adopts House Joint Resolution 109, which would create a Committee to study the problem of solid waste disposal and which would report to this Assembly by January 1st of 1988 with some recommendations, then I will use this Bill as a vehicle for those recommendations. Now, I know again you think you're going to protect the people

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in your district, but you're only going to be hurting them again because, again, you're saying, 'Well, let's not look at this problem. It's not my problem; it's his problem.' Well, it's not my problem or your problem or his problem; it's all of ours problem. It's a problem that won't go away because garbage keeps regenerating. Look at all the garbage in this General Assembly that we throw away every, single day - every single day, tons of paper. This garbage has to be dumped someplace. I would ask you to vote 'aye' on this Bill, and you have my word as a Member of this General Assembly that this Bill will not be called till 1988."

Speaker Greiman: "Gentleman moves for the passage of Senate Bill 1013. And on that, the Gentleman from... the Lady from LaSalle, Ms. Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, the Sponsor has a sincere interest in addressing what he considers a problem in his area. I disagree with the manner in which he wishes to address the problem. This state and this country has a problem with disposing of its waste. We generate too much. It is a rising problem all over the world. It is not going to be solved by this approach. I agree that we should study this issue, but it should be in Interim Study; it should be with full hearings, not in a manner for a Conference Committee where five Members from each House can sit together behind closed doors and make determinations. You should know that the siting Bill in Illinois is working and is working well in all of downstate. More than 50 percent of all applications for regional pollution control facilities are approved. The Gentleman has a problem in his area in northeastern Illinois, and I agree it should be addressed. My disagreement is that it shouldn't be in a haphazard manner

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or at this time. I urge defeat of this Bill and I pledge cooperation in further studying the issue over the summer. Thank you."

Speaker Greiman: "Gentleman from Fulton, Mr. Homer."

Homer: "Thank you, Mr. Speaker. Ladies and Gentlemen, I have the highest regard for Representative Kulas, the Sponsor of the Bill, but, like Representative Breslin, I'm greatly concerned about a plan which would submit this Bill to Interim... to a Conference Committee Report which would not invoke the opportunity for full public debate and public hearing. It would be a little like having that barge floating around out in New York Harbor full of garbage and not knowing exactly where to sit it. And I don't think we want to do that with garbage and I don't think we want to do it with legislation that deals with garbage. Back before I came to this General Assembly, I believe it was about 1982, this Body very carefully considered the problem and adopted and passed Senate Bill 172. That was the number of it then and every one still refers to it as 172 siting. And what it did was create a very delicate balance between the interest of having a centralized agency, such as the EPA, make permit decisions and yet give local governmental units some control over where these facilities are placed. And the way that it did that was to say that before an applicant for a landfill or a regional pollution control facility could even go to the EPA to get a permit it first had to have a suitable site selected. And so there were some siting criteria determined. The local units of government were able to review those matters and pass judgement upon whether or not the site that was selected was a suitable one. The Bill also said there was an appeal procedure, so that if the local government didn't follow the prescribed criteria, the applicant could appeal

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to the Pollution Control Board, who had the, and has the, authority to overrule the local unit of government in cases where a decision was made arbitrarily and not based on the criteria. Then and only then, after this local siting, could the applicant go for an EPA permit. Now, the Gentleman's Bill would controvert all that and reverse it and say that the applicant could go straight to the State EPA, get that permit and then go back to the locals. Well, what that does, Ladies and Gentlemen, is nothing less than just strip the entire authority that the local units of government had under 172, which, as Representative Breslin has correctly pointed out, has worked very well. If it ain't broke, don't fix it. And if you don't have an idea ready to be considered after hearing, don't put it in a Conference Report. And so I would urge your defeat of this Bill."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn."

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

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn, moves the previous question be put. Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Gentleman from Cook, Mr. Kulas, to close."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Again, I would just reiterate in closing, briefly, that this is a problem that won't go away. This is a problem that we might face. Now all the previous speakers who have spoken against this Bill have landfills in their area. I understand where they're coming from. But let's not say if it ain't broke, don't fix it, because it is broke. And it's a big problem. And garbage won't go away. It's a problem which needs study, and I would ask to get this Bill out of the House and into Conference Committee."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those

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in favor signify by voting 'aye', those opposed vote 'no'.
Voting is now open. This is final action. Gentleman from
Cook, Mr. Leverenz, one minute to explain your vote."

Leverenz: "I don't think I have to. Thank you."

Speaker Greiman: "Have all voted who wish? Have all voted who
wish? Mr. Clerk, take the record. On this question there
are 15 'ayes', 94 'nos', 6 'present', and the Bill fails.
On this Order appears Senate Bill 1426. Mr. Clerk."

Clerk O'Brien: "Senate Bill 1426, a Bill for an Act in relation
to the regulation of underground storage tanks. Second
Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there Floor Amendments?"

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

Speaker Greiman: "Gentleman from Cook, Mr. Kulas, on Amendment
1."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. Floor Amendment #1 becomes the Bill. This is the
underground storage tank legislation which we and all the
interested parties have been working on for the last three
months. The Amendment itself creates a new fund to be
known as the Underground Storage Tank Fund to be used by
the Illinois EPA to respond to releases of petroleum from
underground storage tanks and by the Office of the State
Fire Marshal to respond to petroleum releases. This Fund
will also act as a kind of insurance pool. The tank owners
who pay an annual fee of 100 dollars per tank and register
their tanks with the Office of the State Fire Marshal will
only be responsible for the first 100,000 dollars of any
cleanup work and the Fund will cover the remaining costs.
This is an agreed Amendment, and I would move for its
adoption."

Speaker Greiman: "Gentleman from Cook, Mr. Kulas, moves for the

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adoption of Amendment #1 to Senate Bill 1426. And on that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in... All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. Kulas, asks leave of the House, using the Attendance Roll Call, that this Bill be heard on the Order of Third Reading at this time. Gentleman have leave? Leave is granted. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 1426, a Bill for an Act to amend Sections of the Environmental Protection Act. Third Reading of the Bill."

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

Kulas: "Thank you, Mr. Speaker. Amendment #1 which we have just adopted is the Bill. This is the underground storage tank legislation, and I would ask for a favorable Roll Call."

Speaker Greiman: "Gentleman moves for the passage of Senate Bill 1426. And on that, is there any discussion? There being none, the question is, 'Shall the Bill pass?'... 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. The voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received a Constitutional Amendment (sic - Majority), is hereby declared passed. Representative Breslin, in the Chair."

Speaker Breslin: "Ladies and Gentlemen, the next Order of Business is Election Law - Second Reading, page 16 on your

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yellow program. The first Bill is Senate Bill 120, Representative Daley. Out of the record. The next Bill is Senate Bill 652, Representative Greiman. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 652, a Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Countryman."

Countryman: "I ask to withdraw Amendment #2."

Speaker Breslin: "Withdraw #2. Are there any further Amendments? Representative Slater, for what reason do you seek recognition?"

Slater: "Madam Speaker, on behalf of this side of the aisle, we seek leave to withdraw Amendments 2 through 22."

Speaker Breslin: "Withdraw Amendments 2 through 22. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #23, offered by Representative Greiman."

Speaker Breslin: "Representative Greiman."

Greiman: "Thank you, Repres... Mr. Speaker... Madam Speaker. We have worked for several weeks in trying to develop an election package in two Bills and a Resolution that would provide input from various segments in each of the parties, as well as both sides of the aisle. And many... the Amendment is quite exhaustive and quite complete. But there are probably pieces, or incomplete, of 40 Bills perhaps, in this ... 40 or 50 Bills that are in this Amendment. There are, I suppose, parts of it which have

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been worked over by various people and have gotten some of the issues that they cared about in the Bill. There were some that were excluded, because we couldn't come to a consensus on them. There are some, I suppose, that are obnoxious to some and some that are not in there that ones would like; but, like many comprehensive Bills, one has to have a spirit of compromise. And in that sense, the Floor Amendment 23 is offered. I could... hopefully can answer questions, if there are any."

Speaker Breslin: "The Gentleman has moved for the passage... or the adoption of Amendment #23. And on that question, the Gentleman from McDonough, Representative Slater."

Slater: "Thank you, Madam Speaker. Indeed, Amendment #23 is the result of some degree of compromise on the part of the two sides of the aisle. However, I think it would be amiss if we didn't point out how difficult it was to get to the point of compromise. In 1986, there were no meetings of the Election Committee. In 1987, there were no meetings until after the election contest was decided by this House. And in our initial organization meeting, we did nothing. In our second meeting, we met. In our third meeting, nobody was present; but, on an Attendance Roll Call, the Chairman of the Committee passed out a shell Bill. This House didn't deal with that shell Bill or the other shell Bill which, by agreement with the Democrats, was placed on the Calendar. So then we come into the second part of this Session, and we have a couple of meetings. At the first meeting, we heard seven Republican Bills. None of those Bills, although they did receive a hearing, received a fair hearing. Each and every Roll Call vote was on a straight partisan division. And then we go to the last meeting that we had of our Committee and, at that Committee meeting, we heard three Bills. We heard Senate Bill 120, Senate Bill

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752 and Senate Bill 753. And each of those Bills were passed out on partisan Roll Calls; and, before any other Bills could be called, the Chairman, after about a 15 minute meeting, slammed the gavel down, adjourned the meeting and no hearing... no fair hearing whatsoever was provided for any Republican Bills. And that goes for the entire year - that's the kind of treatment that this side of the aisle has had when it comes to election law or any kind of modification, any kind of reform to elections in Illinois. And then there was refusal to discharge any Republican Bills. So, while this is the result of some degree of compromise and while there are, indeed, some Republican initiatives involved in Amendment #23, I think that it hardly speaks well for a democracy, it hardly speaks well for this Body that we have to do business in such a way. Thank you very much."

Speaker Breslin: "The Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Madam Speaker. Would the Sponsor yield for a question?"

Speaker Breslin: "He will."

Klemm: "Representative Greiman, I'm just looking through this 207 page Amendment, and I notice that it seems as if we're creating a new elected position for county government, county superintendent of highways, is that correct?"

Greiman: "By referendum of the voters, only in counties that would want to do it, by referendum of the voters."

Klemm: "But this would be a new approach for those who wish to petition the county board, apparently, and they could then end up creating a new elected position, is that right?"

Greiman: "It could be by referendum or by the county board making that decision."

Klemm: "Or an ordinance or resolution by the county. Alright."

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Do the counties..."

Greiman: "It's a referendum... it must be a referendum in any event. The referendum can be initiated either by ballot or... by petition, I mean, or by the county board, but there would have to be a referendum."

Klemm: "Well, the underlying Section has a lot of 'ors'. 'Or an ordinance, or resolution', and so, therefore, it seems like there are more permissive things than just the referendum you're telling me about. But that's another point. Do the counties support creating this additional elected official's position? How did this come about?"

Greiman: "That comes out of a Bill from Senator Woodyard and Representative Van Duyne. If I could yield to Representative Van Duyne, he could explain Senator Woodyard's position on that."

Klemm: "Sure, fine."

Speaker Breslin: "Representative Van Duyne."

Van Duyne: "Yes, thank you, Madam Speaker. Representative Klemm, that Bill was brought here by Representative Babe... I mean, Senator Babe Woodyard because of the fact that in Stark County they had a referendum that would ... say specifically that they do elect their county road commissioner, but there is no provision in the law for doing that. So, in the Bill, it gives them, the county, the right to do it by referendum or do it by county board choice if they so choose. But there is no provision in the referendum has already passed. And, by the way, before you answer that, there was also a provision put in the Bill whereby their salaries were established at 80 percent of the salary... the present salary of their state's attorney in the county in which they were being elected."

Klemm: "Their salary would be 80 percent of the..."

Van Duyne: "Of the present state's attorney."

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Klemm: "Let me ask you a question. What if an appointed county... or the county board appoints a superintendent of highways, which they're doing now - their salary was less or more than - they have a contract, I think a five year appointment, how does that change that if all of a sudden, through a petition or an ordinance, they change that provision for an election and yet they have a five year contract with a superintendent of highways?"

Van Duyne: "Well, first of all... First of all, I think the term of office is six years, and it doesn't... this Bill does not address that at all. It does not abrogate contracts, no."

Klemm: "Would we have two... Would we have two superintendents of highways then?"

Van Duyne: "No, it does not address that and it does not abrogate the contract which is already signed."

Klemm: "Well, if it doesn't address it, it doesn't correct it or give it the choice, we have then in the statutes two... two superintendent of highways; one that was appointed by the county board for, as you say, a six year contract, and another that by petition referendum they say you will elect another one. We end up with two then. Wouldn't you want corrective language to either have..."

Van Duyne: "No, no, Representative Klemm, I hope that you can understand that when I said it doesn't abrogate the contract that exists, even if the petition was successful or the county board chose to go by an elected county superintendent of highways, it would have to wait until the present term naturally lapsed."

Klemm: "Do you know of any... is the County Board Association supporting this Bill?"

Van Duyne: "The only county... Well, let me just say this very simply. The necessity for the Bill is that the choice does

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already exist and the people in Clark County have taken advantage of that and they have passed a referendum saying that they will elect their county superintendent of highways. So, we must make some kind of an orderly transfer of this for them."

Klemm: "Well, because they had an election, did that create an elected superintendent of highways in that county? Is that what you're telling me?"

Van Duyne: "Well, what we do is say that the... we make an orderly transition..."

Klemm: "I didn't read the county law of having... giving them that authority."

Van Duyne: "We... We spell out the way they do it. We spell out the way they do it. Right now, they have voted the referendum and supposedly they will have an elected county superintendent of highways, but they have no procedural method for doing it. So that's the reason and, of course, the idea of the whole Bill."

Klemm: "So, existing legislation now gives a county the authority to have an elected superintendent of highways, is that what you're saying?"

Van Duyne: "And spells out the pay that they will pay him."

Klemm: "Fine, thank you very much."

Van Duyne: "And it's a matter of choice by the way. They don't have to."

Speaker Breslin: "Excuse me. The Gentleman from DeKalb, Representative Countryman, on the Bill."

Countryman: "On the Amendment."

Speaker Breslin: "On the Amendment, excuse me."

Countryman: "Thank you... Thank you, Madam Speaker. And I'm not going to take the time of the Body to go through this in full detail because I think the Amendment's going to be adopted. But I do want to make a couple of points. Our

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spokesman, Representative Slater, has done a fine job in pointing out our problems with the process, and I think, as I stand here today, I realize that we're going to end up, as Representative Greiman has indicated, with two Bills. And this Bill that you have... this Amendment in front of you now incorporates about 40 Bills, as I roughly look over the analysis I have in front of me. And some of those Bills are Bills that I supported and I introduced in this General Assembly and that I support with my whole heart. But some of those are those that I opposed, and I think that what I have to say is that we're opposed to this way... this process. What Representative Klemm just did was to explore a lot of things on a Bill which should have been debated separately and voted upon. We have voted upon all kinds of other Bills. I'm the spokesman of the Judiciary II Committee. We must have had hundreds of criminal law Bills that Members have introduced. This is not the way to do it. This is not the process, but we have forced at least some ability to put a Bill together by our process here. But this should not be a separation across the aisle. Those people across the aisle from me have come to me and said to me, 'Would you support my election Bills?' And some of those are find, outstanding election Bills, and I would support them on a free and independent vote, and they would support mine because they would recognize the merit in them. And even those of mine that should have failed, let them fail, but let them be debated. That's the way a democracy works and that's what we need to do. So, by no vote should any Member in this General Assembly think that they are condoning this process. This process is wrong, and I say to you, Mr. Speaker, it's up to you to correct it. Let's put together an Elections Committee that works, and let's go about the business of

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making the laws of the State of Illinois, when it comes to elections, fair and equitable for everybody. I do have to point out to the Members on this side of the aisle that we take no position with regard to this Amendment. It contains some of our Bills and some Bills that have been agreed upon on the other side of the aisle and their compromise. It contains the exact language of Senate Bill 10 and our Members should be aware that it has repeated in there all of the language of Senate Bill 10. And you know what I'm talking about when I say Senate Bill 10. It also has in there, as I've said before, several Bills which I'm vitally interested in that'll improve the registration process in this state, that'll improve the integrity of the election process. So, it's a tough, tough decision when it comes to adopting this Amendment. I thank you for your time."

Speaker Breslin: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The procedures and the conduct of the Election Law Committee of this House throughout this Spring Session has reminded me that I ought to go back and look at the work of a great American satirist in the classic tradition. His name was 'Ambrose Bierce', and he wrote a book called The Devil's Dictionary. It is a very interesting book, and it is very well written and it is, in fact, a dictionary written from the point of view of the Devil. The behavior of the Election Law Committee, having been somewhat devilish, I decided to look up in this book what 'Ambrose Bierce's' definition is of politics. It is particularly suitable, I think, to address once and for all a definition of the Election Law Committee. Author 'Bierce' says in defining politics, 'A strife of interests masquerading as a

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contest of principles; the conduct of public affairs for private advantage." Thank you, Madam Speaker."

Speaker Breslin: "The Lady from Cook, Representative Pullen."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think that it should be pointed out that one of the many provisions in this Bill would permit someone who is removed from the rolls at a canvass to vote at the next election by affidavit, but provides for no signature comparison so that there is no record at the polling place of the person's original registration card. Now we all know that when a canvass is conducted, those persons whose names are removed for whatever reason, such as that a telephone pole was at their address rather than a residence, are notified that they have been removed and can get themselves restored by showing the election authority that they do live at the address on the registration card. But a provision in this Amendment would allow them to vote at the next election even if they lived at a telephone pole or even if they weren't really that person, because it allows them to be reinstated by affidavit for the purposes of that election with no opportunity for the judges to compare the signature of the person who presents himself with the signature of the person who at one time registered to vote. I think that that is an extremely dangerous provision and that it is violative of our whole system of elections, that it makes the canvass absolutely worthless and a joke and dilutes the votes of valid voters in Illinois. And it is on account of that provision that I would urge rejection of this Amendment."

Speaker Breslin: "The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you, Madam Speaker. This Amendment, a lot of reference has been made to the election of the county road

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commissioners. Clark County is a part of my Legislative District, and the underlying Bill that this was referred to came from Senator Woodyard. Since the Bill has been drafted, I've heard from numerous people back in Clark County and all of a sudden they've decided they really don't want an elected road commissioner for a couple of reasons. One of the reasons is that, because the salary was set so high, they don't feel like they can afford one at that level. Another reason is that because of the requirements of the election and the other parts involved with this, they really don't have anyone qualified which would result in them having a county road commissioner elected from outside their own county. They've had a change of heart. They've discovered it's entirely too costly. No one is qualified locally; and, although the idea sounded good initially, it's become too expensive and too political for them. I had an opportunity to pick this Bill up when it came over. I don't know why the Representative on the other side of the aisle picked it up. It was never heard, never debated, and I think it's a bad idea at this time and the local people have also changed their minds. I urge a 'no' vote on this Amendment."

Speaker Breslin: "The Gentleman from Warren, Representative Hultgren."

Hultgren: "Thank you, Madam Speaker. Let me say at the outset that I would like to express my appreciation to the Sponsor of the Amendment and all the folks that worked with him in trying to reach this compromised Amendment. I'm sure there was a great deal of time that went into the deliberations and I think all the Members of the House are appreciative of the time that they devoted to that. I would like to point out, however, that this Amendment is 205 pages in length. It was delivered on the floor. I received my

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copy at 3:57 p.m. this afternoon. It's now 4:44. That's less than an hour ago, and this document is 207 pages in length. I simply cannot digest that much material in that short amount of time; and, for that reason, I'm going to have to vote 'present' on this Amendment because I simply don't know what's there. I do, however, appreciate all the hard work that went into it, and I wish that I had more time to go through it and digest it. Thank you."

Speaker Breslin: "The Lady from Lake, Representative Stern."

Stern: "Madam Speaker and Members of the House, just a word about this superintendent of highways which is a little different from a road commissioner, I think, Representative Weaver. As I understand it, and feel free, anyone, to correct me if I'm wrong, the referendum on the question of whether or not to have an elected superintendent of highways has already been held, and I don't think it is appropriate for us just to forget about it and not give them enough of the law to implement that referendum, which is what the purpose of that particular Bill was. There is an Amendment coming up later that will take care of the salary question. But I don't think we can simply decide because a few people or even a majority of people have unofficially changed their minds about whether or not it was a good idea, I don't think it is appropriate for us to just forget about it. Thank you."

Speaker Breslin: "Representative Greiman, to close. Representative Greiman, you're recognized to close."

Greiman: "I just would ask for a favorable vote."

Speaker Breslin: "The question is, 'Shall Senate Bill 652 pass?' (sic) All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Countryman... excuse me. We're just adopting Amendment 923. So, all those in favor vote 'aye', all those opposed vote 'no'."

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This is just on the adoption of the Amendment. Have all voted who wish? The Clerk will take the record. On this question there are 101 voting 'aye', 5 voting 'no' and 5 voting 'present', and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #24, offered by Representative Stern."

Speaker Breslin: "Representative Stern."

Stern: "Amendment 24 deals with the question we were just discussing. I don't think there is much difference of opinion on the question of whether or not it is wise to elect a superintendent of highways. I think most of us think it's kind of a dumb idea. But because the way the law was originally put in, a salary was fixed, and it was fixed at 30,000 dollars and there was some concern that because it was so much less than many superintendents of highways would be getting, that many of the counties might decide this was the way to go, because they could, perhaps, save money in this way. I have been asked and prepared an Amendment which pegs the salaries for the superintendents of highways in those counties which are going to do this, and we all hope there won't be many, to 80 percent of the state's attorneys' salaries in those counties. It is by population. A small county, 30,000 on up to the larger counties at 55,000 dollars. I will answer questions if you have any."

Speaker Breslin: "The question is, 'Shall Amendment #24 be adopted?' And on that question, the Gentleman from McDonough, Representative Slater."

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

Speaker Breslin: "She will."

Stern: "Sure."

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Slater: "As I read the Bill, on page 204, there's already a provision for salary and that provision says that the salary shall be not less than 30,000 dollars."

Stern: "That's right."

Slater: "My next question to you is, was this part of any kind of an agreement as it related to the election law compromises?"

Stern: "I'm not sure I follow the question."

Slater: "Well, in other words, we just had a Bill up here that had 200 and some pages in it..."

Stern: "Right."

Slater: "And that was an agreed upon compromise between both sides of the aisle."

Stern: "Right."

Slater: "This is the first time I, as the spokesperson for the Republican side, have seen this Amendment."

Stern: "Well, Mr. Slater, I take responsibility for that, and I'm sorry. I... It just never occurred to me, and it should have. This was an effort to prevent other counties from thinking that they could pay just 30,000 dollars and thereby... therefore, they would start electing their superintendents of highways. You are quite correct, Sir, and I publicly apologize to you. I should have come to you."

Slater: "Thank you, Representative Stern. Did you go to Representative Greiman? Did you talk about this with Representative Greiman?"

Stern: "I talked to Representative Greiman about it, and it was just yesterday afternoon that this thing began, and your objection is quite correctly based."

Slater: "Thank you very much. In response, it was just yesterday afternoon that the so-called compromise was put together. I feel personally offended that we were not on this side

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informed that this particular piece of legislation was going to be filed as another Amendment. It is a situation where salaries are already called for on the inside of the Bill."

Speaker Breslin: "Are you finished, Representative Slater?"

Slater: "Representative Greiman wants to comment. I'd like to finish after he's..."

Speaker Breslin: "No, you proceed with your comments and then we'll go to the next speaker."

Slater: "Well, the salaries are already... already pointed out in the Bill. We've already talked about the difficulty that we've had in terms of trying to get any form of election law heard by this Body, the difficulty we've had in getting anything decided. We've had a compromise. In the spirit of compromise we've acted, in the... I think, face of that compromise, we've had something thrown up here by Grace Mary Stern, who is an outstanding Legislator, and I'm surprised that it happened. I feel sorry that it happened, but I would urge everyone on this side of the aisle to vote 'no'."

Speaker Breslin: "The Gentleman from Cook, Representative Greiman."

Greiman: "I have no position on this Amendment whatsoever. It's not... the Gentleman is correct. I cer... It was not submitted to me to submit to Mr. Slater. I didn't... we didn't do it. If Representative Stern, who is an outstanding Legislator, as Representative Slater has said, faint praise, of... and can win the hearts and minds of the General Assembly, then, sure, why not? But I have no position on it, and I don't... I'm not angry about it, but I think it's up to the Body."

Speaker Breslin: "The Gentleman from DeKalb, Representative Countryman."

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Countryman: "Point of order, Madam Speaker. Is this Amendment in order?"

Speaker Breslin: "Can I see the Amendment, please? Representative Countryman, the Amendment is in order. Representative Countryman."

Countryman: "Well, thank you, Madam Speaker. Am I recognized to address the Amendment then?"

Speaker Breslin: "Surely."

Countryman: "Thank you. Madam Speaker and Ladies and Gentlemen of the House, Representative Slater has taken over as spokesman on this side of the aisle in the absence of Representative Myron Olson, and I have been a part of the negotiations and the process, but I've been careful in my negotiations and process to make sure that Representative Slater has represented us as the spokesman and our representative on this... on this side of the aisle. But I have not been contacted by the Sponsor, and I have a great deal of respect for the Sponsor of this Amendment. However, we have been told, in the course of negotiations, that this Amendment was a comprehensive Amendment, that it would be agreed... that the proposals from the other side of the aisle would be agreed. And..."

Speaker Breslin: "Excuse me, Representative Countryman. I think it's appropriate for the Chair to remind the Body that any Member has a right, under our rules, to propose an Amendment regardless of what arrangements or agreements are made by other Members. Now, I think it is appropriate that if you object to the Amendment, that you confine your remarks to the Amendment. Proceed, Sir."

Countryman: "Well, thank you, Madam Speaker. I respect the Chair, and I respect those comments, and I know we have a tendency to get a little bit excited over here over these issues. But we're withdrawing a large number of Amendments

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to get one comprehensive Amendment together, and I think that's what causes us our excitement. I particularly don't have any qualm with this Amendment. But I'm asking the Members on this side of the aisle to vote against it because it was not cleared on this side of the aisle. Thank you."

Speaker Breslin: "The Gentleman from Will, Representative Van Duyne."

Van Duyne: "In answer to some of the... Thank you, Madam Speaker. In answer to some of the problems here, I was the House Sponsor of this Bill and when I went to Committee, unlike the stories you hear passed around this House floor that all the Democrat Bills get heard and only the Republican Bills get shuffled off to Buffalo, Representative Huff can tell you that I was there in Committee with this Bill, and I was shuffled off to Buffalo and was guaranteed that this problem would be corrected at a later date. And I'm just saying now, in all justification for Representative Stern's Amendment, that this is the later date and we're trying to correct an inequity that now exists. In some counties, the pay is too high. It's an arbitrary figure of 30,000; and, in some counties, that figure is too high and, in some counties like Cook or maybe DuPage, is too low. So, the percentage is being instituted to try to correct this. Whether the Bill is agreed or not agreed, I think if there is an inequity there, that it should be corrected, and I support her Amendment."

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

McCracken: "Thank you, Madam Speaker. I think it's ironic that the Chair, and we're not speaking of you personally, it's ironic of the Chair to remind this side of the aisle of the requirements of debate and rules of procedure which govern

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this Body when, in fact, you have abused the rules of this Body in stopping election reform legislation. It has been going on for two years now. The press knows about it. The only reason we got Bills called for a vote in the Committee was because the Speaker acceded to our demands when he was caught in the Chair and had no recourse but to agree with us. So, I think it's perfectly in order to talk about the procedure by which this Amendment gets before us. The Lady is not to be blamed for making the Amendment. The point is, if she were a Republican, that would not have been made. She would not have gotten to this stage in the process. And for them to belittle and to trivialize..."

Speaker Breslin: "Excuse me, Representative McCracken. Turn the Gentleman off, Sir."

McCracken: "No, no, Madam Speaker, please. This is germane..."

Speaker Breslin: "Excuse me. Representative Stern, for what reason do you rise?"

Stern: "I would like to withdraw the Amendment, please."

Speaker Breslin: "The Lady has withdrawn the Amendment. The Chair repeats that the Lady is a Member of this Assembly and has as much a right as anyone to propose Amendments regardless, and that will be protected by the Chair. The Lady has withdrawn the Amendment. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Representative Greiman now asks leave for immediate consideration of Senate... He doesn't need leave. The Bill is on Third Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 652, a Bill for an Act to amend the Election Code. Third Reading of the Bill."

Speaker Breslin: "Representative Greiman."

Greiman: "The Amendment becomes the Bill, and I would ask for a

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favorable response."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 642. And on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill...' On the question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. Again, Ladies and Gentlemen, this is a compromise, a compromise that has been fought for for two years, a compromise that is not desirable in all of its detail, a compromise which is created and forced upon us because of the recalcitrance of this Body to consider election reform law in an orderly manner. The process by which we got here has been recounted for you by Representative Slater. It is the process which is the story that deserves to be told today. It is the process which is on trial by virtue of what has been forced upon us. And that process has been to thwart the orderly procedure of considering election laws, of considering election reform, rather than a series of Bills which would be adopted on their merits, rather than a series of Amendments which would be adopted on their merits. We are faced with an omnibus Bill, a take it or leave it position forced on us in an effort to get meaningful reform. Senate Bill 10 is in here, the Solidarity Amendment. We're forced to accept that again because of our desire for reform. I find it ironic, as I've said before, that the Chair seeks to impose rules of debate upon us when the issue is the procedure by which we come here. Let no one forget that this is the result of the other side of the aisle's fear of reform."

Speaker Breslin: "The Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of

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the Body. I think it's important that I at least highlight some things that are in this Bill now. I respect the Sponsor and I've worked with him in putting this Amendment together. But I know that the Members on my side of the aisle are coming to me and they're saying, 'What's in the Bill now?' And I think it's incumbent that we tell them some of the things, at least, that are in the Bill. And so, by my making these comments, I want the Members to know that this is a compromise and that there are some things in here that are good from my vantage point and there are some things that are bad from my vantage point and you're going to have to make one of those tough decisions. This incorporates the provisions of Senate Bill 120 which requires the joint nomination of candidates for Governor and Lieutenant Governor. That was the Bill that was taken out of the record a few minutes ago by its Sponsor. It provides for provisions that will increase the... the effectiveness of write-in votes and provides the things that one of the previous speakers talked about on the Amendment for people to go to the polling place on election day and, if they voted in the previous election, they can be permitted to vote upon presentation of identification. That would be the same as if they had identification where they're registered, two pieces of identification, or upon signing of an affidavit and bringing some other person with them to indicate that they live in the precinct. It reduces the deadline for filing vacancies in nominations in cases where no candidate's name was printed on the ballot from 60 days after the primary to 30 days after the primary. As I said before, it contains word-for-word the language of Senate Bill 10, the Solidarity Bill, which we had such a vigorous debate on some weeks ago in this Body. It also reduces the time... or increases, in essence, the

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time which deputy registrars, and this is a Bill that Representative Wolf and I worked on together, can register voters before an election to 28 days before the election. Then it will also require that they have to file those within the seven days prior to the 28th day within 48 hours and then 24 hours after the ... the close of registration. It's an improvement in the areas of voter registration. It contains some...or a post election testing which is a Bill which I introduced and sponsored, which will improve the integrity of the process; but, by the same token, it has all of these other things which I've mentioned plus some more which are probably not as controversial. And I thank you for giving me the opportunity to speak on this."

Speaker Breslin: "The question is, 'Shall Senate Bill 652 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? Have all voted who wish? The Clerk will take the record. On this question there are 105 voting 'aye', 7 voting 'no' and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 653, Representative Greiman. Clerk, read the Bill."

Clerk Leone: "Senate Bill 653, a Bill for an Act to amend the Election Code. Has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representatives Johnson and Countryman."

Speaker Breslin: "Representative Slater is recognized."

Slater: "Thank you, Madam Speaker. Withdraw Amendments 1 through 41."

Speaker Breslin: "Representative Slater withdraws Amendments #1 through 21..."

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Slater: "41. 41."

Speaker Breslin: "Forty-one. One through 41. That should cut out a little time. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #42, offered by Representative Greiman."

Speaker Breslin: "Representative Greiman."

Greiman: "Thank you. Speaker, Ladies and Gentlemen of the House, Amendment 42 is somewhat more limited in scope than the previous Amendment that I brought to this House. This Amendment includes, among other things, the Solidarity issues. It sunsets the delegation selection for a part of the Democratic option. It places into the Bill language suggested with respect to Solidarity and the selection of members of the State Board that the Governor of Illinois has suggested. It provides for local authorities to reduce their number of precinct judges on small, out-year elections. Changes the term definition of a State Senator so that we can have a clarity in terms of when someone is elected to a new term. And provides an issue which has been of great concern to everyone since the last election and since the last few elections and that is to provide a different method of payment to... to election judges. We right now have two separate ways, one for Cook and DuPage and one for the rest of the state. We have a range in the rest of the state. This would change the rate to provide a range of 35 to 65 dollars to be paid by the counties with a... sort of a hold harmless so that a county can't go down below what it's paying now. It also provides then that 15 dollars additionally shall be paid for the judges on their main salary. It increases from 10 to 30 dollars the amount to be paid by the judges for... to the judges for going to school, so that the highest one could get would be, if you went to school, is 30 dollars, which would be added, of

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course, to the range of 65 dollars. It requires the State of Illinois to pay the increased amount. In addit.. The figures for that, of course, are not easy to figure out, but there are 14,000 precincts. Each have five judges in the out-years. Some will have three judges in other years. And it probably is a range in about, if you averaged it out, someplace in the range of two million to two and a half million dollars per election. Additionally, the Bill has the computer programming that the four legislative Leaders agreed upon and that is what is in this Bill... this Amendment, and the Amendment becomes the Bill. I would ask for your adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #42. And on that question, is there any discussion? Hearing none, the Gentleman from McDonough, Representative Slater."

Slater: "Thank you, Madam Speaker. I heard someone on the other side of the aisle comment we spent 45 minutes on that bill and it got 105 votes. Well, if we'd gone through the 20 some Amendments that we had on that Bill to get a fair hearing on Republican initiatives and if we'd gone through the 41 Amendments that we have on this Bill, we'd be here all night. For the Republican Members, I'd like to say that if you've made a commitment to support increases to your election judges back home, you should vote for this Bill. If you haven't made that commitment and you don't want to spend 3.25 million dollars per year to support additional election judges' salaries throughout the State of Illinois, then you should vote 'no', because this Bill contains all the elements of Solidarity Bill, Senate Bill 10, and it also contains other things which may or may not be relevant to you. It essentially undoes Solidarity and also compensates judges. The next thing it does is reduce

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the number of election judges you have to have in off election years. And, finally, it has some State Board of Election initiatives in it. So, use your own judgement. If you want to support judges, vote 'yes'. If you feel we can't afford those types of things right now, 3.25 million dollars per year, plus more in other years - 3.25 one year and the next year it's probably going to be about five million. So, vote your fiscal conscience."

Speaker Breslin: "There being no further discussion, Representative Greiman, to close."

Greiman: "Yes, I would like to take this opportunity, certainly not to discuss some of the issues that have been discussed, but I did want to first discuss... first just comment that many of the original election issues were discussed with Representative Olson and I wish to publicly thank him for his cooperation and to thank Representative ... Representative Slater and Representative Countryman who, I'm told, was once the Chairman, actually, of the Election Board, and as well as Representative Huff, who is the Chairman of that Committee. I appreciate all of the Committee, as well as the two staff members who had to go through this. I do appreciate their efforts in bringing this to a resolution, and I would ask for the adoption of the Resolution (sic - Amendment)."

Speaker Breslin: "The question is, 'Shall Amendment #42 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Read the Bill on Third."

Clerk Leone: "Senate Bill 653, a Bill for an Act to amend the Election Code. Third Reading of the Bill."

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Speaker Breslin: "Representative Greiman."

Greiman: "The Amendment is the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 653. And on that question, the Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Madam Speaker and Ladies and Gentlemen of the Assembly. I have apologized, I guess, in the past couple of Bills for taking the time of the General Assembly, and I know the Chair well and I know the Chair wants to move things along. But these are important matters and this is very little debate on what is a major, major piece of legislation. The last Bill was a major piece of legislation. This Bill, once again, is a major piece of legislation. So, I'm going to go over this one because it doesn't have nearly as much as the last Bill. This Bill, in my mind, with the Amendment on it, doesn't merit our vote. This Bill contains the language of Senate Bill 10 word-for-word. I'm not going to repeat all the arguments against that. It was in the last Bill. It's been in every Bill. But sometimes you have to vote things based upon the weight of the compromise. But the rest of the weight of this Bill doesn't contain a sufficient compromise to vote for it. Senate Bill 1320 is incorporated in this. This is a bipartisan Bill designed to ensure compliance by the State Board of Elections with the voter information system. But that on its own does not merit voting for the Bill. It also contains Senate Bill 644, which I sponsored here in the House, which reduces the number of judges which the election authority would be required to have in any election precinct in the odd-year elections from three ... from five to three. Now that's a money saving thing, and it was something that I suggested, I think, and I think Representative Greiman agreed when

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we're going to talk about raising judges' salaries. Now, I would like to raise the salary of judges, and I know a lot of you would. But we dealt all day yesterday with the finances of this state, and that's the important thing that's contained in this. We are going to mandate that the State of Illinois now pay 35 dollars to 65 dollars a day. So, it requires the state to pay all increases up to 15 dollars per day. That, according to our calculations, would raise from 10 dollars, which we now pay, another...to 40 dollars a day in reimbursement. Our calculations by our staff indicate that in the first year that will cost us 3.25 million in GRF. Now we're talking over here - you know, fighting Bills for 50,000 dollars going to education and other priorities. Frankly, the system of election judges in this state has worked, but now we're going to underwrite the cost. If those counties are paying over that cost now, we're going to be ended up under... end up underwriting that cost by the State of Illinois. I, frankly, think that we ought to vote against this and look to come back next year, have some fair and impartial hearings, deal with it in a separate Bill and get every Member's input and deal with the question of election compensation. It also adds language which would make certain that the...that the chief executive... or the highest ranking constitutional officer not of the Governor's party would appoint members to the State Board of Elections. This is related to the Solidarity problem and I'll let you make your mind up with regard to that. But, overall, this is not a piece of legislation that I'm in favor of, and I am going to vote 'no' and ask you to join me in doing so. Thank you."

Speaker Breslin: "The Gentleman from Winnebago, Representative Mulcahey."

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Mulcahey: "Madam Speaker, let's move the previous question on this nonsense."

Speaker Breslin: "There's only one person waiting to speak. If we don't..."

Mulcahey: "That's one too many probably. Why don't we move the previous question."

Speaker Breslin: "Could I implore you to withdraw that?"

Mulcahey: "Proceed. Proceed."

Speaker Breslin: "Since we have had... not had a lot of discussion on elections. The Gentleman has changed his mind in the meantime. So, we are ready to close. The question is, 'Shall Senate Bill 653 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 71 voting 'aye', 40 voting 'no' and 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The next Order of Business is Election Law - Third Reading. The first Bill is House Joint Resolution 94. It appears on page 17 on your pink sheets. Mr. Clerk, read the Resolution."

Clerk Leone: "House Joint Resolution 94, creates a Joint Committee on Campaign Ethics."

Speaker Breslin: "Representative Greiman. Representative Greiman, are you presenting this House Joint Resolution?"

Greiman: "But I believe there are Amendments."

Speaker Breslin: "I understand. What Amendments are filed, Mr. Clerk?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Regan - et al."

Speaker Breslin: "I didn't hear the name again."

Clerk Leone: "Representative Regan."

Speaker Breslin: "Representative Regan."

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Regan: "Thank you, Madam Speaker, Members of the House. Amendment #1 is an ethical Amendment to the Campaign Ethics Committee's Resolution. Campaign ethics, some say, don't exist. Some say, 'If you can't stand the heat, get out of the kitchen.' Slander and liable pleas are hardly available to the politician. He lives in a fish bowl with his opponent, inches away like a hungry cat. Every two years in the House, we have to do this. We stand the rigors of the campaign abuse, sometimes from overzealous campaign aides, sometimes from staffers. I believe that this should be corrected and I believe that this Resolution is on the right track. The original drafting is certainly in the right direction; and, with this minor change of the makeup of the Committee, I feel we can set a standard for the nation. Amendment #1 simply allows all four Leaders to appoint five Members each to this Committee, three Legislators, two members of the public, making a total count of 20 Members on the Committee. I urge its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Floor Amendment #1. And on that question, is there any discussion? Hearing no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments? Representative Slater."

Clerk Leone: "Floor Amendment #2, offered by Representative Slater."

Speaker Breslin: "Representative Slater."

Slater: "Thank you, Madam Speaker. Withdraw Amendments 2 through 10."

Speaker Breslin: "Withdraw Amendments #2 through 10. Are there any further Amendments?"

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Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Representative Greiman now asks leave to present this Bill (sic - Resolution). Does it need to be read a third time, Mr. Clerk?"

Clerk Leone: "House Joint Resolution 94 creates a Joint Committee on Campaign Ethics."

Speaker Breslin: "I can't tell who you're pointing to, Sir. Representative Greiman."

Greiman: "Yes, Representative Stern is the Sponsor of this... hyphenated Joint Sponsor."

Speaker Breslin: "I see. Representative Stern, would you please present this Resolution on behalf of yourself and the Speaker?"

Stern: "I'd better read it more thoroughly, Madam Speaker. Madam Speaker and Members of the House, this is a Resolution which would create, we hope, a fairer climate for elections. Certainly all of us care a great deal about seeing that facts and only facts are presented as electoral fodder. A recent court decision made it unnecessary for people to sign campaign material that is distributed, so that there is no way of tracing where it came from. This Campaign Ethics Committee that would be created by this Resolution would investigate, through interviews, hearings and research, ethical campaign practices and the effects of false, misleading and inflammatory campaigns on the political process. I think it is something whose time has certainly come and something that all of us, whatever our politics, can support with a full heart. I urge your 'aye' vote."

Speaker Breslin: "The Lady has moved for the adoption of House Joint Resolution 94. And on that question, the Gentleman from McDonough, Representative Slater."

Slater: "Thank you, Madam Speaker. House Joint Resolution 94 now

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in its amended form, provides for parity. It provides for equal representations for Democrats and Republicans on this Joint Committee which deals with campaign ethics. For those of you who were here during the process that we went through in the early part of this Session, the situation that we found ourselves in in the election contest, we found that where there's not an equal representation, it's very difficult to get a fair hearing. As things have now been worked out in the spirit of compromise, it is equal. And I would urge all people on our side of the aisle to vote 'yes'."

Speaker Breslin: "The question is, 'Shall House Joint Resolution 94 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no' and none voting 'present', and the House does adopt House Joint Resolution 94. The next Order of Business is Consumer Protection - Third Reading. The first Bill on that Order, this is on page 13 on your pink sheets, the first Bill is Senate Bill 378, Representative Keane. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 378, a Bill for an Act in relationship to state occupation and use taxes. Third Reading of the Bill."

Speaker Breslin: "Representative Keane. Representative Keane. Turn on the microphone next to Representative Keane."

Keane: "Thank you, Madam Speaker. Senate Bill 378, as amended, contains an Amendment that Representative Hasara put on which proposes to exempt from sales and local sales tax the proceeds of sales from property sold by any not-for-profit corporation, society, association, foundation, primarily for the benefit of people 55 years of age or older. And

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another Amendment which dealt with the treating vans designed to carry not less than seven or more than 16 passengers in the rental... the car rental business in the same way as rental cars are in taxing the rental contract. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 378. And on that question, the Lady from Lake, Representative Frederick."

Frederick: "Yes, thank you, Madam Speaker, Ladies and Gentlemen of the House. I just rise to support this Bill. It's taken out all references to local garage sales and now it simply provides that senior citizens who produce hand crafted items for sale in senior centers may be exempt from paying sales tax, and it provides that second division vehicles, passenger vans, will be subject to automobile renting tax rather than sales tax, and I hope that we will pass this Bill today."

Speaker Breslin: "The question is, 'Shall Senate Bill 378 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Mulcahey, one minute to explain your vote. The Gentleman declines to speak. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 101 voting 'aye', none voting 'no' and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Under Senate Joint Resolutions on this Order appears Senate Joint Resolution 60. Representative Shaw asks leave to present this in lieu of Representative Rice. Does he have leave? Hearing no objection, he has leave. Read the Resolution, Mr. Clerk."

Clerk Leone: "Senate Joint Resolution 60 creates a Joint Committee on Hazardous Waste Remediation in the Lake

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Calumet Area, calls for a report to the General Assembly by October 31st, 1987."

Speaker Breslin: "Representative Shaw".

Shaw: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. Senate Joint Resolution #60 creates the Select Joint Committee on Hazardous Waste Remediation in the Lake Calumet Area. And I ask for the adoption of the Resolution."

Speaker Breslin: "The Gentleman has moved for the adoption of Senate Joint Resolution 60. And on that question, is there any discussion? Hearing none, the question is, 'Shall the Resolution be adopted?' 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 none voting 'present'. This Bill... This Resolution is thus adopted. Going to page ten on your yellow Calendar under the Order of... excuse me, your pink Calendar, under the Order... the Special Orders of Public Health - Third Reading, the first Bill is Senate Bill 550, Representative Cullerton. Clerk, read the Bill."

Clerk Leone: "Senate Bill 550, a Bill for an Act to amend an Act in relationship to schools. Third Reading of the Bill."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Bill amends the School Code and would add instructions in grades six through twelve on the prevention, transmission and spread of AIDS. The two key things to remember with regard to this Bill is, first of all, any parent who does not wish their child to receive such instruction can simply indicate that and the child will not receive that instruction. Secondly, I would point out that the State Superintendent of Education shall prepare and make available to the local school districts

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these courses. I would be happy to answer any questions, and I would appreciate your support. I would point out that many of you may have received from the Senate Sponsor, Senator Marovitz, a newspaper article indicating the study that was done out in Massachusetts showing that there was tremendous confusion and misinformation about the manner in which the AIDS virus can be spread among adolescents. Only about eight percent of them really knew how the virus could be transmitted. And I feel that this is something which is... has been endorsed certainly by Surgeon General 'Coupe'. I think it would be consistent for us in this General Assembly, after having required abstinence be taught in the schools, to also, as an adjunct of that, explain what the AIDS virus is all about. And I would point out for those of you who are concerned about this emanating into some type of a safe sex type of promotion, I don't think that that would happen, obviously it would not happen. The State Superintendent of Schools is going to be the one to determine the curriculum. And, of course, as I indicated earlier, only if the parent does not wish the child to receive the education, they would not have to. Be happy to answer any questions and appreciate your support."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 550. And on that question, the Lady from Cook, Representative Pullen."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Generally speaking, this House has been responsive to concerns from many different sides of the AIDS issue on what we should do about AIDS. I am very deeply concerned about Senate Bill 550 because it does not define what AIDS education is, but it does require that it be taught in the public schools of this state each year. We really don't know what AIDS education means, but I can tell you what

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AIDS education means to some folks who are proposing a program in a high school district in northwest Cook County. In this high school district they are considering putting in a teen pregnancy prevention program by which they expect to distribute, free of charge, certain prophylactics to the students through health classes and in vending machines in the restrooms for both boys and girls. This program, it has been acknowledged by those who are pushing it, will not be accepted by the parents in that school district if it is exposed for what it is, and so they are proposing that it be covered up, and I'm using their word, and disguised, and I'm using their word, as an AIDS education program because parents are concerned about being sure that their children know how to avoid getting AIDS. I would like to point out that there are two key means of transmission of this virus. There are two means of transmission by which one can protect oneself through sexual transmission and through exchange of blood such as the sharing of hypodermic needles. Those are the means of transmission from which chiefly one can protect one's self. This House has passed overwhelmingly, as has the Senate, a Bill to require that as part of health education in school our young people shall be taught sexual abstinence until marriage. That is AIDS prevention education. For many years, drug abuse prevention has been included in our school health programs. That is AIDS prevention education. Our Comprehensive Health Education Act already provides that students may be taught about personal hygiene, about communicable diseases and about protecting themselves from those diseases. So they are already getting education in protecting themselves from the disease. But, under the current way of doing things, the school districts can decide whether they need to do AIDS education as AIDS education in their schools or

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whether teaching their young people to abstain from sex until marriage and teaching their young children not to engage in drug abuse is sufficient as AIDS prevention education. But along comes Senate Bill 550, and I understand that it has a provision that says if the parents want to take their child out of the class they can, but I don't know whether the parents are going to know exactly what is taught in that class until the teaching has already taken place. And I don't know whether we're going to know what is being taught in that class, because the Bill doesn't tell us. And I don't know whether mandatory AIDS education can, indeed, be used as a cover-up and a disguise for passing out sex protection devices in vending machines and in health classes free of charge to the students in our high schools and junior highs. And I think the Sponsor is well intended with this Bill, but I don't think he can tell us either whether that's how it's going to end up being used. And so I think that we have addressed the issue of AIDS prevention education in our public schools already through House Bill 1225 sponsored by a Gentleman on the other side of the aisle and through longstanding law concerning drug abuse prevention education. This Bill is unnecessary, Ladies and Gentlemen, but it's more than unnecessary - I think that it's a dangerous avenue for some people to tamper with the minds of our children. It's a dangerous Bill, and it should be defeated. Thank you."

Speaker Breslin: "The Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Madam Speaker, would the Sponsor yield for a question?"

Speaker Breslin: "He will."

Wojcik: "Is it interesting what's going on in the Senate, Representative?"

Cullerton: "Yes, it's the DuPage County Airport that they're

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voting on right now."

Wojcik: "I thought you were listening to something that would be of interest to you."

Cullerton: "It interests you, too."

Wojcik: "Well, I'm a resident of Cook County, you see. I have a question on this sex education."

Cullerton: "Yeah."

Wojcik: "Do you know what they will be teaching these youngsters?"

Cullerton: "I don't. The State Superintendent of Education shall prepare and make available to the local school districts courses of instruction."

Wojcik: "Do you know what type of visuals they might be using while they're educating these young people?"

Cullerton: "That would be up to the State Superintendent of Education."

Wojcik: "Are there any guidelines for the State Superintendent of Education?"

Cullerton: "Not imposed on him by this Bill."

Wojcik: "So we're rather open and it will be..."

Cullerton: "No. No. Do you think we should determine... the Legislators should determine what the guidelines should be?"

Wojcik: "Well no, I would say that if you're legislating... if you're legislating such a product, I think you should know what you might be suggesting or how you feel, as a father of young children, that... what you might like to have them learn in this sex education program."

Cullerton: "No, my answer to that is, as the Bill calls for the State Superintendent of Education, I would want him and the people in that office to prepare and make available the courses of instruction."

Wojcik: "Are you aware of the 'SEEKUS' sex education program that

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was suggested through the State Board of Education in Illinois a while back?"

Cullerton: "No. No, I'm not. But if I didn't like it..."

Wojcik: "I know you're not. I'll tell you why you don't know it, because you're a little bit younger than I am, but I know it, and I'd like to speak to the bill."

Speaker Breslin: "Proceed."

Wojcik: "When my children were growing up, the State Board of Education had decided that they were going to put a sex education program through for young people. At this time the age of the children were going to be kindergarten through sixth. I would like to tell the Members of the General Assembly what these children were going to see at that age. It is bad enough that they are visually watching the sexual act on TV and seeing the bad movies that they're witnessing, let alone quite possibly have a sex education program whereby animals would be used to show the children the proper means to be protective and the proper means to not have babies and the proper ways not to have a... contact AIDS or to be extra pure regarding the AIDS area. When you get into sex education, you'd better make sure that you're going to be a part of it. You're Legislators and you're legislating an area that is very moral, and you've got to be prepared for some of the stuff that might come out of the sex education program in the schools. I'm a mother. I witnessed it. I took my children out of those classes. I don't think this is good. I don't think I want to see some of our children get educated through the State Board of Education. I'd rather see them get educated through their parents. If they don't have parents, perhaps their mother or their father. I don't believe it should be in the school system, and I don't believe this Bill should pass."

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Speaker Breslin: "The Gentleman from Cook, Representative Preston."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. We, in this country, are faced with the worst plague that probably mankind has ever faced. By all estimates, the AIDS danger is growing in geometric proportions every year. What this Bill is talking about is what our school system is supposed to be all about and that is education. I can't, for the life of me, understand why this Body is time, after time, after time afraid to give information to young people, to give information even in this case when you're talking about information in life-saving matters that are of incredible moment right now, not a danger that might occur five years or ten years down the road, but a danger that is real, that exists today, that exists in every community statewide, in every community in this state. I don't understand the complaints and the concerns that were mentioned because this particular legislation doesn't have a precise definition or a precise curriculum included in it for the teaching of AIDS prevention or AIDS education. We don't have in our statute books precision in describing what English education is. That's left up to the good wishes of the school system. We don't have legislation that says exactly what a curriculum on geology or geography is supposed to contain or what the social sciences are supposed to contain. That's left up to the school system where, by right, it ought to be. This simply says, this directs the school systems in this state to have some focus, some instruction on the biggest problem in health and science that we have in the United States and throughout the world today, and that is the plague of AIDS. I can't see how anyone in good conscience can be against the education of

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children in schools on one of the most important problems facing all of us. I encourage an 'aye' vote on this Bill. It ought to be law now. We ought to have it in place and we ought to educate our children."

Speaker Breslin: "The Gentleman from McDonough, Representative Slater."

Slater: "Thank you, Madam Speaker. There seems to be some concern about the curriculum that a school district might have as it relates to teaching on the subject matter of AIDS. I don't think that this society knows a whole lot about AIDS, and I think that the information we have right now is preliminary. Whatever kind of curriculum we're going to have is a curriculum that's going to have to be fluctuating. It's going to have to change as we learn more and more about the disease. I stand here in this Body, and we've dealt with the issue of AIDS since we came down here in the spring, and I think this Body has been most responsive to the problem. We've tried to deal with it in a lot of different fashions, not the least of which is mandatory testing. I think that if we don't do something like this, if we don't vote for legislation like this, that we don't live in the real world. Our children, unfortunately, do participate in sex, and the studies also show us that our children participate in drug usage. And if we don't wake up to that fact and deal with this issue in a responsible and a logical fashion, then I'm not sure we deserve to be here. We've told schools what they can't do. We've told them in Senate Bill 63 that they can't do certain things, and we told them in House Bill 925 that they can't do certain things. And now we're saying to them we're going to stymie any kind of initiatives on your part. The only right vote on this is a 'yes' vote."

Speaker Breslin: "The Gentleman from Cook, Representative Kubik.

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Representative Kubik."

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

Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The main question is put. Representative Cullerton, to close."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. Just to clarify a few points, first of all, this only applies to the public schools. It does not apply to the private schools. And, secondly, it does not involve a brand new course. It only would be coordinated with existing instructions. I think the issue has been clearly debated. I think it makes sense to have some type of education which could involve, by the way, abstinence, and it certainly is fair when you have the parental consent required before it can be taught. So, I would appreciate an 'aye' vote."

Speaker Breslin: "The question is, 'Shall Senate Bill 550 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Stephens, one minute to explain your vote."

Stephens: "Thank you, Madam Speaker. Only to say that I think the language about... in the Bill that talks about whether or not a parent can exempt their child from the class, that they have to write to the school in a written objection. I think really that ought to be rethought, Representative Cullerton. That ought to read that before the child is enrolled in the class that they get the parents to sign off on it. I think that makes much more sense. These classes... we don't know what they're going to be like. We have some fears that possibly these classes are not going to be done tastefully, not going to be done with a sense of

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morality, and we wish that the language on page one of the Bill was changed to be permissive and not to be objectionable. Thank you very much."

Speaker Breslin: "Representative Didrickson, one minute to explain your vote."

Didrickson: "Thank you, Madam Speaker, Members of the House. We sent a lot of measures out of this chamber. A lot of them are going to hit the Governor's desk, and I don't particularly like speaking on this issue, but I think this is one important area that we need to address and move forward. I can pick up all kinds of today's newspapers that endorse 'education is the way'. That is just today's comments. These are just today's articles. There is a whole, huge article that is endorsed by a whole panel of physicians and doctors. I've personally spoken myself to our local physician who's head of infectious diseases and he believes clearly and strongly that we're moving too quickly in this state and that education is the answer. Now, here's an opportunity for you to address that, and I would urge more 'aye' votes up there."

Speaker Breslin: "The Gentleman from Kirkland, one minute to explain your... excuse me, the Gentleman from Kane, Representative Kirkland, one minute to explain your vote."

Kirkland: "Thank you, Madam Speaker. I suppose one of the things we fear is that classes like these will talk about homosexuality and things like that, but I think overriding that is how much education children could use about the dangers of intravenous drug use and how those kinds of things, which unfortunately they're all too involved in or exposed to, can kill them. And, for that reason, I think it's an important Bill to pass."

Speaker Breslin: "Representative Pedersen, one minute to explain your vote."

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Pedersen: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Our Secretary of Education, Bennett, has this to say about sex education. 'Sex education is, therefore, about character and the formation of character. A sex education course in which issues of right and wrong do not occupy center stage is an evasion and an irresponsibility.' The problem so many people have with sex education in schools is the lack of the moral dimension. This proposal will be no different. And I urge a 'no' vote."

Speaker Breslin: "The Lady from Cook, Representative Braun, one minute to explain your vote. Representative Braun."

Braun: "Thank you very much, Madam Speaker. This is an incredible Roll Call. I mean, how can you be against education? How can you say we don't want to teach people how to protect themselves against AIDS? I am close to speechless, which is really rare. But it seems to me, it seems to me that it is the height of irresponsibility to come up with a whole plethora of legislative nonsolutions we've come up with and refuse, at the same time, to give people the tools with which they can protect themselves. Education is the strongest weapon we ever have in addressing any problem. And it seems to me there ought to be at least three more green votes on this Bill. I encourage your support."

Speaker Breslin: "Representative Parcells, one minute to explain your vote."

Parcells: "Thank you very much, Madam Speaker. This is a hard vote for me because I think the education is excellent, but I remember many people on that side of the aisle asking for local control of issues in education, and I voted with them because I believed in local control. This can be taught. Any school district in this state that wants to teach AIDS education can do it. But to mandate it from the State

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Board I think is wrong and; therefore, I vote 'no'."

Speaker Breslin: "The Gentleman from McLean, Representative Ropp, one minute to explain your vote."

Ropp: "Thank you, Madam Speaker and Members of the House. It's not easy to raise young people anymore. I think the biggest concern that we have, because of the fact that we have so many children that are coming from broken homes, that we need to allow and to permit the broad education in our school system which includes sex education, as well as family living, as well as, in this particular case, the very threat disease of AIDS that is upon this nation. We need this kind of education in order to preserve our very civilization. And I don't see that anyone should be voting red when it may very well mean life and death to so many young people. What a tragedy to see such young people end up in that kind of a situation."

Speaker Breslin: "The Gentleman from McHenry, Representative Klemm, one minute to explain your vote."

Klemm: "Thank you, Madam Speaker. You know, my background is in engineering, and one of the things we were taught is try to look for new and better ways to do things, and that's what makes progress. You know, the present system just simply is not working the way it is now. I think this Bill maybe will give it an opportunity so our young people can learn more and be better and learn. And I support it."

Speaker Breslin: "The Gentleman from Cook, Representative Cullerton, one minute to explain your vote."

Cullerton: "Yes, I guess I have to clarify, after a long debate, I have to go around and clarify. This does not apply to any public... any parochial school. Doesn't apply. It's only public schools. So, if anybody told you the Catholic Church is against the Bill, it's not true. It... with regard to the issue of... that was raised by a previous

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speaker about some local school district passing out condoms, this sets up and makes available to local school districts a program that's set up by the State Board of Education. I don't understand why that is so scary. And the most important thing is, if you feel that you don't want your child to be exposed to education about the prevention of AIDS, you simply tell the school that you don't want that instruction for your child. That's all it does. Now, where..."

Speaker Breslin: "Bring your remarks to a close."

Cullerton: "So, I think when you think about that... if you think about this, a Bill that got 38 votes in the Senate with such fine Senators as Dudycz and Fawell and Barkhausen, Raica and Topinka supporting it, I think that you'd almost be embarrassed if this Bill doesn't pass."

Speaker Breslin: "The Lady from Champaign, Representative Satterthwaite, one minute to explain your vote."

Satterthwaite: "Madam Speaker and Members of the House, as I understand this legislation, it is not a mandate. It only indicates that where a school district has already determined to have a sex education and family life course, that they will include instruction about AIDS and AIDS prevention as part of that. It seems to me that the fear of AIDS is one of the greatest deterrents that teenagers or anybody of any age has these days about promiscuous sex. And if anything, we would be better giving them this advice about AIDS if we have any suspicion that sex education is going to make them promiscuous. It's a way, another excuse to just say no and I think it would be well that we provide this as a part of those education programs."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. The Gentleman from Cook, Representative Williams, for what reason do you

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rise?"

Williams: "I was going to explain my vote, but it seems such a hypocrisy here. We've basically said that you can't have contraceptives, you can't do a lot of things. And this Body is basically saying we can't teach kids about it, we can't teach kids about sex. We can't do anything. I mean, if you, I said, 'just say no', how can you be realistic in your own life? This is unbelievable. Here we have something that this Body is obviously concerned about, and I was as much as concerned. I introduced Bills dealing with contact tracing and all that other stuff. But to sit here and say the young children or people, with this disease is going to be a ravishing on our society, shouldn't know the ins and outs, the evils about it is ridiculous. They're not supposed to have contraceptives. They're going to have sex whether you like it or not. They're not going to have contraceptives and they're not going to have any knowledge about AIDS or about this disease. When they catch the disease, please, you who don't want it will know that you helped to cause its onspread. I urge that you reconsider and put those other two votes up there."

Speaker Breslin: "Representative Cullerton. Excuse me. Representative Ewing, for what purpose do you seek recognition?"

Ewing: "I want to be voted 'aye'."

Speaker Breslin: "Change Representative Ewing from 'no' to 'aye'. Representative Mulcahey changes his vote from 'no' to 'aye'. Any further changes? Representative Johnson, do you still seek recognition?"

Johnson: "I was going to explain my vote, but I don't know if that's appropriate at this point."

Speaker Breslin: "Proceed, Sir. We've listened to everyone

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else."

Johnson: "No, I don't want to take more time of the House.
That's okay."

Speaker Breslin: "Any further discussion? On this question,
there are... Representative Stephens, for what reason do
you seek recognition?"

Stephens: "Just to seek a verification should it reach the
requisite number."

Speaker Breslin: "Representative... on this question there are 60
voting 'aye', 49 voting 'no' and 5 voting 'present'.
Representative Ewing, for what reason do you seek
recognition?"

Ewing: "Vote me 'no'."

Speaker Breslin: "Representative Ewing changes his vote from
'aye' to 'no'. Representative Levin, for what reason do
you seek recognition?"

Levin: "If there is a verification, I'd like to ask leave to be
verified."

Speaker Breslin: "You'll have to wait for that time, Sir.
Representative Cullerton."

Cullerton: "Yes, I'd like to ask for not only a Poll of the
Absentees, but also a poll of Representative Ewing again."

Speaker Breslin: "Poll the absentees, Mr. Clerk."

Clerk Leone: "A poll of those Members not voting. Representative
Hensel is the only Member who is not voting."

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

Matijevich: "A brief explanation, Madam Speaker, on this whole
issue of AIDS. It's amazing to me how in one year we have
all become experts. A year ago nobody even dared to
introduce Bills on AIDS, practically. Well, maybe... well,
two years ago. And now..."

Speaker Breslin: "Excuse me. Excuse me, Representative

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Matijevich. Representative McCracken, for what reason do you rise?"

McCracken: "The time to explain the vote has already passed."

Speaker Breslin: "I believe the Gentleman is voting."

McCracken: "And the time to explain it has already passed."

Speaker Breslin: "I think when the Gentleman is being recognized to vote, he has a right to explain it. And I will recognize Representative Matijevich for that purpose. Proceed, Representative Matijevich. Representative Matijevich."

Matijevich: "Yes, Madam Speaker, I think anybody has a right to explain their vote before it's announced, and I really think in all of those Bills my best vote would have been 'present', because I don't think there are experts. I don't think there's even experts yet that can tell us testing is proper yet. And I think I've even cast some bad votes, if it really comes down to it, on some of these Bills on AIDS. And I think the 'present' vote would probably have been proper in all of them. But on this one, when it goes to the matter of education, if I am going to make an error, I'm going to make that error on behalf of education. So, I'm going to change my vote to 'aye'."

Speaker Breslin: "Representative Matijevich. Change Representative Matijevich to 'aye'. On this question there are 60 voting 'aye', 50 voting 'no' and 4 voting 'present'. There will be a verification. Representative Braun has asked leave to be verified. Does she have leave? She has leave. Proceed with the poll of the affirmative, Mr. Clerk."

Clerk Leone: "Poll of the affirmative. Berrios. Bowman. Braun. Bugielski. Countryman. Cullerton. Curran. Currie. Daley. Davis. Didrickson. Dunn. Farley. Flowers. Virginia Frederick. Giglio. Giorgi. Greiman. Hasara.

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Hicks. Homer. Huff. Johnson. Jones. Kirkland. Klemm.
Kubik. Kulas. LeFlore. Leverenz. Levin. Matijevich.
Mautino. McAuliffe. McPike. Horrow. Mulcahey.
Panayotovich. William Peterson. Preston. Rice.
Richmond. Ronan. Ropp. Saltsman. Satterthwaite.
Sieben. Slater. Steczo. Stern. Sutker. Terzich.
Turner. Van Duyne. Wait. White. Williams. Anthony
Young. Wyvetter Younge. And Mr. Speaker."

Speaker Greiman: "Representative Greiman in the Chair. Mr.
Stephens, do you have questions of the Affirmative Roll?"

Stephens: "Yes, Mr. Speaker, I do. Representative Williams."

Speaker Greiman: "Mr. Williams is in his chair."

Stephens: "Representative DeLeo."

Speaker Greiman: "Mr. DeLeo. Mr. DeLeo appears to be voting
'no'."

Stephens: "Excuse me. Excuse me. Representative McAuliffe."

Speaker Greiman: "Mr. McAuliffe. Mr. McAuliffe in the chamber?
Mr. McAuliffe. How is Mr. McAuliffe recorded?"

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

Speaker Greiman: "Remove Mr. McAuliffe. Further questions of the
Roll? Mr. Christen..."

Stephens: "Representative Saltsman."

Speaker Greiman: "Mr. Christensen, for what purpose do you seek
recognition? Mr. Christensen votes 'aye'. Proceed, Sir."

Stephens: "Representative Saltsman."

Speaker Greiman: "Mr. Saltsman. Mr. Saltsman. How is Mr.
Saltsman recorded? Mr. Saltsman in the chamber? No. How
is he recorded?"

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

Speaker Greiman: "Remove Mr. Saltsman. Mr. Shaw, for what
purpose do you seek... Mr. Shaw votes 'aye'."

Stephens: "Wyvetter Younge?"

Speaker Greiman: "Ms. Younge. Ms. Younge is at the side of

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the... at the side of the chamber."

Stephens: "Representative Morrow."

Speaker Greiman: "Mr. Morrow. Mr. Morrow. Representative Morrow in the chamber? How is Mr. Morrow recorded? Mr. Saltsman has returned. Restore Mr. Saltsman to the Roll Call. Mr. Morrow. How is Mr. Morrow recorded?"

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

Speaker Greiman: "Remove Mr. Morrow."

Stephens: "Representative Homer."

Speaker Greiman: "Mr. Homer. Mr. Homer. Mr. Homer in the chamber? How is Mr. Homer recorded?"

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

Speaker Greiman: "Remove Mr. Homer from the Roll Call. Excuse me. Mr. Hensel, for what purpose do you seek recognition?"

Hensel: "How am I recorded?"

Speaker Greiman: "You're recorded as not voting, apparently."

Hensel: "I'd like to be 'no'."

Speaker Greiman: "Alright. Record Mr. Hensel as voting 'no'."

Stephens: "Representative Ronan."

Speaker Greiman: "Mr. Morrow has returned to the chamber. Restore Mr. Morrow to the Roll Call."

Stephens: "Representative Ronan."

Speaker Greiman: "Excuse me. Mr... Mr. Morrow. Mr. Morrow votes 'aye'. Mr. Morrow votes 'aye'."

Stephens: "Representative Keane."

Speaker Greiman: "You have Mr. Morrow as voting 'no'. Mr. Morrow votes 'aye'. Ms. Hasara, for what purpose do you seek recognition?"

Hasara: "Mr. Speaker, may I please have leave to be verified?"

Speaker Greiman: "Yes, leave to be verified. Further questions of the..."

Stephens: "Representative Leverenz."

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Speaker Greiman: "Mr. Leverenz. Mr. Leverenz. Mr. Leverenz is at the door. Mr. Leverenz at the door."

Stephens: "Representative Laurino."

Speaker Greiman: "Mr. Laurino."

Stephens: "Just checking."

Speaker Greiman: "He's a 'no'. Did you wish to proceed? Now..."

Stephens: "Representative Hicks, if you don't mind."

Speaker Greiman: "Mr. Hicks. Mr. Hicks is at the rear of the chamber, on the Republican side. Laurino votes 'aye'. Proceed."

Stephens: "Representative Huff."

Speaker Greiman: "Mr. Huff. Mr. Huff in the chamber? Mr. Huff. Excuse me. Mr. DeLeo, for what purpose do you seek recognition?"

DeLeo: "Speaker, how am I recorded?"

Speaker Greiman: "You're recorded as voting 'no'."

DeLeo: "Change me to 'aye', please."

Speaker Greiman: "Mr. DeLeo votes 'aye'. Mr. Stephens..."

Stephens: "Representative Granberg. Did you do Huff, by the way?"

Speaker Greiman: "No, Mr. Huff. Yes, I'm sorry. Mr. Huff. Mr. Huff in the chamber? How is Mr. Huff recorded?"

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

Speaker Greiman: "Remove Mr. Huff from the Roll Call."

Stephens: "Representative Granberg."

Speaker Greiman: "Mr. Granberg is voting 'no'."

Stephens: "Great."

Speaker Greiman: "Now we have on this board here that will tell you..."

Stephens: "Representative Dunn?"

Speaker Greiman: "Pardon?"

Stephens: "Representative Dunn?"

Speaker Greiman: "Mr. Dunn. Mr. John Dunn at the rear of the

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chamber."

Stephens: "Representative Jones."

Speaker Greiman: "Ms. Jones is right here with Mr. Rice."

Stephens: "Representative Martinez."

Speaker Greiman: "He's voting 'no'."

Stephens: "Excuse me. Representative Bugielski."

Speaker Greiman: "Right up here in the well."

Stephens: "Representative Novak."

Speaker Greiman: "Is 'no'."

Stephens: "Okay. None further."

Speaker Greiman: "Pardon?"

Stephens: "Nothing further."

Speaker Greiman: "On this question there are 61 'aye', 47 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 670. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 670, a Bill for an Act in relationship to chore and housekeeping services for disabled persons. Third Reading of the Bill."

Speaker Greiman: "Lady from Cook, Ms. Davis."

Davis: "Mr. Speaker, Ladies and Gentlemen of the House, I request leave to bring this Bill back to Second..."

Speaker Greiman: "Lady asks leave of the House to return this Bill to the Order of Second Reading. Leave is granted. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Davis."

Speaker Greiman: "Lady from Cook, Ms. Davis, on Amendment 2."

Davis: "Floor Amendment #2 deletes a provision in the Bill that allows the clients to evaluate the counselors, and we think with this Amendment it makes it an agreed Bill. I ask immediate consideration."

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Speaker Greiman: "Lady moves for the adoption of Amendment #2 to Senate Bill 670. And on that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor 'aye', opposed 'no'. Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Lady asks leave of the House to hear this Bill at this time using the Attendance Roll Call. Leave is granted. Mr. Clerk, read it on Third Reading."

Clerk Leone: "Senate Bill 670, a Bill for an Act to amend an Act in relationship to chore and housekeeping services for disabled persons. Third Reading of the Bill."

Speaker Greiman: "Lady from Cook, Ms. Davis."

Davis: "The Bill, Senate Bill 670, requires the Department to reimburse providers of chore housekeeping services twice per month and to notify those providers that they're entitled to interest payments if the state is late in providing such."

Speaker Greiman: "Lady from Cook moves for the passage of Senate Bill 670. And on that, the Lady from Cook, Ms. Wojcik."

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

Speaker Greiman: "Indicates she will."

Davis: "Yes."

Wojcik: "Representative, could you tell me how this program will be able to operate?"

Davis: "The program... How it will be able to operate?"

Wojcik: "Yes. How will you implement this program?"

Davis: "Well, it merely means that instead of being paid once per month, that these chore providers will be paid twice per month."

Wojcik: "Where are these chore providers going to be obtained? Where will they be coming from?"

Davis: "This already exists, Representative Wojcik. The program

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itself is already in existence and the purpose of the program is in order to keep people from having to be placed in nursing homes. It allows... the Department of Rehabilitation Services will make the payments."

Wojcik: "Could you tell me how the Department of Rehabilitative Services feels about this?"

Davis: "They are in agreement with the Amendment #2 that removes the provision where clients can evaluate counselors. They are in support of this Bill."

Wojcik: "So, they have removed their opposition since you have put in this second Amendment?"

Davis: "That is correct."

Wojcik: "I guess that's okay, because..."

Davis: "They support this concept, yes."

Wojcik: "Okay. Because, as of yesterday, I know that they were having a problem with their budget program and they had spoken to me. And, in fact, I'm going to have our Fiscal and Economic Commission study the DORS budget so that we can help them. And by putting in new programs, I didn't think that they would be accepting this. But since they have written off, then I have no opposition."

Davis: "Well, they haven't actually written off, Representative Wojcik, but the concept itself they do support."

Wojcik: "Alright. I'm just told that it's fine. So, proceed."

Davis: "It passed out of the Senate without any opposition."

Wojcik: "Fine."

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

Piel: "Thank you, Mr. Speaker. Would the Lady yield for questions?"

Speaker Greiman: "Indicates she will."

Piel: "Representative, I didn't quite catch the very beginning and I apologize. Alright. We will have to be paying interest for any... or paying a penalty for any payments

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that are made over how long?"

Davis: "Yes, these workers make a very, very small salary. And when they receive their payments, if you are late... if the state is tardy in making those payments, they will have interest payments made to them, and this law already exists. This is just to notify the chore housekeepers that they have interest payments coming if their paychecks are late. This already exists."

Piel: "You say the wording is already in the law... interest payment..."

Davis: "Yes, Sir."

Piel: "And this is just for a notification to those providers that they are entitled to interest."

Davis: "That is correct, Sir."

Piel: "Thank you very much."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'aye', 1 voting 'no' and none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 771. Mr. Clerk, read the Bill. Excuse me, Mr. Clerk. Ladies and Gentlemen, it is the intention of the Chair to go well beyond 8:00 tonight, so that if you plan to eat dinner, one would suggest that you order out. We will probably go certainly till 10:00 although we would like to adjourn by that time. Much of that depends on how quickly we dispose of the business at hand, allowing respect for everyone to express themselves on the floor of the House. And on that, Mr. Clerk, proceed. Mr. Goforth, for what purpose do you seek recognition?"

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Goforth: "I would strongly suggest that our two Leaderships buy us food and bring it in here for us and that way we wouldn't have to order out."

Speaker Greiman: "Certainly have a way of uniting the parties. This Bill is on the Consent Calendar..."

Clerk Leone: "Senate Bill 77..."

Speaker Greiman: "So we'll go to the next Bill. On this Order appears Senate Bill 886. Mr. Clerk, read that Bill."

Clerk Leone: "Senate Bill 886, a Bill for an Act to provide for the establishment of rural health care systems unit within Northern University of Illinois. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Macoupin, Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. As amended, this Bill requires Southern Illinois University at Carbondale to maintain a rural regional health assistance unit through their medical school and provide technical assistant to health care providers in rural areas. It's an attempt to address the problem we have in rural Illinois with our health care delivery system. It's a step forward, and I would ask for your 'yes' vote."

Speaker Greiman: "Gentleman from Macoupin moves for the passage of Senate Bill 886. There being no discussion, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open, and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 90... there are 101 voting 'aye', 10 voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 934. Mr. Clerk."

Clerk Leone: "On page three of the Calendar, Senate Bill 934, a

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Bill for an Act to amend the Environmental Protection Act.
Third Reading of the Bill."

Speaker Greiman: "Yes. Mr. Wennlund, proceed, Sir."

Wennlund: "Thank you, Mr. Speaker. I ask leave to move this back
to the Order of..."

Speaker Greiman: "Gentleman asks leave of the House to return
this Bill to the Order of Second Reading of the purpose of
an Amendment. Gentleman has leave. Mr. Clerk, are there
any Amendments?"

Clerk Leone: "Floor Amendment #1 being offered by Representative
Wennlund."

Speaker Greiman: "Gentleman from Will, Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. House Amendment #1 is an Amendment suggested by
JCAR which merely adds two words to the Bill as amended in
both places. I move for its adoption. It's a technical
Amendment."

Speaker Greiman: "Gentleman moves for the adoption of Amendment
#1 to Senate Bill 934. Is there any discussion? There
being none, the question is, 'Shall the Amendment be
adopted?' All in favor 'aye', opposed 'no'. In the
opinion of the Chair, the 'ayes' have it. The Amendment's
adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Gentleman asks leave of the
House to waive the rule so this Bill may be heard at this
time using the Attendance Roll Call. Leave is granted.
Mr. Clerk, read it on Third Reading."

Clerk O'Brien: "Senate Bill 934, a Bill for an Act to amend the
Environmental Protection Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Will, Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. House (sic - Senate) Bill #934 merely changes the

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EPA Act with respect to the preemptory rule adoption procedure. What it will do is it will save a lot of time and money by the EPA, because, currently, regulations under the Federal Clean Air Act are applicable under state law anyway. Currently state law mandates the Pollution Control Board to adopt rules which are identical in substance to the federal regulations which are all adopted and appear in the federal register. The purpose of eliminating the preemptory rule making process is to save the Board time and expense in the adoption of rules. This will allow the Board and members of staff to focus on other matters without the adoption of state regulations which are identical, in fact, to the federal regulations which are all enforceable anyway under Illinois law. The Amendment's supported not only by the EPA, but the IMA, the Illinois State Chamber of Commerce and, at this point, as amended, JCAR. I move for the adoption of House Bill (sic - Senate Bill) 934."

Speaker Greiman: "Gentleman moves for the passage of Senate Bill 934. And on that, the Gentleman from Cook, Mr. Young."

Young: "Yeah, will the Sponsor yield?"

Speaker Greiman: "Indicates he'll yield for questions."

Young: "Has Amendment #1 been adopted to this Bill?"

Wennlund: "Yes, it has, Representative."

Young: "Does either the Bill or the Amendment provide for the situation where the rules that are adopted may differ from federal... from federal rules."

Wennlund: "They're mandated by law to adopt the identical federal rules. Existing Illinois law mandates that the EPA or the Pollution Control Board adopt federal rules verbatim."

Young: "Thank you."

Speaker Greiman: "Gentleman from Cook, Mr. Bowman."

Bowman: "Yes, a question of the Sponsor."

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Speaker Greiman: "He indicates he'll yield for questions."

Bowman: "Thank you, Mr. Wennlund, so if this Bill were to pass, then the Illinois Pollution Control Board could adopt rules which are different from federal rules regarding air pollution... ambient air pollution standards, for example?"

Wennlund: "No, not at all, Representative Bowman. The EPA Act requires and mandates that the Pollution Control Board adopt exact, identical rules. Nothing changes. They could not adopt anything different."

Bowman: "What's the purpose of the Bill then? I thought the purpose of the Bill was to change that."

Wennlund: "The purpose of the Bill is to save the Pollution Control Board from going through the process of adopting preemptory rule changes because they automatically have the force of law anyway. It saves a lot of time and money by the EPA in republishing and going through the same process when those federal regulations are mandated by Illinois law to be adopted."

Bowman: "Okay. Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 972. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 972, a Bill for an Act to amend an Act concerning rights of medical patients. Third Reading of the Bill."

Speaker Greiman: "Gentleman from DuPage, Mr. Stange."

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Stange: "Leave for Second Reading."

Speaker Greiman: "Gentleman asks leave of the House to return this to the Order of Second Reading for purposes of an Amendment. Leave is granted. Mr. Clerk, are there Amendments?"

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

Speaker Greiman: "Gentleman from DuPage, Mr. Stange, on Amendment 2."

Stange: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 amends the auto repealer of this Bill effective in two years after signing."

Speaker Greiman: "Gentleman asks... Gentleman moves for the adoption of the Amendment. All in favor 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Gentleman asks leave of the House to have this Bill heard at this time, using the Attendance Roll Call. Leave is granted. Mr. Clerk, on Third Reading."

Clerk O'Brien: "Senate Bill 972, a Bill for an Act concerning certain rights of medical patients. Third Reading of the Bill."

Speaker Greiman: "Gentleman from DuPage, Mr. Stange."

Stange: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 972 amends the Hospital Licensing Act and Illinois Blood Bank Act to allow a recipient of blood to designate a donor of his or her choice and provides that blood not used within seven days of donation may be used for another medically appropriate purpose. Appreciate your vote."

Speaker Greiman: "Gentleman moves for the passage of Senate Bill

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972. The Gentleman from Cook, Mr. Young."

Young: "Will the Sponsor yield?"

Speaker Greiman: "Indicates he will."

Young: "This Bill allows the donor to designate a particular person he wants the blood to go to, is that what it does?"

Stange: "That's correct."

Young: "Does it also allow the donor to designate particular people or classes of people that he would not want the blood to go to?"

Stange: "No, it doesn't."

Young: "Okay, thank you."

Speaker Greiman: "Gentleman from Cook, Mr. White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, I reluctantly stand in opposition to the Bill. The Sponsor of this Bill passed a Bill out of this House that limited blood donations to the immediate family and after a few days, the blood would be placed back into the blood supply. This Bill goes a little further than that and I'm afraid that we're sending the wrong message to people who want to donate blood, and I also think that this is a bad thing to do at this time. So, I stand in opposition to the Bill."

Speaker Greiman: "Gentleman from DuPage, to close."

Stange: "Thank you, Mr. Speaker. It does not do the wrong thing on this Bill. This Bill allows each one of us going in for surgery to have his own family, his own cousin, his own uncle, his next door neighbor to donate blood on his behalf. If this blood is not used within seven days, this blood can automatically be put back in the blood bank. Right now, two percent of all blood transfusions have AIDS virus. Fifteen percent of AIDS is caused by blood transfusions. With this Bill we can now allow the recipient to obtain his own blood. I appreciate your vote."

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Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. And this is final action. Mr. Bowman."

Bowman: "Mr. Speaker, Ladies and Gentlemen of the House, I'm voting 'no' on this legislation because I understand the blood banks are opposed to it. It would hamstring current operations. I understand the concern of the Gentleman who's sponsoring this legislation, but I do think our colleagues should be aware that the blood banks are opposed to it."

Speaker Greiman: "Lady from Cook, Ms. Wojcik, one minute to explain your vote."

Wojcik: "Yes, Mr. Speaker and Members of the House, I rise in support of this Bill and I can see that most of the Members of the General Assembly also have the same thought. I had a personal experience in August with my mother just because of the practice that we're trying to offset right now. She was not able to... or she did contract hepatitis because her blood was not tested the way it should have been. And, I'll tell you something, when it hits home like it did to me, you certainly would like to have this passed, and I thank you all for voting green because it helps my family."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 85 'aye', 19 'no', 12 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 982. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 982, a Bill for an Act to amend the Township Law. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Kubik."

Kubik: "Thank you, Mr. Speaker. I'd ask leave of the House to

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take this back to Second Reading."

Speaker Greiman: "Gentleman asks leave of the House to return this Bill to the Order of Second Reading for purposes of amendment. Gentleman have leave? Leave is granted. Mr. Clerk, are there Amendments?"

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

Speaker Greiman: "Gentleman from McHenry, Mr. Klemm."

Klemm: "Amendment 2? Withdraw Amendment 2."

Speaker Greiman: "Withdraw Amendment 2. Any further Amendments?"

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

Speaker Greiman: "Mr. Klemm, Gentleman from McHenry."

Klemm: "Thank you, Mr. Speaker. Amendment #3 solves a problem in my county in allowing a township to increase the size of its park from 50 acres to 100 acres, and that's all the Bill does. I ask its adoption."

Speaker Greiman: "Gentleman moves for the adoption of Amendment #3. Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Gentleman asks leave of the House to waive the appropriate rule so the Bill may be heard at this time. Leave is granted using the Attendance Roll Call. Read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 982, a Bill for an Act to amend the Township Law. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Kubik."

Kubik: "Thank you, Mr. Speaker. You've heard the Amendment presented by Representative Klemm. The underlying Bill would amend the Township Law and allow local townships to spend money on the maintenance and operation of township

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health services. As you know, many had done this through federal funding. They've lost that... we no longer have federal funding, and now they just simply want the ability to be able to provide those services. I ask for the adoption of this Bill."

Speaker Greiman: "Gentleman moves for the passage of Senate Bill 982. And on that, the Gentleman from Macon, Mr. Dunn."

Dunn: "I'm a little unclear about what this Bill does. Does it provide for an increase in taxes, or does it authorize a new, different use for existing taxes?"

Kubik: "It is not a tax increase. It just allows townships to use that money that is presently raised by taxes. It is... No new taxes are involved here."

Dunn: "Alright, thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the Roll. On this question there are 99 'ayes', 12... 13 'no', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. And on this Order appears Senate Bill 993. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 993, a Bill for an Act to amend the Community Mental Health Act. Third Reading of the Bill."

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 993 amends the Community Mental Health Act and provides that the written plan for a program of community mental health services and facilities established by the community health... mental health boards shall include programs for persons adjudicated delinquent minors

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under the Juvenile Court Act. This Bill was a recommendation of the Citizens' Assembly Citizens' Council on Children included in its first annual report. The Department of Corrections testified that youth are coming into the juvenile corrections system with increasing mental health problems and that services are not uniformly available upon commitment. This Bill addresses one aspect of the problem, and I ask for your 'aye' vote."

Speaker Greiman: "The Gentleman moves for the passage of Senate Bill 993. Question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are... Mr. Hallock votes 'aye'. On this question there are 105 voting 'aye', 2 voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 994. Mr. Clerk, read the Bill."

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

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

Phelps: "Mr. Speaker, could the record reflect I voted 'aye' on the last Bill?"

Speaker Greiman: "Let the record so reflect... the transcript so reflect."

Clerk O'Brien: "Senate Bill 994, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

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

White: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 994 would require the Department of Public Aid to include within its current long-term... within its practice research project all designed to provide long-term care

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facilities for AIDS patients. This Bill passed out of the Senate 57 to nothing. It's identical to the Bill that Representative Levin passed out of this House with 115 to nothing vote."

Speaker Greiman: "Mr. White, Gentleman from Cook, moves for the passage of Senate Bill 994. And on that, there being no discussion, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 105 voting 'aye', 1 voting 'no', 5 voting... Mr. Kulas. 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 995. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 995, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. White."

White: "Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 995 is designed to inspire the Illinois Public Aid Department to embark upon a program that would allow them to direct AIDS patients to long-term care facilities rather than hospitals. At present, there are 25 patients in these facilities and the bottom line is the saving of dollars. Put these individuals in long-term care facilities, the State of Illinois will save ten times the dollar amount. And again, this Bill passed out of the House in Representative Levin's Bill. This Bill is identical. It also cleared the Senate by 57 to nothing, and I ask for your support".

Speaker Greiman: "Gentleman from Cook, Mr. White, moves for the passage of Senate Bill 995. There being no discussion, the

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question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question... Excuse me. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'aye', none voting 'no' and none voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1022. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1022, a Bill for an Act to amend the Illinois Health Finance Reform Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Berrios."

Berrios: "This Bill would merely allow HMOs to negotiate hospital rates for Medicaid patients with hospital. It does not mandate eye care rates for Medicaid patients in HMOs. It merely would allow HMOs to negotiate with hospitals as to prices. This Bill, in all probability, would save Public Aid money because of the fact that they would... Public Aid could also negotiate with the HMOs as to the rates that they would be paying for reimbursements. And I ask for your favorable vote."

Speaker Greiman: "Gentleman moves for the passage of Senate Bill 1022. And on that, the Gentleman from Cook, Mr. White."

White: "Mr. Speaker and Ladies and Gentlemen of the House, I reluctantly stand in opposition to this Bill. The hospitals are opposed to it. And so I think it's up to you to make the decision as to whether you think that the hospitals are right or the HMOs are wrong... or right."

Speaker Greiman: "Gentleman from St. Clair, Mr. Stephens."

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

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House. This is a merely Bill. I heard that phrase used, so that ought to be something we ought to pay attention to. Instead of being called merely Bill, it might be called the HMO welfare Bill. What this Bill does is take about 15 million dollars out of the health care system and hand that money over to about two dozen health maintenance organizations. That's all it does. It does not save the Illinois Department of Public Aid one, thin dime. To the contrary, it would cost Public Aid more money if the hospitals that are hardest hit by this renegotiation when they set their contracts that they negotiated directly with the Department. It does not improve the health care system or affect Public Aid recipients one way or another. All it does is hand money over to the HMOs from the hospitals. Where does the money come from? Well, the hospitals, the institutions that are providing care for the poor and have entered into contracts with the Department of Public Aid through the HMOs for compensation. This Bill potentially nullifies the contracts that were entered into in good faith by those parties. There is no sound public policy reason that I can think of to give HMOs 15 million dollars when it does not benefit the State of Illinois at all. There is no reason to damage the health care system for the benefit of a couple of dozen HMOs. What we ought to do is not pass this Bill. I think we need to understand what this does. This is taking money out of hospitals and putting it in HMOs after hospitals have negotiated low rates with the Department of Public Aid. The eye care system is working well. It's, in itself, is saving the State of Illinois money. We're providing care for those who need it. This is not a necessary Bill. I would urge its defeat."

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

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Cullerton: "Yes, would the Sponsor yield?"

Speaker Greiman: "Indicates he will."

Cullerton: "Representative Berrios, I'm a little confused by the opposition, unless I'm missing something in the Bill. Did this Bill pass the Senate 50 to nothing?"

Berrios: "Sure did."

Cullerton: "Does the Department of Public Aid currently contract for hospital services with health maintenance organizations under some criteria?"

Berrios: "Yes."

Cullerton: "And all this does is delete the provision that restricts the contracting by the Department of Public Aid for in-patient hospital care, only to hospitals. I don't see what the problem is."

Berrios: "Neither do I."

Cullerton: "Well, I heard the previous speaker talking about 15 million dollars. What is that? Is he hallucinating or what?"

Berrios: "No, I don't think it's for the stadium, but that's the first I heard about 15 million dollars being shifted. Even the Department, when they put out their release, said that in all probability, the Department would be able to negotiate lower rates, thus saving the citizens of this state money."

Cullerton: "So, if anything, if they decide not to contract with the HMOs, there won't be any savings. Certainly, won't be any loss, won't be any savings, but if they do decide to contract there could be a possible savings."

Berrios: "Correct."

Cullerton: "How can anybody be against the Bill then?"

Berrios: "I don't know."

Cullerton: "I don't know either."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik."

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Wojcik: "Yes, Mr. Speaker and Members of the House, I have great respect for the Sponsor of the Bill; however, I, too, must reluctantly rise in opposition to Senate Bill 1022. Senate Bill 1022 not only has the opposition of the Illinois Hospital Association, it also has the opposition of the Department of Public Aid. And what this Bill would do, it would give the health maintenance organization a one time windfall with Medicaid provider hospitals and the Illinois Department of Public Aid taking a combined loss estimated at 15 million dollars. Also, it would potentially disrupt health care services to many of the recipients, and it would impose financial stress upon only a few hospitals, but they are the hospitals least able to absorb it. If we pass this Bill allowing the HMOs to renege on their contracts and pay hospitals the 15 million dollars less than they agreed to for the health care services for the poor, the rest of us will be ending up paying the bill. This is because of the cost shifting. We all know what that is. When a hospital cannot recover its cost for care from one payer, it shifts the difference to other payers who can carry the burden. That means the privately insured payers, the private payers, all of us - and I say all of us - ultimately will have to cover this 15 million dollar grant to HMOs as a direct pass-through on our hospital bills. I think we are all aware what the high prices of hospital bills. We're all aware with the penny pinching that is going on in today's society. I think it would be a disservice to our youth, to the people who can't afford it. We should defeat this Bill and I do ask for its defeat. Thank you."

Speaker Greiman: "Gentleman from Cook, Mr. Berrios, to close."

Berrios: "Well, listening to all the opposition, you know, it came out of the Senate 55 to nothing. You know, the

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Senators, in their good wisdom, saw that this could save people money and they voted it out. If we don't feel that we want to save the state some money, I mean, we're talking about people on the floor that don't want a tax increase. This thing can... in all probability, can save people money in the future. The choice is ours, you know. I would ask for your favorable vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 29 'ayes'... I'm sorry, 28 'ayes', 85 'nos', none voting 'present'. This Bill, having failed to receive a Constitutional Majority, is hereby declared lost. On this Order appears Senate Bill 1147. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1147, a Bill for an Act to amend the Illinois Living Will Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Sangamon, Mr. Curran. Mr. Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The House... Senate Bill 1147 has been agreed by the Illinois Pro-Life Coalition, the Medical Society, the Hospital Association and the Chicago Bar Association. It makes technical changes in the Living Will Act of a couple years ago. I ask for your favorable vote."

Speaker Greiman: "Gentleman from Sangamon moves for the passage of Senate Bill 1147. There being no further discussion, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Slater votes 'aye'. Mr. Clerk, take the record. On this

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question there are 108 voting 'aye', 4 voting 'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1449. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1449, a Bill for an Act to amend an Act in relation to the registration of underground storage tanks. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Kulas. Out of the record. Alright now, on the Order of State Administration Second Reading appears Senate Bill... Oh, yes, Mr. Kulas, did you wish to proceed on that Bill?"

Kulas: "Thank you, Mr. Speaker. No, I'd like leave to... as principal Sponsor of Senate Bill 1449, leave to place the Bill into Interim Study."

Speaker Greiman: "Gentleman asks leave of the House to place Senate Bill 1449 in the Interim Study Calendar of the Committee on Energy and Environment. Okay. Gentleman have leave? Now, Ladies and Gentlemen, there are forms here for you to do just that so you won't have to ask leave of the House. You may do it individually without leave. And now on the Order of State Administration appears Senate Bill 47, on the Order of Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 47, a Bill for an Act to amend the General Obligation Bond Act. This Bill has been read a second time previously. Amendment #1 was withdrawn. Floor Amendment #2, offered by Representative McPike."

Speaker Greiman: "Gentleman from Madison... Amendment withdrawn. Further Amendments?"

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

Speaker Greiman: "Gentleman from Madison, Mr. McPike."

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McPike: "Thank you, Mr. Speaker. This is a technical Amendment that adds a total of one dollar to the Bill. Move for the adoption of the Amendment."

Speaker Greiman: "Gentleman moves for the adoption of Amendment #3. On that, there being no discussion, the question is, 'Shall it be adopted?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Gentleman asks leave of the House that this Bill be heard at this time using the Attendance Roll Call. Leave is granted. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 47, a Bill for an Act to amend the General Obligation Bond Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Madison, Mr. McPike."

McPike: "The Amendment is now the Bill. It adds one dollar to the Bill. I move for the passage of the Bill."

Speaker Greiman: "Gentleman moves for the passage of Senate Bill 47. There being no... Yes, Gentleman from Winnebago, Mr. Hallock."

Hallock: "Yes, this Bill is going to Conference for further review, and I would suggest that it be adopted."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are... excuse me, Mr. Richmond, for what purpose do you seek recognition? On this question 97 'ayes', 13 'nos', 3 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, on page 13 of the Calendar, on the Order of

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Consent Reading... Consent Calendar Third Reading, Second Day. Mr. Clerk, read the Bill. This is on the Regular Calendar."

Clerk O'Brien: "Consent Calendar Third Reading, Second Day. Senate Bill 359, a Bill for an Act in relation to local district libraries and state revenue sharing. Third Reading of the Bill. Senate Bill 771, a Bill for an Act in relation to bodies of deceased persons who had AIDS. Third Reading of the Bill. Senate Bill 1342, a Bill for an Act to amend the Real Estate Licensing Act. Third Reading of the Bill. Senate Bill 1373, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Greiman: "Question is, 'Shall these Bills pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is on the Consent Calendar Third Reading, on the Regular Calendar on page 13. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'aye', none voting 'no', none voting 'present'. These Bills, having received a Constitutional Majority, are hereby declared passed. Mr. McPike, in the Chair."

Speaker McPike: "Ladies and Gentlemen of the House, if I could have your attention, please. We are obviously running out of time, and we'd like to move through as many Bills as we can. So, if we could have an agreement to have the Sponsor of the Bill present it, and if anyone stands in opposition, we'd like to have one person stand in opposition and then go to a Roll Call. If we can get some cooperation, I think we can get through most of the Calendar tonight. If not, we're going to miss a lot of Members' Bills. The first Bill to be called is Senate Bill 1181. Read the Bill, Mr. Clerk. Representative Leverenz."

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Clerk O'Brien: "Senate Bill 1181, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Representative Leverenz."

Leverenz: "Thank you. Senate Bill 1181 would make a number of revisions in cleaning up the Relocators' Law that we have. The industry supports it. Anything that has anything to do with the Secretary of State or the Commerce Commission, everyone is in agreement on the Bill. It closes a number of loopholes used to evade the licensing requirements now for relocators, strengthens the enforcement provisions and enhances the ability of relocators to attract qualified drivers in reducing the delay in processing applications for operating permits. It facilitates the supervised disposition of junk vehicles, better known as the chop-shop laws. It adopts..."

Speaker McPike: "Gentleman moves for the passage of Senate Bill 1181. Does anyone stand in opposition to the Bill? Representative Dunn, do you rise in opposition to the Bill?"

Dunn: "I do."

Speaker McPike: "Proceed, Sir."

Dunn: "I rise in opposition to the Bill because in Transportation Committee, where this Bill was presented, there were some significant changes in the procedure by which licenses are obtained and revoked, and there were not satisfactory explanations about why these changes in procedure. And the old law, if I can find it here... Well, it won't make any difference anyway. Anyway, there's significant liberalization about the forfeiture provisions for licenses and there was not adequate explanation, and I think we should not pass this Bill at this time in this form."

Speaker McPike: "Question is, 'Shall Senate Bill 1181 pass?' All those in favor signify by voting 'aye', opposed vote 'no'."

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Have all voted? Have all voted who wish? Clerk will take the record. . On this Bill there are 102 'ayes', 11 'nos', none voting 'present'. Senate Bill 1181, having received a Constitutional Majority, is hereby declared passed. Page two of the Calendar, Senate Bill 2. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill #2, a Bill for an Act to create the Baccalaureate Savings Act. Third Reading of the Bill."

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. With leave of the Body, I'd like to return Senate Bill 2 to Second Reading for..."

Speaker McPike: "Gentleman asks leave to return Senate Bill 2 to the Order of Second Reading. Is there any objections? Hearing none, leave is granted. Bill is on Second Reading. Mr. Clerk."

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

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. This is one of the four Bills that we're moving out on baccalaureate education programs. This is a cleanup Amendment. I move for the adoption of the Amendment."

Speaker McPike: "Gentleman moves for the adoption of Amendment #1. Is there any discussion? Being none, the question is, 'Shall Amendment #1 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

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

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, this one puts a limitation on the amount of assets that will be disregarded at the time there would be an application for

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scholarship funds. It's consistent with the other Bills on this issue, and I move for its adoption."

Speaker McPike: "Lady moves for the adoption of Amendment #2. Is there any discussion? Being none, the question is, 'Shall Amendment #2 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill #2, a Bill for an Act to create the Baccalaureate Savings Act. Third Reading of the Bill."

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is one of the four Bills that we're moving on on the Baccalaureate Savings Act. The purpose of this is to provide investment alternatives to enhance financial asset... access for opportunities to learn and develop the individual talents and skills. And I move for the adoption of Senate Bill 2."

Speaker McPike: "Gentleman moves for the passage of Senate Bill 2. Does anyone stand in opposition? Representative Satterthwaite, do you stand in opposition to this? The question is, 'Shall Senate Bill...'"

Satterthwaite: "No."

Speaker McPike: "Question is, 'Shall Senate Bill 2 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Representative Satterthwaite, to explain your vote."

Satterthwaite: "I am voting 'yes' for this, but I do want to explain that there is one difference between this package and the others that have gone out of here. This one does make provision that there would be an exemption of income tax and this one has some possible financial impact on the

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state; whereas, the others do not. We have, however, agreed that this will also go to the Governor's desk and it is substantially in agreement with the other plans with that one exception."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 102 'ayes', 2 'nos', 1 voting 'present'. Senate Bill 2, having received the Constitutional Majority, is hereby declared passed. We're now going to Special Order - Education. First Bill is Senate Bill 1043, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1043, a Bill for an Act in relation to the membership representative on certain interscholastic athletic organizations. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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

Clerk O'Brien: "Senate Bill 1043, a Bill for an Act in relation to membership representation on certain interscholastic athletic organizations. Third Reading of the Bill."

Speaker McPike: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, this allows... this Act prohibits the payment of membership fees by public elementary and secondary schools to the IHSA when they require the school's membership to be voted on by its principal. The practical effect is that this Bill allows participation in the IHSA by not just the principal, but by a coach, an athletic director, a teacher, a principal or other school administrator as determined by the governing body. I know of no opposition."

Speaker McPike: "Does anyone stand in opposition to the Bill? Question is, 'Shall Senate Bill 1043 pass?' All those in

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favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there is 106 'ayes', 2 'nos', 0 voting 'present'. Senate Bill 1043, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1206, Representative Rea. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1206, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 and 2 were adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "Motion to table Amendment #1, by Representative Hoffman."

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative McPike and I have filed the Motion to table Amendment #1 to Senate Bill 1206. Amendment #1 provides a requirement that the State Board of Education establish board member workshops. The workshops are already provided through the Illinois School Board Association. There is no need to spend public money for this kind of an activity. These people are elected by their constituents, just like we are, and they ought to be able to use their good judgement to participate and this is really, you know, in my judgement, a nuisance Amendment. And I rise in opposition to the... or I rise with this Motion to table Amendment #1."

Speaker McPike: "Does anyone stand in opposition to the Gentleman's Motion? Representative Rea."

Rea: "Thank you, Mr. Speaker. I rise in opposition to the Motion because this is not mandatory. It allows it... the in-service training. It gets into the rural areas that are not presently being provided for, and I would ask for a 'no' vote on this Motion."

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Speaker McPike: "Gentleman moves to table Amendment #1. The question is, 'Shall Amendment #1 be tabled?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's tabled. Further Amendments?"

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

Speaker McPike: "Representative Hultgren."

Hultgren: "The Amendment simply provides that the training workshops for board members are voluntary and failure to attend would not be grounds for removal from the board."

Speaker McPike: "Gentleman moves for the adoption of Amendment #3. Anyone stand..."

Hultgren: "But I... I think that Amendment's no longer necessary and can be withdrawn."

Speaker McPike: "Gentleman withdraws Amendment #3. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Cowlshaw and McCracken."

Speaker McPike: "Representative Cowlshaw, Amendment #4."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #4 simply makes the provisions of this Bill apply to the City of Chicago schools as well as to all the other school districts throughout the state, and I move for its adoption."

Speaker McPike: "Lady moves for the adoption of Amendment #4. And on that, the Gentleman from Franklin, Representative Rea."

Rea: "Mr. Speaker, I rise in opposition to this Amendment, and I would ask for a Roll Call vote."

Speaker McPike: "Gentleman asks for a Roll Call vote. The question is, 'Shall Amendment #4 be adopted?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the

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record. On this Amendment there are 46 'ayes', 64 'nos', 1 voting 'present', and the Amendment fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Didrickson and Satterthwaite."

Speaker McPike: "Representative Didrickson."

Didrickson: "Yes, I would like to withdraw that. The Sponsor is offering another Amendment."

Speaker McPike: "Amendment #5 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Hannig."

Speaker McPike: "Representative Hannig. Withdraw Amendment 6. Further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Rea."

Speaker McPike: "Representative Rea."

Rea: "Thank you, Mr. Speaker. What this does is only... it takes out that you do not have to submit to the regional superintendent. You only maintain the minutes taken of the executive session of any board meeting and retain those minutes for at least three years."

Speaker McPike: "Gentleman moves for the adoption of Amendment #7. Does anyone rise in opposition? Representative Dunn."

Dunn: "Sponsor yield for a question?"

Speaker McPike: "He will."

Dunn: "Why don't you want these minutes filed with the regional superintendent?"

Rea: "We... Representative Dunn, we found that there was some opposition in the Committee meeting in filing it with the regional superintendent, and the main thing here is to make sure that we preserve those minutes. And under the Open Meetings Act, it is not... it does not say how long."

Dunn: "Where did the oppos... Well, just ans... where did the

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opposition come from and why, do you know?"

Rea: "Primarily from the School Board Association."

Dunn: "The school boards are against..."

Rea: "In terms of leaving in the regional superintendent."

Dunn: "Alright, thank you."

Speaker McPike: "Does anyone rise in opposition to this Amendment? Representative Satterthwaite, do you rise in opposition to the Amendment?"

Satterthwaite: "No, I was going to answer the previous question."

Speaker McPike: "Question is, 'Shall Amendment #7 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 1206, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Rea."

Rea: "I think I have pretty well explained the Bill in terms of the Amendment. The executive minutes of the board meetings would be retained for three years and I would ask for an 'aye' vote."

Speaker McPike: "Gentleman moves for the passage of Senate Bill 1206. Is there... anyone rise in opposition? Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there's 101 'ayes', 11 'nos', 1 voting 'present'. Senate Bill 1206, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1272, Representative Leverenz. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1272, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendments #1

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and 2 were adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Floor Amendments?"

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

Speaker McPike: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker. This Amendment is the same as House Bill 155 that passed out of this House with 115 'aye' votes. It requires that voters in each of the affected school districts must approve changes in school district structure under Article XI (b) of the School Code. The Bill failed in the Senate Education Committee. Senator Welch believes that if the Bill gets to the Senate floor, it will pass. I ask that it be adopted to this Bill."

Speaker McPike: "The Lady moves for the adoption of Amendment #3. Does anyone rise in opposition to that? Representative Hoffman."

Hoffman: "Thank you. I rise in opposition to this, although it sounded like I may have somehow been voted for the previous Bill. What this does, it makes it more difficult to... to have contiguous territories which are in more than one school district at the elementary level to... to consolidate. What this does is it says that you have to have a majority of the voters in each of the affected districts. I would suggest it's in better state policy to have a majority of the voters in the entire affected area to vote for it."

Speaker McPike: "Question is, 'Shall Amendment #3 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

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

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Steczo."

Speaker McPike: "Representative Steczo. Withdraw the Amendment. Further Amendments?"

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

Speaker McPike: "Withdraw the Amendment."

Clerk O'Brien: "Floor Amendment #6, offered by Representative Steczo."

Speaker McPike: "Representative Steczo."

Steczo: "Thank you, Mr. Speaker, Members of the House. Representative Countryman and I have worked together on Amendment #6. The Bill presently provides that upon a vacancy in a school board, that the vacancy, upon failure of the school board and the regional superintendent to fill the vacancy, would be filled by the president of the county board. No one liked that provision. So, Representative Countryman and I have offered this Amendment, which we don't feel has any opposition, that upon the failure of the school board and the regional superintendent to fill the vacancy, the vacancy would be filled at the next regularly scheduled election. I would move for the adoption."

Speaker McPike: "Mr. Clerk, correct the board. It's Amendment #6. Does anyone stand in opposition to this Amendment? Question is, 'Shall Amendment #6 be adopted?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 1272, a Bill for an Act to amend the Sections of the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. The Amendment 3 we just adopted and Amendment 6 is now the Bill. I move for the

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passage of the Bill."

Speaker McPike: "Gentleman moves for the passage of Senate Bill 1272. Is there any discussion? Being none, the question is, 'Shall 1272 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 106 'ayes', 9 'nos', none voting 'present'. Senate Bill 1272, having received the Constitutional Majority, is hereby declared passed. Continuing on Education - Special Call, Senate Bill 2 has been called. Senate Bill 17, Representative Young. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 17, a Bill for an Act to create the Illinois Baccalaureate Education System Trust. Third Reading of the Bill."

Speaker McPike: "Representative Young."

Young: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 17 is another of the Bills that creates a Baccalaureate Education Trust System. This Bill would allow parents to purchase certificates redeemable four years later at a tuition... for tuition at any of Illinois' public colleges. I move for its adoption."

Speaker McPike: "Excuse me. Represe... Representative Young. This Bill is on Third Reading."

Young: "That's correct."

Speaker McPike: "You have an Amendment filed to the Bill. Did you wish to bring it back?"

Young: "No, I don't."

Speaker McPike: "The Gentleman has moved for the passage of Senate Bill 1217... I'm sorry, Senate Bill 17. Does anyone stand in opposition? Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Representative Hallock. Have all voted? Have all

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voted who wish? Clerk will take the record. On this Bill there are 104 'ayes', 8 'nos', none voting 'present'. Senate Bill 17, having received a Constitutional Majority, is hereby declared passed. Senate Bill 208, Representative McNamara. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 208, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Representative McNamara."

McNamara: "Thank you. Senate Bill 208 defines educational support personnel, it provides for regional in-service training for those people, requires that they be evaluated at least once a year. It requires that these personnel be registered with the State Board. I urge for its approval."

Speaker McPike: "Gentleman moves for the passage of the Bill. Does anyone stand in opposition? Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. I'm sorry, I may not be standing in opposition. I am uncertain about what one of the Amendments may have done. Could you please tell me whether this Bill still requires all public school districts to evaluate noncertified personnel once a year or at some other regular interval?"

McNamara: "Yes, it does."

Cowlshaw: "Mr. Chairman, in that event... or, Mr. Speaker, in that event, I do stand in opposition to this Bill. Our schools and our school personnel have quite enough to do now to try to teach our children to read and write. This Bill requires the people of our schools to evaluate once a year people who do not teach. What this does, it means that the principal of the school has to evaluate the man who is pulling weeds in the garden outside of his office when he should be working on improving the skills of his teachers. It is absurd and it deserves to be defeated."

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Speaker McPike: "Question is, 'Shall Senate Bill 208 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 46 'ayes', 65 'nos', none voting 'present'. The Bill fails. Senate Bill 310, Representative Cowlshaw. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 310, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill was amended on the floor in order that it would not be costly. It now provides that the State Board of Education shall see that all gifted and talented children have an opportunity to receive services and participate in appropriate programs. So that it means that each school district must at least have a plan for serving gifted students. An Amendment that was adopted in Committee, an Amendment sponsored by Representative Didrickson, raises the state reimbursement for gifted teachers. That is the only cost in the Bill, from 5000 to 8000 annually, which puts it on a par with the reimbursement we presently have for special education teachers. I move adoption of Senate Bill 310."

Speaker McPike: "The Lady moves for the passage of the Bill. Does anyone stand in opposition? Representative McNamara."

McNamara: "Yes, if I may ask a question. I believe... is there a Fiscal Note connected with this Bill?"

Cowlshaw: "I'm sorry, Mr. Speaker. I couldn't hear him."

Speaker McPike: "Is there a Fiscal Note?"

Cowlshaw: "Yes, Sir, the Fiscal Note was requested and it was filed before the Bill moved to Third Reading as is required by the rules of this House."

McNamara: "Correct. And what amount is that Fiscal Note, 20.6

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million or 11.6 million?"

Cowlshaw: "No, Sir, the Fiscal Note was filed, of course, before the Bill was amended. The Fiscal Note reflected what this would have cost if we had mandated gifted education programs. However, because..."

McNamara: "So what you're saying is there is no cost in the bill because the Bill doesn't do anything now."

Cowlshaw: "No, Sir, I did not say that. I said that we are not mandating gifted education programs. However, there was an Amendment adopted in Committee that puts on a par the state reimbursements for gifted teachers so that that is exactly the same as for special education teachers."

McNamara: "To the Bill. I believe that this Bill... there is a cost to this Bill, according to the analysis that we have on this area, and I rise in opposition for it."

Speaker McPike: "Question is, 'Shall Senate Bill 310 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are... Curran 'aye'. Slater 'aye'. Phelps 'aye'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 89 'ayes', 22 'nos', 1 voting 'present'. Senate Bill 310, having received a Constitutional Majority, is hereby declared passed. Senate Bill 441, Representative Homer. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 441, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. This Bill would amend the School Code to require at all regular school board meetings that either the superintendent or the president of the school board would report any requests that have been made under the Freedom of Information Act and would also in all school

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districts, other than Chicago, permit an agreed party under the Freedom of Information Act to seek out the assistance of the county state's attorney in enforcing alleged violations under the Act in which case it would be totally within the discretion of that state's attorney as to whether or not to render that assistance. I would move for your favorable consideration."

Speaker McPike: "Does anyone stand in opposition? Representative McCracken."

McCracken: "Thank you, Mr. Speaker. This Bill was considered earlier and is now on Postponed Consideration because it failed to get a Constitutional Majority. I don't think the reasons for voting for or against it have changed, and I respectfully request a 'no' vote."

Speaker McPike: "Question is, 'Shall Senate Bill 441 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Representative Homer, to explain his vote."

Homer: "Thank you, Mr. Speaker. Very briefly, this Bill I offered at the behest of Senator Holmberg and the Illinois Education Association to address a problem that's arisen where an agreed party, under the Freedom of Information Act, has to go out and hire his or her own counsel at great expense rendering virtually ineffective the Act itself, which does have a very substantial public policy, much like the Open Meetings Act to which we entrust the enforcement of to our local various state's attorneys. So, I think it's a good Bill. It's an IEA proposal that I think deserves our full support."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 68 'ayes', 41 'nos', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 460. I wonder if the person in the

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balcony would pull that drape shut so that the sun doesn't shine through, if you would. No, it's the drapes on the first window, please. Thank you. Senate Bill 460. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 460, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. Senate Bill 460 is enabling legislation for a school district in my legislative district so that they may issue the remainder of their bonds that were approved by over 60 percent of the voters in that district."

Speaker McPike: "Is there any discussion? There being none, the question is, 'Shall Senate Bill 460 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 110 'ayes', 1 'no', 1 voting 'present'. Senate Bill 460, having received the Constitutional Majority, is hereby declared passed. Senate Bill 536, Representative Ronan. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 536, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker, Members of the House. Senate Bill 538 (sic - Senate Bill 536) deletes from the provisions requiring school board compliance with minimum school term requirements. Basically, what it does is it sets up a situation where school districts will conform with that language. I'll be glad to answer any questions anyone might have concerning the legislation."

Speaker McPike: "Representative Hoffman, in opposition to the Bill."

Hoffman: "Thank you, Mr. Speaker. Will the Sponsor yield to some

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questions?"

Speaker McPike: "He will."

Hoffman: "The purpose of these questions is to clarify the legislative intent of the language of this Bill. First, is there any language in Senate Bill 536 that would mandatorily require school districts to make up days lost to strikes?"

Ronan: "No, there is not."

Hoffman: "Secondly, if both parties agree not to make up all of or some of these days, can school districts be put on probation or lose their recognition based solely on this action?"

Ronan: "No. Senate Bill 536 does not carry the threat of automatic loss of recognition status. The school recognition process will continue the way as it did prior to 1983, the circumstances, conditions, in each school district complying with the law."

Hoffman: "Thirdly, is it correct that nothing in this Bill allows the State Superintendent to intervene in negotiations?"

Ronan: "Absolutely not. Senate Bill 536 does not amend the Illinois Education Labor Relations Act which established the framework for school collective bargaining in the state. The range of issues bargained at the local level which include teacher compensation is not changed by the Bill."

Hoffman: "Alright, so then, the State Superintendent would not be allowed to intervene in negotiations. Thank you very much, Representative Ronan. I appreciate this clarification. As you know, I stood in opposition to the Bill before. That position doesn't change, but this certainly clarifies it."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take

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the record. On this Bill there are 80 'ayes', 32 'nos', 1 voting 'present'. Senate Bill 536, having received the Constitutional Majority, is hereby declared passed. Senate Bill 717. Representative Keane, do you wish to call the Bill?"

Keane: "Not now."

Speaker McPike: "Out of the record. Senate Bill 782, Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 782, a Bill for an Act to amend an Act to establish Regional Service Agency Fellowship Act. Third Reading of the Bill."

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, in a program coordinated by the Board of Higher Education, this Bill provides and offers opportunities to our qualified graduate students in our institutions of higher learning that are qualified and majoring in government and especially municipal government, the opportunity to become involved in the administration, planning and design of municipalities in our state. It's coordinated by the Board of Higher Education, and I think it's a wonderful idea."

Speaker McPike: "Is there any discussion? Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'."

Giorgi: "'Aye' votes."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 111 'ayes', 1 'no', none voting 'present'. Senate Bill 782, having received the Constitutional Majority, is hereby declared passed. Senate Bill 968, Representative Johnson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 968, a Bill for an Act in relation to finances of the University of Illinois. Third Reading of

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the Bill."

Speaker McPike: "Representative Johnson."

Johnson: "Thank you, Mr. Speaker, Members of the House. Senate Bill 968 would provide the authority to expand the revenue bonding authority of the University of Illinois so that we can take advantage of certain funds available to provide an expansion to the... to the physics building. And I would move for the adoption. The Amendments that were offered and adopted responded to what concerns people had in the Committee, and I don't think there's any opposition. And I would move for passage."

Speaker McPike: "Is there any discussion? Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Bill there's 106 'ayes', 4 'nos', 3 voting 'present'. Senate Bill 968, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1080, Representative Keane. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1080, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Keane: "Thank you, Mr. Speaker. I move to take the Bill back to Second Reading for purposes of a Motion."

Speaker McPike: "Gentleman asks leave to return the Bill to Second Reading for purposes of an Amendment. Are there any objections? Representative Satterthwaite."

Satterthwaite: "I object."

Speaker McPike: "The Gentleman moves that the Bill be returned to Second Reading for purposes of an Amendment. All in favor of the Gentleman's Motion signify by voting 'aye', opposed vote 'no'. Requires 60 votes. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 59 'ayes', 50 'nos'. The Motion fails."

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Representative Keane."

Keane: "Has the Bill been moved to Third Reading or is it still on Third Reading?"

Speaker McPike: "The Bill is on Third Reading, Sir."

Keane: "I move to... I would ask that you support... you support... I'd ask for 'aye' votes on Senate Bill 1080. Be happy to answer any questions and ask for a favorable Roll Call."

Speaker McPike: "The Gentleman moves for passage of Senate Bill 1080. And on that, the Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I rise in opposition to the passage of this Bill. Particularly at a time when we are strapped for funds at the state level, it is inappropriate for us to be starting a new program, a multi-million dollar program with no guarantee that these institutions are going to be able to provide the students who would be enrolled there with anything to benefit the state. And I would object to having this Bill passed at this time because we cannot afford to put money into a program with no guarantee of the quality of those programs or the benefits to the students."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Representative McGann, to explain his vote."

McGann: "Mr. Speaker, I had my light on to speak to this matter..."

Speaker McPike: "Yes, Sir. Proceed, Sir."

McGann: "And even though there is only one schedule, it was so convenient to have that done here this evening..."

Speaker McPike: "Proceed, Sir."

McGann: "And especially on an important Bill as this is. This Bill here is a detriment to the State of Illinois. Once

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again we are doing something, Mr. Speaker and Members of this Assembly, we are going out and supporting private enterprises. We did it with the White Sox facility. We're doing it now with this here proprietary schools. This is a 14 to 18 million dollar Bill that's going to be placed upon the people of the State of Illinois to support for-profit schools. We don't need it. We have got plenty of obligations under the ISSC to take of the students that we can't even complete and fulfill their grant requests. I ask you to vote 'no'."

Speaker McPike: "Representative Weaver, to explain his vote."

Weaver: "Thank you, Mr. Speaker. Ladies and Gentlemen of the Assembly, unless we see some kind of a tax increase, you're going to have to go back and explain to your people why you don't have enough money for their educational systems. And if you pass this Bill out, it's going to cost us an additional... up to 18 million dollars that we can't afford to pay. We've got to defeat this Bill. We just can't afford it, and it doesn't have the controls that we need to control it if it passes."

Speaker McPike: "Representative Keane, to explain his vote."

Keane: "Thank you, Mr. Speaker. I was hoping I could have closed on the issue, but so be it. What we're doing is we're asking for somewhere between 10 and 15 million dollars to be used by those students who attend accredited schools that are secondary... post secondary schools. They are schools that are accredited. There are 17 accredited by the Board of Higher Education. There are 23 that are accredited by the Illinois Office of Education. These are very responsible schools. They fulfill a need for Illinois students that do not have any other place to go. De Vry Institute is one of these schools. If you look at De Vry Institute, you find that there's a tremendous amount of

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blue collar workers going to those schools. They receive absolutely no help from the state. It is only fair that the state provide them the same type of financial assistance that we give to the people going to the normal post secondaries, and I would urge your 'aye' vote. Thank you."

Speaker McPike: "Representative Turner, to explain his vote."

Turner: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. The previous speaker was absolutely right. Not all of our kids are kids who want to go to four year colleges. It's been proven that these training schools and proprietary schools do provide a function. In fact, in terms of the dollar figure regarding the cost of this particular program, I think you're wrong. You have to keep in mind that once these kids have completed these programs, they now become taxpayers. And to add them to the tax roll means that there will be more money in the future to help other kids go to school and become working citizens, and I ask your favorable support of this Bill."

Speaker McPike: "Representative Mulcahey."

Mulcahey: "Mr. Speaker, there is no reason in the world why these kids, whose parents likewise are taxpayers, just like the rest of them, should be denied the opportunity to attend these schools. The fundamental bottom line is for education for all of them, whether they go on to be teachers, or whatever the case may be. And let's not forget the bottom line and that is the kids, whether it's proprietary, public or whatever. They're taxpayers and let's help them out with our tax monies as far as these scholarships are concerned. They deserve it just as much as anybody else did. Education is education, no matter what school it is."

Speaker McPike: "Representative Black."

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Black: "Thank you very much, Mr. Speaker. I think something some of you have overlooked - these students are already eligible for federal aid or the PEL grant. For your information, last year the dollar amount that went to students in for-profit proprietary schools, the dollar amount given to them under the PEL grant was greater than the federal dollars spent for PEL grants of students going to all the public institutions in this state. They already have an opportunity for this aid. You are giving money to for-profit institutions with no administrative oversight. Some of these are storefront operations in and out of business in six months. This is a rip-off as it's currently written. It's a rip-off. And if you vote to do this with no administrative controls, you'll have to explain to your parents and your college students why you don't have money for community colleges, universities and the programs that we've already promised."

Speaker McPike: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker and Members of the House. What are we doing here? This is the most amazing discussion I've ever seen. We're in the real world, fellows. People in my district, kids in my district, we're trying to keep them out of gangs. Whatever we can provide to give young people an opportunity to have an opportunity to make a decent living, that's what this General Assembly is supposed to be all about. And then the other thing, when did this General Assembly come out against a profit? I listen to Republicans all the time telling me that this is a free market system and that's what America is all about. There's nothing wrong with a school that makes a profit. As long as they're providing an adequate education, they're giving a young person an opportunity to get ahead. This makes a lot of sense. Every kid in this state doesn't have

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the opportunity to go to Harvard, but they do deserve an opportunity for an education whatever way they can get it. That's why this Bill is a good Bill."

Speaker McPike: "Representative Dunn."

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

I rise in opposition to this legislation. Previous speakers have indicated that there is a large price tag on this legislation and the money will have to come from somewhere and probably have to be taken from somewhere. And there are a lot of people who genuinely fear that the money will be taken from the private colleges and universities in this state which, for over a hundred years, have provided quality education, provided diversified education, are the alma maters of many Members of this General Assembly. They've done an outstanding job, right up to today. Today is the year of declining enrollment, tight dollars, tough times in Illinois. Why should we turn our back on the private colleges and universities in Illinois at this time? We should defeat this legislation; and, if we wish to consider a new program, we should do so at a time when there are new funds and new monies available and not now. I urge a 'no' vote."

Speaker McPike: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. You know, yesterday or the day before, the Governor indicated in some news conferences that he was going to cut 47 million dollars from higher education if a tax increase didn't pass and none of us really see a tax increase on the roll here. And what we're talking about is really taking away from the ability of the students of the State of Illinois to do that which we want them to do; that is to get into our institutions of higher education that we support with our tax dollars and the other institutions

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which do a good job in this state. This is not the time for this program. The time now is to support the students that are in the universities and are going to the universities of this state. And I urge you to vote 'no' on this Bill. Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 67 'ayes', 45 'nos', 3 voting 'present'. Representative Satterthwaite."

Satterthwaite: "Verification of the Affirmative Roll Call, please."

Speaker McPike: "The Lady asks for a Verification of the Affirmative Roll. Mr. Clerk, poll the absentees."

Clerk O'Brien: "There are no absentees."

Speaker McPike: "Proceed with the Affirmative Roll Call."

Clerk O'Brien: "Barger. Barnes. Berrios. Braun. Capparelli. Christensen. Churchill. Curran. Daley. Daniels. Davis. DeLeo. Deuchler. Doederlein. Farley. Flowers. Giglio. Giorgi. Goforth. Hallock. Hannig. Hartke. Hasara. Hensel. Hicks."

Speaker McPike: "Representative Churchill asks leave to be verified. Proceed, Mr. Clerk."

Clerk O'Brien: "Hoffman. Homer. Huff. Jones. Keane. Klemm. Krska. Kulas. Laurino. LeFlore. Martinez. Matijevich. Mautino. Mays. McAuliffe. McCracken. McNamara. Morrow. Mulcahey. Panayotovitch. Parcels. Parke. B. Pedersen. W. Peterson. Petka. Pullen. Regan. Rice. Ronan. Ropp. Saltsman. Shaw. Stange. Terzich. Turner. Wait. White. Williams. Wojcik. Wolf. Anthony Young. And Wyvetter Younge."

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

Wennlund: "Thank you, Mr. Speaker. Mr. Speaker, I was called out of the chamber during the vote on Senate Bill 536. I'd ask

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the record to reflect an 'aye' vote."

Speaker McPike: "Well, we're in the middle of a verification. Representative Stange, do you rise for... to speak to this?"

Stange: "Yes, I'd like to change my vote from 'aye' to 'no'."

Speaker McPike: "Representative Stange changes from 'aye' to 'no'. Representative DeLeo changes from 'aye' to 'no'. Representative Satterthwaite, do you have any questions of the Affirmative Roll?"

Satterthwaite: "Berrios."

Speaker McPike: "Representative Berrios. The Gentleman here? Representative Laurino 'no'. Representative Berrios here? Remove the Gentleman from the Roll."

Satterthwaite: "Laurino was to be changed?"

Speaker McPike: "Representative Laurino votes 'no'."

Satterthwaite: "Capparelli."

Speaker McPike: "Representative Capparelli in the chamber? Right up front."

Satterthwaite: "Christensen."

Speaker McPike: "Representative Christensen. Is the Gentleman here? Remove him from the Roll Call."

Satterthwaite: "Farley."

Speaker McPike: "Representative Farley. Back in the rear of the chamber."

Satterthwaite: "Hicks."

Speaker McPike: "Representative Hicks. Representative Hicks here? Remove him from the Roll."

Satterthwaite: "Huff."

Speaker McPike: "Representative Huff is in the chamber."

Satterthwaite: "Jones."

Speaker McPike: "Representative Jones is in her chair."

Satterthwaite: "What did we do with Representative Huff? Was he..."

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Speaker McPike: "Excuse me. Representative Huff is in the chamber."

Satterthwaite: "Thank you."

Speaker McPike: "Representative Berrios has returned to the chamber."

Satterthwaite: "Martinez."

Speaker McPike: "Return him to the Roll Call, please. Representative who? Excuse me?"

Satterthwaite: "Martinez."

Speaker McPike: "Representative Martinez. The Gentleman here? Remove Representative Martinez from the Roll Call."

Satterthwaite: "McAuliffe."

Speaker McPike: "Representative McAuliffe. Is the Gentleman in the chamber? Remove Representative McAuliffe from the Roll Call."

Satterthwaite: "Morrow."

Speaker McPike: "Representative Morrow. Right in front."

Satterthwaite: "Saltsman."

Speaker McPike: "Representative Saltsman. The Gentleman in the chamber? Remove Representative Saltsman from the Roll."

Satterthwaite: "Terzich."

Speaker McPike: "Representative Terzich is in the chamber. Representative Martinez has returned. Return him to the Roll Call."

Satterthwaite: "Hallock."

Speaker McPike: "Representative Hallock. Right up front."

Satterthwaite: "Daniels."

Speaker McPike: "Well, we have an agreement that we do not verify the Minority Leader off the Roll Call. Representative McAuliffe has returned. Return Representative McAuliffe to the Roll. You have further questions?"

Satterthwaite: "Younge, Hyvetter Younge?"

Speaker McPike: "She is in her chair. Representative Saltsman

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has returned to the chamber. Return him to the Roll Call.
Representative Hicks has returned. Return Representative
Hicks to the Roll Call."

Satterthwaite: "No further questions."

Speaker McPike: "On this Bill there are 63 'ayes', 48 'nos', 3
voting 'present'. Senate Bill 1080, having received a
Constitutional Majority, is hereby declared passed. Senate
Bill 1095, Representative Levin. Read the Bill, Mr.
Clerk."

Clerk O'Brien: "Senate Bill 1095, a Bill for an Act to amend the
School Code. Third Reading of the Bill."

Speaker McPike: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. Senate Bill 1095 is a companion to Senate Bill
1096, which Representative Ronan presented earlier in the
day. Its derivation is the Speaker's Hispanic Task Force
and what it does is to give discretionary authority to the
State Board of Education to conduct on-site audits at the
classrooms of any school district for the purpose of
verifying attendance data. If there are any questions, I'd
be happy to answer them."

Speaker McPike: "Is there any discussion? Question is, 'Shall
Senate Bill 1095 pass?' All those in favor signify by
voting 'aye', opposed vote 'no'. Have all voted? Have all
voted who wish? Clerk will take the record. On this Bill
there are 109 'ayes', no 'nays', none voting 'present'.
Senate Bill 1095, having received the Constitutional
Majority, is hereby declared passed. Senate Bill 1102,
Representative Young. Read the Bill."

Clerk O'Brien: "Senate Bill 1102, a Bill for an Act to amend the
Illinois Consortium for Education (sic - Educational)
Opportunity Act. Third Reading of the Bill."

Speaker McPike: "Representative Young."

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Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1102 amends the ICEP program. It would allow a participant in a program to participate either in a teaching position with a college or in a non-teaching education-related position in another department of the state. The effective date is September 1, 1990 to allow ICEP time to prepare to implement the program. As amended, it's supported by the Illinois Board of Higher Education, the Illinois Consortium for Educational Opportunity and the Federation of Independent Colleges. I ask for a favorable vote."

Speaker McPike: "Is there any discussion? Question is, 'Shall Senate Bill 1102 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there's 109 'ayes', 1 'no', 2 voting 'present'. Senate Bill 1102, having received a Constitutional Majority, is hereby declared... Representative Panayotovitch 'aye'. On this Bill there's 110 'ayes', 1 'no', 2 voting 'present'. Senate Bill 1102, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1137, Representative Keane."

Keane: "Thank you, Mr. Speaker. Senate Bill 1137 increases the bonding authorization of the Illinois State Scholarship to 525 million from the current level of 350 million. The bonding authority of the Scholarship Commission is used in conjunction with the Guaranteed Student Loan Program. This Program is a federally subsidized program, uses no state revenues and does not have... this increase does not have an impact on the fiscal status of the state. Be happy to answer any questions. Ask for a favorable Roll Call."

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

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Clerk O'Brien: "Senate Bill 1137, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker McPike: "Is there any discussion? Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 114 'ayes', 1 'no', none voting 'present'. 11... Senate Bill 1137, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1194, Representative Flowers. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1194, a Bill for an Act to amend an Act authorizing school boards and welfare centers to sponsor community school lunch programs. Third Reading of the Bill."

Speaker McPike: "Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, the purpose of this Bill is to prevent infant mortality and produce healthy children, and I would move for the passage of Senate Bill 1194."

Speaker McPike: "The Lady moves for the passage of Senate Bill 1194. Representative Cowlshaw in opposition."

Cowlshaw: "Thank you, Mr. Speaker. I'm not standing in opposition. I have a question. It is my understanding, Representative, that we currently authorize both free breakfast and free lunch programs. This program is a supplemental nutrition program exclusively for pregnant and lactating females. Is that correct? Okay. If we have provided them with a breakfast and a lunch, what in addition to that would we provide under this program?"

Flowers: "It would be a special nutritional breakfast for that particular type of pregnant female or lactating female."

Cowlshaw: "I see. You're saying then that the nutritional values that are generally good for the whole population,

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which I know we provide for in those breakfasts and lunches, are not sufficient."

Flowers: "They would need another dietary supplement."

Cowlshaw: "I see, alright. I assume this is going to cost money."

Flowers: "Pardon me?"

Cowlshaw: "I assume this is going to cost money."

Flowers: "Well..."

Cowlshaw: "Do you have a companion appropriation Bill and, if so, for how much?"

Flowers: "I do not have a companion appropriation Bill, but, yes, it will cost money. It will cost money one way or the other. It will cost money..."

Cowlshaw: "Right."

Flowers: "... if we do not supply this particular program."

Cowlshaw: "I under... I understand that. I'm just asking what is your estimate then, if you don't have a specific appropriation? What is your estimate of how much this program would cost for the first full year that we have the program in place?"

Flowers: "I have no idea. Not very much at all."

Cowlshaw: "Thank you. Thank you. I'm in opposition to this Bill."

Speaker McPike: "Question is, 'Shall Senate Bill 1194 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Representative Williams, to explain his vote."

Williams: "Yes, this particular Bill is of extreme importance; because, as you know, right now we are suffering a situation where there are just too many teen pregnancies taking place. There are too many babies having babies, and they believe that it's a very simple way to aid. If we're not going to do anything to prevent this from happening, at

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least, if they're going to be forced to have children, let's make sure that those children are healthy. I urge an 'aye' vote."

Speaker McPike: "Representative Braun."

Braun: "Thank you. I'll be brief. Remember the debate whether or not catsup was a vegetable under the federal schedules? That is the issue. When we have free breakfast and lunch standards that consider catsup as a vegetable, if we've got pregnant women, it makes sense to give them that extra nutritional boost so they don't bring sickly children into the world. That's what this Bill does. I encourage your support."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 67 'ayes', 44 'nos', 2 voting 'present'. Senate Bill 1194, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1197, Representative Davis. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1197, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Davis."

Davis: "Senate Bill 1197 authorizes the State Board of Education to award grants to school districts for the development or maintenance of educational programs with day care components for students who are parents. This Bill provides that award criteria will include but not be limited to the availability in the district, the available space, the demonstration of support by administrative personnel, reasonable evidence of future stability and the evidence of need. We urge an 'aye' vote on this bill."

Speaker McPike: "Representative Cowlshaw, in opposition to the Bill."

Cowlshaw: "Thank you, Mr. Speaker. May I ask the Sponsor a

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question?"

Speaker McPike: "Yes."

Cowlshaw: "Let me inquire, since it's my understanding that what this Bill intends to do is to provide day care for the children of young people who are students in our public schools so that those young people can continue their education uninterrupted, is that correct?"

Davis: "That is correct, for a limited number."

Cowlshaw: "Very good. Do you have a companion appropriations Bill?"

Davis: "Well, this is for a limited number of students. It's... I think the Bill calls for no more than ten for this year."

Cowlshaw: "Alright. How much is that going to cost?"

Davis: "I don't know. You'll have to ask the State Board of Education."

Cowlshaw: "Oh, you're not going to appropriate any money. You're just going to expect the State Board of Education to take it out of whatever money they happen to have lying around over there that they're not using?"

Davis: "I'm not saying they have money lying around that they're not using, and I'm sure you know that better than I do. However, this Bill is important because we need to educate those students who you insist have children."

Cowlshaw: "I don't insist that anybody have a child. I've had enough trouble with the three I have. Thank you very much."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk ... take the record. On this Bill there are 62 'ayes', 47 'nos', 4 voting 'present'. Senate Bill 1197, having received the Constitutional Majority, is hereby declared passed. Page three of the Calendar, Senate Bill 762, Representative

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Tate. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 762, a Bill for an Act to amend an Act in relationship to the development of aquacultural as an agricultural enterprise. Third Reading of the Bill."

Speaker McPike: "Representative Tate."

Tate: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. This creates the Aquaculture Development Act, designates the Department of Agriculture to establish or implement a program for the development of the aquaculture industry in Illinois. It allows for a creation of an advisory committee to assist the Department and amends various Acts with respect to the inclusion of aquaculture as an aspect of agriculture. This Bill passed out of the Senate on a unanimous vote, and it passed out of the Committee 18 to 0 on Short Debate. I move for its approval."

Speaker McPike: "Any discussion? Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there's 108 'ayes', 2 'nos', 4 voting 'present'. Senate Bill 762, having received a Constitutional Majority, is hereby declared passed. We passed... Senate Bill 717 was taken out of the record earlier. Representative Keane. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 717, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Keane."

Keane: "Thank you, Mr. Speaker. I ask for leave to return the Bill to Second Reading for the purpose of an Amendment."

Speaker McPike: "Gentleman asks leave to return the Bill to Second Reading. Hearing no objection, leave is granted. The Bill is on Second Reading. Mr. Clerk."

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Clerk Leone: "Floor Amendment #2, offered by Representative Keane."

Speaker McPike: "Representative Keane. Amendment #2."

Keane: "Amendment #2, withdraw, please."

Speaker McPike: "Withdraw the Amendment. Further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representative Greiman."

Speaker McPike: "Representative Greiman."

Greiman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. After some discussion with Representative Keane, the Sponsor of this Bill and 1080, we worked out some of the consumer issues that were originally raised, in terms of providing scholarships to the proprietary schools and they are allowing the Commission to establish some standards for that program to provide for setting aside of provisions for remedial assistance to students and that they be given information, that there is a grievance procedure within the school and they set it out in the school student catalog. And finally, that there be a policy for refunds so that when there is a refund given, that includes a scholarship, that there will be a distribution division between the student and the State of Illinois, who was provided the scholarship money, so there won't be any preference between them, and they'll be done by rule. It is a consumer Amendment, it does provide some relief and that both people who are... were for 1080 and people against 1080, should be able to join in this Amendment."

Speaker McPike: "Does anyone stand in opposition to this Amendment? The question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

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Clerk Leone: "No further Amendments."

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

Clerk Leone: "Senate Bill 717, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Keane."

Keane: "Thank you, Mr. Speaker. The basic Bill removes the requirement that teaching performed as a condition of accepting a teacher training scholarship, must be at a public school. The basic Bill allows teaching at a private school also satisfy that requirement and you heard the Amendment that has just been put on. It's a consumer Amendment for 1080. Be happy to answer any question. I would ask for favorable Roll Call."

Speaker McPike: "Does anyone stand in opposition to the Bill? Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I rise in opposition to the main portion of this Bill. When the teacher training scholarships were established it was to be a benefit to the public schools and to the State of Illinois, that we would have teachers appropriately trained to teach in those public schools. By adopting this Bill, we are diluting the impact that we will have by the funds that go into these training programs. And for that reason, I would seriously object to having this Bill passed. The Amendment that just went on is probably some help in adjusting the impact of 1080, but that does not erase the impact that the main Bill itself will have. And I think that we will be in... we will find that we will not have substantial numbers of teachers going into our public schools, if we adopt this Bill."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Representative ... Representative Cowlshaw, to explain her

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vote."

Cowlishaw: "Mr. Speaker and Ladies and Gentlemen of the House. Just for your information, I want you to know that this Bill is opposed. That it is not favored by the IEA, the IFT, the Illinois Principal's Association, the Illinois PTA and the Illinois Association of School Boards. I have rarely seen all those people together on one issue. Their together on this one, it's a bad Bill."

Speaker McPike: "Representative Keane, to explain your vote."

Keane: "Thank you, Mr. Speaker. I was hoping to close."

Speaker McPike: "Well, excuse me, Sir. We have for the last two hours, we have just presented the Bill and had someone speak in opposition. So explain your vote. Proceed."

Keane: "If you are against public... or private schools in the city... in the State of Illinois, if you want to treat private elementary and secondary education as second class citizens; if you want to deny that the people who send their children to the private schools, the elementary and secondary schools, in the State of Illinois don't pay taxes and are not entitled, the teachers are not entitled to be assisted in, and have the same benefits that those who go in and teach in public schools have, then you vote 'no' on this Bill. If you want... you feel that the people who send their kids to public... to private school, if you feel that the people who support public school, without using those facilities are entitled to go and receive one of these public... these teacher education scholarships, then you should vote 'aye' on this Bill."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there's 64 'ayes', 47 'nos', 2 voting 'present'. Senate Bill 717, having received the Constitutional Majority, is hereby declared passed. Senate Bill 897, Representative White.

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Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 897, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Mr. Clerk, have you read the Bill? Representative White."

White: "Mr. Speaker and Ladies and Gentlemen of the House, I'd like to have leave to take this Bill back to Second Reading for purpose of an Amendment."

Speaker McPike: "Gentleman asks leave to return the Bill to Second Reading. Hearing no objections, leave is granted. Bill is on Second Reading. Mr. Clerk."

Clerk Leone: "Floor Amendment #1, offered by Representative White."

Speaker McPike: "Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment 1 deletes lines 29 and 30 and on lines 29 and 30 it takes out the effective date. I move for its passage."

Speaker McPike: "Is there any discussion? Representative Hoffman."

Hoffman: "I'm sorry. I did not understand the Gentleman. He was not his usually lucid self."

Speaker McPike: "Representative White, could you explain the Amendment again?"

White: "All the Amendment does, it deletes lines 29 and 30 and it... the effects of it deletes the immediate effective date of the Bill."

Hoffman: "So you've removed the effective date which would probably send into a Conference Committee or something?"

White: "That is correct."

Hoffman: "I got it. Okay."

Speaker McPike: "Question is, 'Shall the Amendment be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further

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Amendments?"

Clerk Leone: "No further Amendments."

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

Clerk Leone: "Senate Bill 897, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Representative White."

White: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 897, in... amended form, specifies that the Illinois High School Association's annual report to the State Board of Education must be done in writing. That is the Bill."

Speaker McPike: "Does anyone stand in opposition to the Bill? Representative White's Bill. Representative Black stands in opposition to Representative White's Bill."

Black: "Not necessarily in opposition, Mr. Speaker. Just a question, if you could just nod your head, because it's growing late in the Session, Representative. Do you have any plans to use this as a vehicle for no pass/no play?"

Speaker McPike: "Representative White?"

Black: "Thank you."

Speaker McPike: "Representative Brunsvold."

Brunsvold: "I was... I appreciate Representative Black's question, because the Senate Sponsors of this Bill are Marovitz, Topinka and Schaffer, are the three Senators who are involved in the no pass/no play thing with the IHSA. So, I, with Representative White's shaking of his head that this is not going to be no pass/no play all over again."

Speaker McPike: "Representative White."

White: "Representative Brunsvold, you know that I am opposed to no pass/no play, so I would not be a part of that."

Speaker McPike: "Does anyone stand in opposition to this Bill? Representative Mulcahey, in opposition to the Bill."

Mulcahey: "Just to point out that I am in favor of no pass/no play, so look out, Jesse."

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Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. Have all voted? Clerk will take the record. On this Bill there are 111 'ayes', 1 'no', 1 voting 'present'. Senate Bill 897, having received a Constitutional Majority, is hereby declared passed. Page seven of the Calendar, Senate Bill 1025, Representative McNamara. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1025, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker McPike: "Representative McNamara."

McNamara: "Inquiry of the Clerk as to what Amendments are on the Bill."

Speaker McPike: "Mr. Clerk, what Amendments have been adopted?"

Clerk Leone: "Amendment #1 is adopted on the Bill. Amendment #2 was withdrawn previously. Next Amendment is filed as Amendment #3."

McNamara: "I'd like to bring this back to Second Reading for purpose of an Amendment."

Speaker McPike: "Gentleman asks leave to return it to Second Reading for purpose of amendment. No objections, leave is granted. Second Reading."

Clerk Leone: "Amendment #3, offered by Representative McNamara."

McNamara: "Yes, I will withdraw Amendment #3."

Speaker McPike: "Representative McNamara."

McNamara: "I with... Amendment #3 is right now on the Bill, is that correct? Then I move to table..."

Speaker McPike: "No."

McNamara: "It is not. Withdraw Amendment #3."

Speaker McPike: "Mr. Clerk, Mr. Clerk, Mr. Clerk, where is Amendment #3?"

Clerk Leone: "Amendment #3 has just been withdrawn by

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Representative McNamara."

Speaker McPike: "Amendment #4."

Clerk Leone: "Floor Amendment #4, by McNamara."

McNamara: "Amendment #4 technically corrects the Bill as was pointed out by Representative McCracken the other day, and it returns the Bill to a correct state."

Speaker McPike: "Question is, 'Shall Amendment #4 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

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

Clerk Leone: "Senate Bill 1025, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker McPike: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. This amends the Criminal Code and provides that a Class I felony when a person commits the offense of aggravated battery of a child within a three year period following the finding of guilt for the same offense. I urge for its adoption."

Speaker McPike: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there's 107 'ayes', no 'nays', 5 voting 'present'. Senate Bill 1025, having received the Constitutional Majority, is hereby declared passed. And on the Education Special Call, we skipped over the House Joint Resolutions. So, we'll return there to House Joint Resolution 96. Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Joint Resolution 96, requests that the State Board of Education, in cooperation with other agencies and

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owners of private schools, representative bonding companies, any other appropriate people, take a look at the problem of bonding that these private schools are receiving and report their findings to the General Assembly."

Speaker McPike: "Excuse me, Representative Hoffman."

Hoffman: "Yes. Yes, Sir."

Speaker McPike: "Is this a Motion to discharge Committee?"

Hoffman: "Whatever it needs to be."

Speaker McPike: "Alright. If you'll just hold on a second until the Clerk finds the Joint Resolution. Representative Hoffman, it is in the Elementary and Secondary Education Committee. So the Motion to discharge ..."

Hoffman: "I move to discharge the Elementary and Secondary Education Committee from further consideration and ask immediate consideration."

Speaker McPike: "The Gentleman moves to discharge Committee for House Joint Resolution 96 for immediate consideration. And on the Gentleman's Motion, Representative Braun."

Braun: "Thank you, Mr. Speaker, a question of the Sponsor. Representative Hoffman?"

Hoffman: "Yes, Ma'am."

Braun: "This Resolution ... I haven't seen an actual copy of the Resolution. Was it considered in Committee at all, or was it just recently filed?"

Hoffman: "No, it was filed after the Committee deadline. I cleared it with the Chairman and Minority spokesman of the Committee and it's not a particularly significant endeavor on my part."

Braun: "After the deadline. Thank you. Thank you, Sir."

Speaker McPike: "Is there any discussion? Does the Gentleman have leave to use the Attendance Roll Call? Leave is granted. The Attendance Roll Call will be used. And the Elementary and Secondary Committee is discharged. Read the

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Resolution, Mr. Clerk."

Clerk Leone: "House Joint Resolution 96 deals with Education."

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. I appreciate the ... going through the procedures necessary to consider the Resolution which I have already explained. And I would move for the adoption of House Joint Resolution 96."

Speaker McPike: "Any discussion? The question is, 'Shall House Joint Resolution 96 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Resolution is adopted. Special Call, Government Administration. Page 4 of the Calendar, Senate Bill 28. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 28, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. There's an Amendment #9 which is an agreed Amendment. I'd ask leave to take this back to Second Reading."

Speaker McPike: "The Gentleman asks leave to return Senate Bill 28 to Second Reading. Is there any objection? Hearing none, leave is granted. The Bill's on Second Reading. Mr. Clerk."

Clerk Leone: "Floor Amendment #9, offered by Representatives McCracken and O'Connell."

Speaker McPike: "Representative McCracken."

McCracken: "This eliminates language in Amendment #2 that would have caused some technical problems as written. Number nine deletes the reference to a demand for trial, thereby implementing a flat 90 day limit on detention, at the expiration of which the defendant must be admitted to bail. I move its adoption."

Speaker McPike: "The Gentleman moves for the adoption of

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Amendment #9. Does anyone rise in opposition?
Representative Cullerton?"

Cullerton: "Just a quick question of the Sponsor. First of all
of the Clerk, is Amendment #8 on the Bill?"

Clerk Leone: "Amendment #8 has been withdrawn."

Cullerton: "Okay, Now Representative McCracken then, my only
question then is when does the 90 days start? Does there
have to be a written demand?"

McCracken: "No. There is no demand requirement."

Cullerton: "There's no demand requirement."

McCracken: "It starts at detention."

Cullerton: "90 days at detention. Okay, thank you. Thank you."

Speaker McPike: "The question is, 'Shall Amendment #9 be
adopted?' All those in favor say 'aye', opposed 'no'. The
'ayes' have it. The Amendment is adopted. Further
Amendments?"

Clerk Leone: "No further Amendments."

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

Clerk Leone: "Senate Bill 28, a Bill for an Act to add Sections
to the Code of Criminal Procedure. Third Reading of the
Bill."

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. This implemented ..."

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

Braun: "Mr. Speaker, if this Bill is just amended, then under the
rules it can't be considered immediately if there is an
objection to it. Right?"

Speaker McPike: "Representative Braun, you are correct. The
Gentleman asks leave to hear the Bill on Third Reading at
this time. Does the Gentleman have leave? Representative
McCracken."

McCracken: "I move to ... for immediate consideration on Third

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Reading."

Speaker McPike: "The Gentleman moves to waive the appropriate rule so that the Bill can be heard at this time. The Motion will require 71 votes. Representative Braun in opposition to the Motion."

Braun: "Speaker, this is, you know, we had a lot of discussion about the worst Bill of the Session. This really is the worst Bill of the Session. And, wait, wait, wait, McCracken, I am entitled to make my point. The point is ..."

Speaker McPike: "Representative Braun, you have the floor, proceed."

Braun: "Thank you. This really is the worst Bill of the Session. It allows people to get put in jail, without being charged with a crime, and I just think it's really a bad Bill. I think anybody who takes a look at this, and who cares about the Constitution, and cares about liberty, and cares about not being just hauled off by the police, for no reason, ought to vote to have us look at this Bill later. I think this Bill need not be considered immediately, and I urge your opposition to this Motion."

Speaker McPike: "The question is, 'Shall the Gentleman's Motion pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Representative O'Connell to explain his vote. Representative O'Connell to explain his vote. Representative O'Connell did you ..."

O'Connell: "Mr. Speaker. Thank you, Mr. Speaker. This was a subject of a referendum. The people of Illinois have already spoken regarding bail revocation. This is simply a Bill to implement the Constitutional Amendment. It is, for the most part, an agreed Bill with the various Bar Associations. It's a well thought out Bill, and I would encourage its immediate consideration."

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Speaker McPike: "Have all voted? Have all voted who wish?
Representative Williams to explain his vote."

Williams: "Okay. I'd like ... as the Representative Braun has already stated, this Bill has such serious implications, and, I mean, we'll talk about the Bill, but on the Motion, we need to ... we're putting on amendments, we're doing things. I just feel that we really have to be considerate, because this Bill has the effect of allowing you to basically jail people without any trial, without any proof that this person is going to harm anyone. They even have community standards in there. When we get to this Bill, as a whole, I say that we really must consider what we are about to do. We are about to put us in the place where we will be like South Africa, or we'll be like a lot of the other countries throughout this world, who will basically take people for political reasons and other reasons, deny them their freedom, deny them their right to any form of due process and justice, just for the right so that a few of us, to prevent a few people who might get out into the system and might harm someone. But the thought is, if one small person must face this giant system, this system that we have in the criminal justice system here. It's better to have one criminal free, than to have a system that rolls over everybody. I urge that we defeat ... I mean that we defeat this Motion, and that we move on, and leave this Bill here."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 80 'ayes', 30 'nos', and the Motion carries. Representative Braun, for what reason do you rise?"

Braun: "I would like a verification."

Speaker McPike: "The Lady asks for a verification. Representative Braun, your request is untimely. The Motion

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carried, and the Board has been dumped. Representative Braun."

Braun: "Thank you, Mr. Speaker. I don't normally ask for verifications. This is a very serious matter, and my light was on ... my light was on ..."

Speaker McPike: "Representative Braun, it is very difficult to verify the Board. There is nothing on the Board."

Braun: "But my light was on to make the request for the verification before the Board got dumped, Mr. Speaker."

Speaker McPike: "Well, I'm sorry, Representative Braun. It was untimely. And I said the Motion was carried."

Braun: "Well, Mr. Speaker, I would request then, that the vote be retabulated, because I think that given the fact that this is the dinner hour, there are a lot of people who are not here, and people are voting other people's switches."

Speaker McPike: "Representative Braun, the Motion had 80 votes, now ... alright. Representative Braun, I'm sorry but the request is not timely. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 28, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Senate Bill 28 puts into statutory effect the Constitutional Amendment adopted at the last General Election. It allows pre-trial detention of persons charged with non-probational felonies. If the court finds after a hearing, that the defendants released on bail would pose a real and present threat to the physical safety of any person. The defendant must be tried within 90 days of the detention order. If not, he must be admitted to bail. This also provides for the discovery of statements to be used by the state in its presentation of the hearing, on whether the defendant poses a dangerousness, under this Bill. It also requires the state

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to reimburse the counties for time spent in jail at the rate of \$50 per day for every person so detained, and I ... this has been the subject of not only lengthy Committee hearings, but also lengthy negotiations throughout this Session. The amendment which was just put on, was an amendment which did not ... or deleted the requirement that a demand for trial be instituted in order to start the 90 days running. That was at the request of the Chicago Bar Association. It means that the defendant must be admitted to bail within 90 days, and a ... A similar law has been upheld by the United States Supreme Court as being Constitutional, and I move its passage."

Speaker McPike: "The Gentleman moves for passage of Senate Bill 28. And on that, Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, sometimes, I really find myself getting kind of frustrated standing up talking about protecting liberties that apparently people don't really care a whole lot about. It is a fact the Supreme Court has ruled in this area. This Bill, however, is broader than what the Supreme Court ruled. But the real issue, Ladies and Gentlemen, that you ought to consider, really is a practical one. I mentioned in Committee when this Bill came up. Really for us, and when I mean us, I mean the Black Legislators here, this Bill is not a whole big deal. Why is that? Because we have been preventively detained in our communities for a long time. In our communities when I was growing up, the police would pick you up, haul you off to jail, you'd be lost for a few days, your parents or relatives would call around, maybe call your Ward Committeeman to find out what precinct you were being held in, and maybe, possibly after three or four days they would discover your whereabouts. So it's standard operating

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procedure, or at least it was at one time, to have preventive detention applied to us in our communities. So the only issue now, is whether or not you want to have that same treatment for you in your communities. Whether or not, in DuPage, in Will, in Kane, in Sangamon, and all these other counties in the State, you want to open yourself up to have the police pick you up because of your reputation in the community, which is what this Bill says. Your reputation in the community is such to suggest, that you might be a danger to the community. What does that mean? Does that mean that you are the wrong political party? Does that mean you're the wrong height, weight, aspect, or just people don't like you in the neighborhood? What does that mean? I say to you, that the standards in this Bill are no standards. And what we are doing, is putting our legislative sanction on a police state. Now, if you want to go ahead and do that, I am saying to you that the impact will be on you a lot more certainly, than it will be on me, because we have been through it already. I'm just saying, down the road, Ladies and Gentlemen, for those of you who haven't had to suffer that kind of indignity, you are going to be very, very sorry for this vote."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor, signify by voting 'aye', opposed vote 'no'. Representative Williams, to explain his vote."

Williams: "As I stated. What we have here, especially one aspect of the Bill, calls for the creation of a community standard. Now, when you go in, and you stand before the judge, and the judge can't find the particular person whom you have given a threat to, he can always have the ability to say you're a threat to the community. Anybody who does anything under any sort of situation, can be called a

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threat to his community. Basically, what it says is, depending upon the judge, if he wants to lock you up without bail, he can. And the whole thought of our Constitution of this State, and this Nation, is that a person shall have the right to bail. And if we are going to change these basic tenets of the Constitution, that's what we are talking about. I don't care what the Supreme Court has supposedly said, they can be wrong too. This is the start of what we see going on all around this world. This is the start here in America ... This is the start of here in America, of the creation of a police state. People will be taken off the street, locked up, put in some false situation, going to say they are a threat, and then when it becomes your children that are locked up and you can't find them, and you can't get them out, even though they have given no harm to any specific person, you will begin to feel the threat of this. I believe that this is going to be the most dangerous thing that has ever happened to my community, and I believe that it is going to be just the same danger for yours. I urge a 'no' vote. Please reconsider what you are about to do here today."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 79 'ayes', 32 'nos', 3 voting 'present'. This Bill having received the Constitutional ... Senate Bill 28, having received the Constitutional Majority, is hereby declared passed. Senate Bill 77, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 77, a Bill for an Act in relationship to the towing and removal of nuisance vehicles. Third Reading of the Bill."

Speaker McPike: "Representative Cullerton."

Cullerton: "I'd like to take the Bill back to Second Reading for

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an Amendment."

Speaker McPike: "The Gentleman asks leave to return to Second Reading for purposes of an Amendment. No objection, leave will be granted. The Bill's on Second Reading."

Clerk Leone: "Floor Amendment #5, Representative Cullerton."

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker. Amendment #5 would return the Bill to its original form in the Senate with the exception of providing for a ... or removing the immediate effective date. I'm sorry, it adds a January 1, 1988 effective date."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #5. Is there any discussion? The question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

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

Clerk Leone: "Senate Bill 77, a Bill for an Act in relationship to the towing and removal of nuisance vehicles. Third Reading of the Bill."

Speaker McPike: "Representative Cullerton."

Cullerton: "Right. So Amendment #1 has been removed from the Bill. So, all we have left then, is the Senate Bill ... Currently, municipalities and counties declare inoperable motor vehicles to be a nuisance and they levy fines for the failure of someone to obey a notice that it be disposed. This Bill would simply authorize municipalities and counties to ..."

Speaker McPike: "Excuse me, Representative Cullerton. Representative McCracken, for what reason do you rise?"

McCracken: "I've had my light on, Speaker. I object to immediate consideration of this Bill."

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Speaker McPike: "Representative McCracken the ... I think it's not really timely. The Gentleman is halfway through his presentation of the Bill."

McCracken: "My light was on the entire time. And he's never asked leave to hear it immediately."

Speaker McPike: "Representative McCracken, do you persist? Representative Cullerton asks leave to have the Bill heard on Third Reading at this time. Are there any objections? Representative McCracken, your light is on."

McCracken: "I object."

Speaker McPike: "The Gentleman objects. Representative Cullerton, do you so move now? Representative Cullerton. Representative Cullerton."

Cullerton: "Take it out of the record."

Speaker McPike: "The Gentleman takes the Bill out of the record. Senate Bill 115, Representative Homer. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 115, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. The original Bill would provide that the value of property is an element of the offense of theft. It also requires that the indictment or information state the prior conviction to give notice to the defendant of the State's intent to charge a felony. Prohibits disclosure of prior convictions to the jury except as otherwise provided. The Bill, also, expands the offense of sexual relations with families to include any sexual conduct in addition to sexual penetration. Amendment #3 would have the affect of utilizing the victim's status as over 60 years of age or physically handicapped, to enhance the offense of assault to aggravated assault, the offense of criminal sexual assault to aggravated criminal sexual

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assault. Enhance robbery to a Class 1 felony to be included in the factors in aggravation for sentencing. And the Amendment also modified the definition of a physically handicapped person and made it applicable for all these purposes. I'd answer any questions and move for the adoption."

Speaker McPike: "Representative Countryman, in opposition."

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

Speaker McPike: "He will."

Countryman: "Representative Homer, are we dealing on the Amendment or the Bill?"

Speaker McPike: "This is the Bill, Sir."

Homer: "The... the Bill."

Countryman: "This is the Bill. You said that by Amendment we incorporated a provision that makes sexual conduct with another person the same as sexual, well the old rape crime, is that right?"

Homer: "That was Amendment #2. What it only deals with is the offense of sexual relations within families. Under current law, a person commits that offense when he commits an act of sexual penetration with a relative. This would include acts of sexual conduct as well."

Countryman: "Well, so fondling becomes the same as sexual intercourse, is that right?"

Homer: "For the purpose of that particular section when the fondling is done with the intent to arouse the sexual desires of the perpetrator or the victim or both."

Countryman: "Well, what's the rationale for that?"

Homer: "Well the Amendment was brought to me by the Illinois Coalition Against Domestic... Against Sexual Assault. And there was a recent ... apparently there was a recent situation, a publicized case where a family member had sexual... engaged in sexual conduct with an infant child

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or a minor child in the family and the offense was not applicable because there was not actual sexual penetration."

Countryman: "I thought before it was a Class 4 felony. Now you're going to make it a Class 2. Is that right?"

Homer: "Make it a Class 3 felony."

Countryman: "Didn't we have a Bill that came out of the Judiciary II Committee that made it all a Class 2 felony?"

Homer: "For what offense?"

Countryman: "Either sexual penetration or sexual conduct of a family member."

Speaker McPike: "Representative Countryman, could you address the Bill?"

Homer: "Not that I'm aware of. Staff nor I can recall that but I don't know."

Countryman: "Well, thank you, Mr. Speaker. I guess I'm concerned with this Amendment and I'm concerned with the fact that it's been amended at this point on the floor. And I don't think the two equate themselves. I think there's a big distinction between sexual intercourse and sexual conduct. And for that reason, I urge Members to vote against this Bill."

Speaker McPike: "The question is, 'Shall Senate Bill 115 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 88 'ayes', 18 'nos', 5 voting 'present'. Senate Bill 115, having received a Constitutional Majority, is hereby declared passed. Senate Bill 120, Representative Daley. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 120..."

Speaker McPike: "Out of the record. Take the Bill out of the record, Mr. Clerk. Senate Bill 126, Representative

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Cullerton. It's page 5 of the Calendar. Read the Bill,
Mr. Clerk."

Clerk Leone: "Senate Bill 126, a Bill for an Act to amend the
Uniform Code of Corrections. Third Reading of the Bill."

Speaker McPike: "Representative Cullerton."

Cullerton: "We need a Bill ... to put an Amendment on and I'd
like to take it back to Second Reading."

Speaker McPike: "The Gentleman asks leave to return the Bill to
Second Reading for purposes of an Amendment. Hearing no
objection leave is granted. The Bill's on Second Reading.
Mr. Clerk."

Clerk Leone: "Floor Amendment #6 is being offered by
Representative Cullerton."

Cullerton: "Withdraw #6. Withdraw #6."

Speaker McPike: "Withdrawn."

Clerk Leone: "Floor Amendment #7, offered by Cullerton."

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker. This is in response to
Representative Petka's correct interpretation of the Bill
as it was originally drafted. This is needed to make it...
to fulfill that pledge to him. It provides that persons
committed to imprisonment as a condition of probation or a
condition of discharge, shall not be committed to the
Department of Corrections, unless and except when they've
been committed by an order of the court pursuant to
residential burglary. So, I move for the adoption of the
Amendment."

Speaker McPike: "The question is, 'Shall Amendment #7 be
adopted?' All those in favor say 'aye', opposed 'no'. The
'ayes' have it. The Amendment is adopted. Further
Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks leave to have

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the Bill heard on Third Reading at this time. Are there any objections? Hearing none, leave is granted. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 126, a Bill for an Act to amend Sections of the Unified Code of Corrections. Third Reading of the Bill."

Speaker McPike: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Bill as now amended, it would allow for a judge to utilize this option in sentencing for a residential burglary when the offender has had no previous misdemeanor or felony convictions and if the offense ... in committing the offense of residential burglary, no one was home at the time, no one was occupying the home at the time of the burglary. Under those circumstances, the judge could sentence someone to six months in either the county jail or the state penitentiary and that person would have to serve an additional year and a half of probation when they got out. The Bill is supported by the State's Attorney of Cook County. It's supported in addition, of course, by the Senate Sponsor, Senator Hawkinson. It's also been supported by a number of other State's Attorneys throughout the State, including the State's Attorney of Bureau County. I'd be happy to answer any questions. I'd appreciate your favorable support."

Speaker McPike: "Does anyone rise in opposition to the Bill? The Gentleman from Will, Representative Petka."

Petka: "Thank you, Mr. Speaker, Members of the House. Excuse me. Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker McPike: "Yes he will."

Petka: "Representative, is this crime now a felony, or is now a misdemeanor?"

Cullerton: "No, the crime would still be a Class 1 felony."

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Petka: "Under current Illinois law, is it not a fact that a person who is convicted of a felony must spend time in the Department of Corrections unless he is given probation? In other words, if the sentence is for more than one year, he has to go to prison. Is that correct?"

Cullerton: "That's correct."

Petka: "And if it's for less than a year, it's considered a misdemeanor."

Cullerton: "Yes."

Petka: "What type of an offense is this?"

Cullerton: "Well this is the one exception to that rule that you just stated. We're recognizing the fact that in certain rare circumstances, that being the ones I've outlined, that the option that a person be sentenced to six months in jail, either in the state or the county prison. It could have been the state penitentiary but Representative Countryman asked for the option that it be in the County, and I agreed and put that Amendment on."

Petka: "Under law before the Unified Code of ..."

Speaker McPike: "Excuse me, Representative Petka, if you rise in opposition to the Bill, would you address yourself to the Bill?"

Petka: "Yes, I will. Thank you."

Speaker McPike: "Proceed."

Petka: "Mr. Speaker, under the old code before the Unified Code of Corrections, we had an offense that was referred to as an inditable misdemeanor. That was an offense in which the prosecution had the option of inditing a person for either a felony or a misdemeanor. One of the purposes of the Unified Code of Corrections was to take away that option and simply to have felonies or misdemeanors but not both. What this Bill does, even though it is a very well-intentioned Bill, is return it to the pre 1973 Unified

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Code of Correction and create an offense which is neither fish nor fowl. It is neither a felony nor a misdemeanor because under current law a felony is an offense more than one year and a... where time is spent in prison more than one year, a misdemeanor less than one year. I simply do not believe that this is the appropriate time to begin scrambling the eggs in connection with sentencing of individuals as felons and misdemeanors. There are other reasons that I would be opposed to the Bill, but I choose not to at this time. I respectfully though, do oppose this Bill as it is amended. Thank you."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 82 'ayes', 29 'nos', 3 voting 'present'. Senate Bill 126, having received a Constitutional Majority, is hereby declared passed. Senate Bill 690. Representative Piel. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 3 of the Calendar, Senate Bill 690, a Bill for an Act to amend the Land Trust Recordation and Transfer Tax Act. Third Reading of the Bill."

Speaker McPike: "Representative Piel."

Piel: "Thank you, Mr. Speaker. Senate Bill 690, as it stands right now, is for the counties outside Cook County. The .. Buz Yourell had problems, he would think with the Bill, the way it was worded. So basically ... and this was turned in for the assessor in Champaign County. But basically, it exempts trust documents which secured debt or other obligation from the general requirement that a trustee of the land must record the instrument transferring a beneficial interest if that... to that land trust. Basically it is supported by the Illinois State Bar

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Association, the Corporate Fiduciaries and the Illinois Bankers Association. It passed out of the Senate 59 to nothing and out of Committee 16 to nothing. I would be more than happy to answer any questions."

Speaker McPike: "Does anyone stand in opposition to the Bill? Representative Dunn, your light is on. Are you in opposition to the Bill?"

Dunn: "The explanation was ... I don't know whether I'm in opposition or not. The explanation was rattled off in a hurry. What does this Bill do?"

Piel: "Basically what it does, it exempts trust documents which secure a debt of other obligations from the general requirement that the trustee of the land trust must record any instrument transferring to the beneficial interest in that land trust. It is a situation where is ..."

Dunn: "It exempts who, from what?"

Piel: "It exempts trust documents which are securing another debt or obligation. In other words, the document is already being filed and is already, you know, being pledged and another transaction from refileing again under the ... it exempts them from recording any instrument transferring a beneficial interest in that..."

Dunn: "Don't we have in the Document Disclosure Act a requirement that's fairly new to disclose interest in land trusts? Is that what we call the green sheet. The Department of Revenue form. Is that what this is trying to get around? Around the recording of those documents?"

Piel: "John, I'm sorry. I can't hear."

Dunn: "Go over this. Give me an example."

Speaker McPike: "Representative Dunn, are you finished with your opposition to this Bill? Will you speak to the Bill then, Sir?"

Dunn: "I'll speak to the Bill when I hear ... He's trying to find

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an answer for me, and answer the question."

Speaker McPike: "Representative Piel, can you answer the Gentleman's question?"

Piel: "He wants me to give an example. I'm sitting here, off the top of my head, John, I just can't think of an example. You know, sincerely, because I don't do the filings. I mean, I'm not an attorney. I don't do that type of filing."

Dunn: "Okay. Mr. Speaker, I don't know whether this Bill is good or bad. It's tough to tell. So, do whatever you want."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. This Bill has 106 'ayes', 5 'nos', 4 voting 'present'. Senate Bill 690, having received a Constitutional Majority, is hereby declared passed. Senate Bill 144, Representative Hicks. Is the Gentleman in the Chamber? Representative Piel, did you want to explain your vote? The Bill's been declared passed."

Piel: "Well, even though it was declared passed, I would like to take the honor of introducing former Speaker of the House, former Member of the House, Lieutenant Governor George Ryan over here."

Speaker McPike: "On the Floor lobbying for an income tax increase. Representative 385 ... I'm sorry. Senate Bill 385, Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 12 of the Calendar, Senate Bill 385, a Bill for an Act to amend an Act to revise the law in relationship to Clerks of the Court. Third Reading of the Bill."

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, this is a Bill that reimburses the Circuit Clerks of several counties for the services provided to a

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mental institutionary prison and their environs, and the average payment per county is about \$8,000. It also indicates in the law that the stipends that we ... that are enacted for County Treasurers should not be deducted from their salaries. It reclassifies the counties for future reference so that it's easier to determine what size county and what category it belongs in. And the last thing it does is it allows County Clerks a \$2 dollar charge for vital records, certified copies, for microfilm computer uses. I urge the support of this Bill."

Speaker McPike: "Is there any discussion? The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. Representative Hallock to explain your vote."

Hallock: "I'd just like to point out what a difference a day makes."

Speaker McPike: "On this Bill, there are 96 'ayes', 19 'nos', none voting 'present'. Senate Bill 385, having received the Constitutional Majority, is hereby declared passed. Representative Preston on Senate Bill 525, page 5 of the Calendar. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 525, a Bill for an Act in relationship to the creation of Dispute Resolution Funds. Third Reading of the Bill."

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 525 creates the Illinois Not-For-Profit Dispute Resolution Center Act. This provides for creation of Dispute Resolution Funds. It provides criteria for funding Dispute Resolution Centers within judicial circuits, in which Dispute Resolution Funds have been established. The Bill provides for establishment of rules

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for matters relating to the Dispute Resolution Fund and Dispute Resolution Centers. Provides for confidentiality of these Resolution proceedings and limitation of civil liability. Though that was amended by, I think, Representative Cullerton's Amendment, so that limiting the civil liability has been removed from the Bill. The General Assembly, as a statement of public policy here, supports the concept of mediation of disputes as a means of efficiently reducing the volume of cases in the court system and creating ... this creates an informal, but yet a structured process for resolving minor disputes. And I'd ask for your 'aye' vote."

Speaker McPike: "Is there any discussion? The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 109 'ayes', 2 'nos', none voting 'present'. Senate Bill 525, having received a Constitutional Majority, is hereby declared passed. Senate Bill 569, page 6 of the Calendar, Representative O'Connell. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 569, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker McPike: "Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill... Senate Bill 569 is a product of the Illinois Coalition Against Sexual Assault. This particular Bill amends the law which we passed in 1984, which created the Illinois Criminal Sexual Assault Law. It does several things. First of all, it raises the age of consent from 16 years of age to 17 years of age. It also provides that if there is a fondling... sexual fondling of a person that is under 17, it becomes a criminal sexual conduct. If the

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child is at least 5 years younger than the perpetrator, and the perpetrator is over the age of 17 and the victim is under the age of 17, but over the age of 9, then it becomes aggravated criminal sexual assault. No strike that, criminal sexual abuse. It also includes under the category of aggravated sexual conduct, the fondling of a victim, if there is this 5 year differential and that the victim is under 16 years of age. The Bill passed out of the Senate 56 to nothing with 1 person voting 'present'. As I said, this is a product of the Illinois Coalition Against Criminal Sexual Assault. I'd be happy to answer any questions."

Speaker McPike: "Is there any discussion? Being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 97 'ayes', 7 'nos', 8 voting 'present'. Senate Bill 569, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1131, Representative Countryman, page 4 of the Calendar. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1131, a Bill for an Act relating to certain criminal offenses and fines and costs relating to criminal offenses. Third Reading of the Bill."

Speaker McPike: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill amends the Unified Code of Corrections, the Cannabis Control Act and the Controlled Substance Act and the Narcotics Profit Forfeiture Act. It requires the court to allocate to a single unit of local government, 87 1/2 percent of the fine imposed for seizure of cannabis or a controlled substance, in the event that that seizure was made by law enforcement personnel representing a single

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unit of local government. And I move its passage."

Speaker McPike: "Finished? Does anyone stand in opposition to the Bill? Representative O'Connell."

O'Connell: "A question of the Sponsor. Presently, the 87 1/2 percent, how much of that goes to the county in which the crime is committed?"

Countryman: "It depends on where it is, presently. If it's in the City of Chicago, the 87 1/2 percent goes to the City. Elsewhere in the State, it all goes to the county. And this would amend it to make it the same all across the State of Illinois."

O'Connell: "But presently in Cook County, how much of the 87 1/2 percent would go to the County of Cook?"

Countryman: "In Cook County, or in Suburban Cook County?"

Speaker McPike: "Representative Greiman in the Chair."

O'Connell: "In Cook County. Anywhere in Cook County. Suburban ... let's say Suburban Cook County."

Countryman: "Staff advises me it doesn't change anything in Cook County."

O'Connell: "Well, in the City of Chicago, presently Cook County receives a certain amount of money."

Countryman: "12 1/2 percent."

O'Connell: "Right. Mr. Speaker, I simply stand in opposition to this Bill. It does take away funding that is presently going to, at least the County of Cook, 12 1/2 percent of the amount that now would go exclusively to the City of Chicago. I respect the Sponsor. I didn't have an opportunity to talk about it in Committee, but I do stand opposed to the Bill. It takes money away from the County of Cook, that is presently ... that would go there. And I would oppose the Bill."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote

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'no'. Voting is open. Final action. Mr. Leverenz, one minute to explain your vote."

Leverenz: "Thank you. This screws up formulas all over the State, as it deals with both State and county governments. And it shouldn't go anywhere."

Speaker Greiman: "Mr. Countryman, to explain your vote."

Countryman: "Thank you, Mr. Speaker. I didn't have an opportunity to close and I know we're moving fast but, this really corrects a mistake in this legislation that was made last year and it doesn't screw everything up in downstate Illinois, and in fact it clarifies it. And that's why we're attempting to do it. And, you know, in fact, it just takes out some language in the present law which was never intended to be there."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 51 'ayes', 53 'nos', 8 voting 'present'. And the Bill fails. On this Order appears Senate Bill 144. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 144, a Bill for an Act to amend the Illinois Export Development Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Hick ... The Gentleman from Jefferson, Mr. Hicks."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 144 requires the reporting of financial assistance grants from the Illinois Export Development Authority and also as amended with Amendment #1, it does not include those trade secrets or commercial secrets that are found to be important to businesses. I'd ask for its approval."

Speaker Greiman: "The Gentleman from Jefferson, Mr. Hicks moves for the passage of Senate Bill 144. Does anyone stand in

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opposition? The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 107 voting 'aye', 2 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Yes, Mr. Dunn. Mr. Dunn wishes to be shown as 'aye' in the transcript. And Mr. Granberg wishes to be shown thusly also. On this Order appears Senate Bill 820. Mr. Clerk, read the Bill. Is Mr. Saltsman in the Chamber? Mr. Saltsman? Alright. Out of the record. On this Bill (sic - Order) appears Senate Bill 1170. Mr. Clerk, read the Bill."

Clerk Leone: "On page 11 of the Calendar, Senate Bill 1170, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill."

Speaker Greiman: "Are there any Amendments to this Bill?"

Clerk Leone: "No Committee Amendments. No Floor Amendments."

Speaker Greiman: "Are there any ... Third Reading. Mr. Clerk, read the Bill on Third Reading."

Clerk Leone: "Senate Bill 1170, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

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

Cullerton: "Thank you, Mr. Speaker. The Bill does two things. It adds to the bribery section of the Criminal Code. It's a Class A misdemeanor for an agent to give money to an individual enrolled in college, and thereafter represent the athlete in future negotiations for employment, when that person is going to play with a professional sports team. The second part deals with both high school and college students. Prohibits a person from offering money

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with the intent to influence the decision of a school athlete regarding whether or not ... where he or she goes to a particular school. This also is a Class A misdemeanor. I appreciate your support."

Speaker Greiman: "The Gentleman from Cook moves for the passage of Senate Bill 1170. Does anyone stand in opposition? The Gentleman from Champaign, Mr. Johnson."

Johnson: "Well, it's rare that Representative Cullerton and I disagree on a matter of criminal justice, but this is an area that we do. There's nothing inherently wrong. There's nothing that's criminal by nature, only by statute, in letting the free enterprise system operate. And that's really all this does. And clearly, we'd rather have people not interfering with college athletes. But that's easy for me to say. I grew up in Champaign-Urbana. I had a kind of a middle class existence and if I were a good athlete in college, which I weren't, I probably wouldn't have been subject to these sort of things, but there's a lot of people who don't grow up in those sort of circumstances, maybe don't have the background or sophistication that some of us who are more fortunate do and are in situations like Rob Woodson was at Purdue, and others, and simply operate within the free enterprise system. Now, I realize this Bill attacks the agents. And I realize that those agents are ones that cause problems. But it's one thing to condemn them, and perhaps create some kind of a civil cause of action that may already exist in the common law against them, and it's another thing to criminalize this activity that's just basically the free enterprise system operating. I know, clearly, I'm the salmon swimming upstream on this, because this will no doubt pass with a big big margin. But I really think you better look carefully at what you're doing. You better look carefully at making a crime out of

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free enterprise, and we better not sit in our middle class existence and pontificate on situations for people who don't have any degree of ability, in some cases, to be as sophisticated as we are and less economic reasons to be similarly situated."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open for final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 69 voting 'aye', 41 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1132. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1132, a Bill for an Act to add sections of the Unified Code of Corrections. Third Reading of the Bill."

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1132 increases the maximum fine for felony violations of theft, unlawful use of computer and deceptive practices to \$10,000 or twice the value of the property involved in the offense, whatever is greater. This, in fact, increases the fines for white collar crime. I ask for passage of this Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Parke moves for the passage of Senate Bill 1132. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'aye', 2 voting 'no', 3

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voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1192. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1192, a Bill for an Act to amend sections of the Illinois Vehicle Code. Third Reading of the Bill."

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

Terzich: "Yes, House Bill 1192 makes a modest adjustment to the Illinois Safety Responsibility law of the Illinois Vehicle Code. There hasn't been any change in the minimum requirements. And what the Bill simply does, it adds an additional \$5,000 on property on the bodily injury, \$10,000 for two or more persons and an additional \$5,000 on property damage. This Bill was passed out of the Committee without a dissenting vote and also was on the Consent Calendar and I move for its adoption."

Speaker Greiman: "The Gentleman moves for the passage of Senate Bill 1192. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 100 ... Mr. Hallock votes 'aye'. Mr. Young votes 'aye'. On this question, there are 112 voting 'aye', none voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1229. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1229, a Bill for an Act to amend sections of the Illinois Income Tax Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Lake, Mr. Churchill. Mr. Churchill. Mr. Cullerton?"

Cullerton: "Yes, it's an Agreed Amendment. I'd be happy to offer the Amendment. It's a ..."

Speaker Greiman: "Proceed, Mr. Cullerton. With leave of the House, Mr. Cullerton will offer the Amendment."

Cullerton: "The ... it was a request of the Department of Revenue. They want to provide information to the director of any other state agency for an employee of that agency has failed to file an income tax return or has failed to pay the tax penalty and interest owed. It's currently done by rule at the Department for their own employees. I would move for the adoption of Amendment #2."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton moves for the adoption of Amendment #2 to Senate Bill 1229. Is there objection? There being none, the question is, 'Shall the Amendment be adopted?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. With leave of the House, the Gentleman wishes to have the Bill heard at this time, using the Attendance Roll Call. Leave is granted. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 1229, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

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

Cullerton: "Yes, as the Bill stands right now, it has five

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non-controversial Amendments. It provides innocent spouse relief. It provides for the waiver of estimated tax under payment penalty for reasonable cause, and assessment of interest on erroneous refunds. Amendment #2, we just talked about. Also, Amendment #1 requires information ... requires that information reports to the Illinois Department of Revenue, include reports to the U.S. Treasury with respect to royalty payments of \$1,000 or more. There is no opposition to the Bill. I'd appreciate your support."

Speaker Greiman: "The Gentleman moves for the passage of Senate Bill 1229. Does anyone stand in opposition to this Bill? There being no one, the question is, 'Shall this Bill pass?' All in favor vote 'aye', those opposed 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 103 voting 'aye', 10 voting 'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. And on this Order of Business appears Senate Bill 1316. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1316, a Bill for an Act to amend sections of the Criminal Code. Third Reading of the Bill."

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

Cullerton: "Okay, this is for the Department of Corrections. The original Bill deals with the problem in the Department of ... people working in the workshop having a tool that might be considered to be a weapon. And so, this Bill, which was identical to House Bill 2093, Representative Wennlund's, a person would not be deemed to have committed an offense of unlawful possession of a weapon if they were in possession of this tool while confined to a penal institute and was with the consent of the Director of the Department of

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Corrections. That's what the original Bill was. The Amendment #2 was Representative Countryman's Amendment, providing for a fund to receive federal monies, a special trust fund, which may be spent then by the Department. Amendment #3 was Representative Daley's, requiring the Department of Corrections to develop and establish a Suicide Reduction Program in all institutions. Amendment #4 empowered the Department of Corrections to investigate alleged misconduct by committed persons, as well as people out on parole, and empower them to issue subpoenas under certain circumstances. I move for adoption ... or passage of Senate Bill 1316."

Speaker Greiman: "The Gentleman moves for the passage of Senate Bill 1316. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 96 voting 'aye', 13 voting 'no', 4 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1154. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1154, a Bill for an Act to impose a tax on cannabis and controlled substance. Third Reading of the Bill."

Speaker Greiman: "The Gentleman ... The Gentleman from Livingston, Mr. Ewing."

Ewing: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1154 creates a new Act. It creates the Cannabis Controlled Substance Tax Act and it imposes a tax on dealers of illegal cannabis and controlled substance.

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The tax is levied on dealers of more than 30 grams of cannabis, or more than 5 grams or 5 dosages or units of controlled substance. This Bill is tailored after a Minnesota statute. I think it would provide another method for law enforcement to help fight the drug traffic in this State, and would also provide some additional revenue for the State of Illinois. And I would move for its passage."

Speaker Greiman: "The Gentleman from Livingston, Mr. Ewing, moves for the passage of Senate Bill 1154. Does anyone stand in opposition to this Bill? Mr. Leverenz, the Gentleman from Cook."

Leverenz: "A question of the Sponsor. Would you pay this annually?"

Ewing: "No. If you want, I could get you in touch with the Department and we could set you up directly."

Leverenz: "Would you repeat that?"

Ewing: "We could have ... We could have an agent with you all the time if you want. No, you pay it whenever you want to deal."

Leverenz: "That's as dumb as a box of rocks."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by saying 'aye' ... by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Mr. Young, to explain your vote. Have all voted who wish? Have all voted who wish?"

Young: "This is a tax without a front or back door referendum."

Speaker Greiman: "Have all voted who wish? Mr. Clerk, take the record. On this question, there are 87 voting 'aye', 20 voting 'no', 8 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1376. Mr. Clerk, read the Bill."

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Clerk O'Brien: "Senate Bill 1376, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Rock Island, Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I'd like to take this back to Second Reading for the purpose of a Motion."

Speaker Greiman: "Mr. Brunsvold, what is your pleasure? There is a request for a Fiscal Note being filed on this Bill."

Brunsvold: "I would like to take this back to Second for purpose of a Motion."

Speaker Greiman: "The Gentleman asks leave of the House to return this Bill to the Order of Second Reading. Does the Gentlemen have leave? Mr. Brunsvold moves to return this Bill to the Order of Second Reading. And on that is there discussion? The question is, 'Shall the Motion carry?' All those in favor signify by saying ... Mr. McCracken, do you wish to speak on this now? Proceed."

McCracken: "Yes, will the maker yield?"

Speaker Greiman: "He indicates he'll yield for a question."

McCracken: "Representative Brunsvold, what's the reason to take it back? If you take it back, is there some sort of note been filed on this?"

Brunsvold: "A note has been filed, Representative, on the Bill."

McCracken: "Why take it back?"

Brunsvold: "Well, I don't... I have to... going to have to file a note ... I don't have a Fiscal Note."

McCracken: "You're on Third Reading, they can't stop it. It's too late."

Brunsvold: "Okay."

McCracken: "Alright."

Speaker Greiman: "Mr. Brunsvold, what is your pleasure, Sir?"

Brunsvold: "Take it back to Second, Mr. Speaker."

Speaker Greiman: "Well, this takes ... It requires a Motion. So you have put that Motion. All those in favor of allowing

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this Bill to return to the Order of Second Reading vote 'aye', those opposed vote 'no'. On this issue, there are 93 'ayes', 19 'nos', none voting 'present'. And the Motion carries. Mr. Clerk, are there any Amendments? Are there any Motions, Mr. Clerk?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Yes, Mr. Brunsvold."

Brunsvold: "I would move to table Amendment #2, Mr. Speaker."

Speaker Greiman: "The Gentleman moves to table Amendment #2. And on that, is there any discussion? There being none, the question is, 'Shall Amendment #2 be tabled?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it ... Those in favor vote 'aye', those opposed 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 75 voting 'aye', 34 'no', 2 'present'. And the Motion to table carries. Any Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Mr. Brunsvold, there has been a request for a Fiscal Note. Mr. Williams advised us that he has filed it, and he withdraws it. So, Third Reading. Mr. Clerk, read the Bill on Third ... Yes, Mr. McCracken?"

McCracken: "There was an Amendment #3 filed. It was filed yesterday."

Speaker Greiman: "With who?"

McCracken: "With the Clerk."

Speaker Greiman: "Yes, you're correct. We have found Amendment #3. Mr. Clerk, read the Bill... read the Amendment."

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

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken on Amendment #3."

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McCracken: "Thank you, Mr. Speaker. This Amendment provides for the forfeiture of assets and profits derived from obscenity, and provides for preliminary injunctions or temporary restraining orders to preserve the assets only. Does not allow for a forfeiture hearing until after a conviction for the offense of obscenity. There is no affirmative defense for the librarians, as there was in Amendment #2. And I move its adoption."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #3 to Senate Bill 1376. And on that, the Gentleman from Rock Island, Mr. Brunsvold."

Brunsvold: "I would ask that we oppose Amendment #3. I intend to send this Bill back to the Senator in basically the same form that he sent it over."

Speaker Greiman: "Mr. Preston."

Preston: "Thank you, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Greiman: "He indicates he will."

Preston: "Representative, did I hear you say that there is no affirmative defense for librarians?"

McCracken: "Yes."

Preston: "So that under the provisions of this Amendment, a librarian or an employee of a library who distributes books, would be held responsible if he or she failed to have read, for example in the Chicago Public Library, some 3 million volumes, and distributed a book that might be found to be in violation. Is that correct? Is that correct, Representative?"

McCracken: "There is ... There is no offense for ... There is no defense to obscenity now. Obscenity is a crime committed by distribution for profit, I believe, and I don't think the libraries would be involved."

Preston: "Well then how about somebody who works in a book store,

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who works at Crown Books, for example, who sells a book over the counter to someone, not having read it, because many of the people who work at these book stores, Crotts or Crowns, or other books stores, haven't read the tens of thousands of volumes. So they might be guilty of a crime with this Amendment being on this Bill?"

McCracken: "No. No. This Amendment does not change the definition of obscenity, or the requirements for the conviction of obscenity. So, the answer is no."

Preston: "Well, what are the requirements for conviction of obscenity? Isn't ... I thought you just said that distribution of a book that might... for profit ..."

McCracken: "Knowing dissemination of obscene material for profit."

Preston: "Well, now the knowing is the important part. Knowing that it is obscene, or knowing that you're distributing it for profit?"

McCracken: "Knowingly distributing it."

Preston: "Well, then since we have a lot of problems with defining what is or is not obscene under the provisions of this Amendment, an employee of a book store who has not read a particular volume out of the tens of thousands of volumes being sold there, sells that volume for a profit, could that person be guilty of a crime under the provisions of this Amendment?"

McCracken: "No, this Amendment doesn't change the law in that regard."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' All those in favor signify by saying 'aye', opposed 'no'. Alright. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Mr. Dunn, one minute to explain your vote. Mr. Dunn, one minute to explain your vote. Mr. Dunn? Ms. Pullen, one

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minute to explain your vote."

Pullen: "It's interesting that the Library Association has confused this issue. This does not do anything to librarians. It does do something to porn peddlers. It allows the state to seize their profits. Profit is the biggest incentive for porn peddlers, and that's what this is seeking to stop. When you are voting 'red' on this, you are voting to promote pornography, and you'd better remember that. It has nothing to do with librarians."

Speaker Greiman: "Mr. Cullerton, one minute to explain your vote. Mr. Homer at Mr. Cullerton's seat."

Homer: "Let me ... Let me explain my vote, and I'm sure of the vote of a lot of others. We're not voting for pornography. What we're voting for is the Sponsor's right to put the Bill in the form that he wishes on Third Reading. And that's what Representative Brunsvold's desire is. I supported the Amendment when it was called previously. The Sponsor has now indicated that he's concerned about the ability to pass this Bill in that form, so he's asked to table that Amendment. And I think in deference to him, we should accommodate that request."

Speaker Greiman: "Mr. Clerk, take the record. Mr. McCracken, one minute to explain your vote."

McCracken: "Yeah, I was under the impression that Representative Brunsvold had agreed to move the Bill with Amendment #2 on it tonight. This has taken me by surprise. I've tried to ask him from this distance what he's doing. You know, that's fine."

Speaker Greiman: "On this question, there are 45 voting 'aye', 70 voting 'no', none voting 'present'. And the Amendment fails. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

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

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Third Reading."

Clerk O'Brien: "Senate Bill 1376, a Bill for an Act to amend Sections of the Criminal Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Rock Island, Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1376 is now in basically the same form that the Senator sent it over from that Body. It simply amends the offense of criminal sexual assault and the offense of aggravated criminal sexual abuse, to put in the provision that the accused was a person that was responsible for a child's welfare. And that's basically what the Bill does."

Speaker Greiman: "The Gentleman moves for the passage of Senate Bill 1376. And is there anyone standing in opposition? There being no one, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Parke, one minute to explain your vote. On this question, there are 113 voting 'aye', 1 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1381. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1381, a Bill for an Act to amend sections of the Criminal Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Rock Island, Mr. DeJaegher. Excuse me. Mr. Parke, for what purpose do you seek recognition?"

Parke: "Thank you, Mr. Speaker. I inadvertently voted 'yes' on Senate Bill 1229. I'd like the record to show that I would have voted 'no'."

Speaker Greiman: "The transcript will so reflect. And now Mr.

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DeJaegher from Rock Island."

DeJaegher: "Thank you, Mr. Speaker and Members of the General Assembly. I believe with Amendment 21 that objections to this Bill have subsided. It passed the Senate 58 to nothing. It came out of Committee 11 zip. What it basically does is creates offenses of a false impersonation of a peace offer, (sic - officer) and aggravated false impersonation of a peace offer. (sic - officer) I move for the adoption. I move for passage."

Speaker Greiman: "The Gentleman moves for the passage of Senate Bill 1381. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 98 ... there are 100 ... Mr. Johnson, to explain your vote. There are 100 voting 'aye', 8 voting 'no', 6 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Shaw, for what purpose do you seek recognition? Mr. Shaw. Now, Mr. Johnson, for what purpose do you seek recognition?"

Johnson: "Yes, could you show in the record in the Journal that on Senate Bill 1001, which was considered this afternoon, that I was inadvertently voted 'no'. And had that not happened, I would have voted 'yes', since I'm a Sponsor of the Bill."

Speaker Greiman: "The transcript will so reflect. Mr. Hennlund, for what purpose do you seek recognition?"

Wennlund: "Thank you, Mr. Speaker. Would the record reflect that an 'aye' vote on Senate Bill 536 ... I was called out into the hallway and my vote was not voted."

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Speaker Greiman: "Let the record so reflect. Mr. Ryder? Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I just simply wanted to make an announcement that earlier this ... today there were a couple of votes, Senate Bill 536, Senate Bill 441, on which I was incorrectly voted as voting 'no' and I wish to vote 'yes' on both of those, and I ask the transcript to so record."

Speaker Greiman: "The transcript will so show. On this Order of Business appears Senate Bill 1384. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1384, a Bill for an Act to authorize townships to establish Plan Commissions. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Will, Mr. Van Duyne."

Van Duyne: "Thank you ... Thank you, Mr. Speaker. This is a part of Senator Rock's Township Task Force and it does exactly as the Clerk has said. It allows ... it's a permissive piece of legislation which allows township to appoint five member planning commissions and I'd ask your 'aye' vote."

Speaker Greiman: "The Gentleman moves for the passage of Senate Bill 1384. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' Those in favor vote 'aye', those opposed 'no'. Have all voted who wish? Have all voted who wish? This is final action. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'aye', 4 voting 'no', 5 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1393. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1393, a Bill for an Act to amend an Act in relation to Department of State Police. Third

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Reading of the Bill."

Speaker Greiman: "The Gentleman from Macoupin, Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House.

This Bill would coordinate state enforcement of Toxic Waste Laws and provide assistance to local prosecutors involving hazardous waste violations. It creates a State Strike Force for Hazardous Waste within a Department of State Police. The Strike Force would coordinate existing personnel from state and local agencies and would respond to toxic waste emergencies and enforce our Toxic Waste Laws. I'm aware that the State Police already have a good number of hazardous material officers. They've given these gentlemen the training. They already have the automobiles and the materials necessary to do the job and this Bill would simply take those individuals and put them in a Strike Force and coordinate their efforts with other law enforcement agencies, in an effort to put more teeth into our environmental protection laws and hazardous waste. This Bill was given to me by the Illinois Public Action Council. It's a bipartisan effort to try and crack down on some of our hazardous waste violations. And I'd ask for your 'yes' vote."

Speaker Greiman: "The Gentleman from Macoupin, Mr. Hannig, moves for the passage of Senate Bill 1393. Does anyone stand in opposition? The Gentleman from Lake, Mr. Peterson."

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

Speaker Greiman: "Yes."

Peterson: "Representative, what's the cost associated with this piece of legislation?"

Hannig: "Representative, the Department of State Police estimates it would cost 1.3 million dollars, but it's my belief that that is ... as was the case with Representative Pullen

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yesterday, a Fiscal Note that is very high."

Peterson: "Alright. This cost is 1.3 million dollars and it was not requested by any State agency. Is that correct?"

Hannig: "I don't believe that it will cost 1.3, but that is what the Fiscal Note says."

Peterson: "Alright, but you didn't answer my second question. This was not requested by any State agency?"

Hannig: "Well, Representative, as often is the case, these agencies do not take positions on some of these pieces of legislation. And I might point out that we appropriate any monies to the Department of State Police to operate this program."

Peterson: "Did the State Police request this?"

Hannig: "Could you repeat that?"

Peterson: "To the Bill, Mr. Speaker."

Speaker Greiman: "Proceed."

Peterson: "This is another bad piece of legislation. It's going to cost 1.3 million. It was not requested by any State agency and I urge a 'no' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. And this is final action. The Gentleman from Cook, Mr. Morrow to explain his vote."

Morrow: "Yes, thank you, Mr. Speaker. I rise in support of this Bill. The Gentleman ... the previous Gentleman that rose up to question the Bill, he was concerned about the dollar amount. I was just made aware of yesterday of a toxic waste dump in my district that's going to cost \$600,000 to clean. 1.3 million dollars to try to avoid this type of thing going on in my district or anyone else's district is worth it. I urge more 'green' votes. Thank you."

Speaker Greiman: "The Gentleman from Cook, Mr. Leverenz, one minute to explain your vote."

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Leverenz: "Thank you, Mr. Speaker. I really disagree with the argument provided by the other side of the aisle. The State Police now have a Hazardous Waste Task Force, running around the State in station wagons all equipped to handle these types of things. I would encourage your 'green' vote. I believe that the money offered to implement it has just been put too high because they don't want their divisions broken up in this fashion. I believe this to be a good idea. If you have any sense of what's been in the newspapers in the last 2 or 3 months, you'll understand why you should vote 'green' on this Bill."

Speaker Greiman: "The Gentleman from Will, Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill. There are hundreds of landfills, including the landfill in Representative Hannig's district, where toxic wastes are being spilled, being hauled in at all hours of the day and night. Unless we vote in favor of this Bill, you're going to spend multimillions in clean up costs throughout the State of Illinois and the pollution of underground water aquifers. I rise in support of this Bill and urge more 'green' votes."

Speaker Greiman: "The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. I know we're at the point of explaining a vote. I was wondering if the Sponsor would be good enough to nod if I ask him a question before I vote. Is that possible? If the Sponsor is here. Gary, if this Strike Force ... would these be the same individuals who go around now to address ... let me point the question ... to address companies that, for example, have paint in 55 gallon drums, and cite them under the federal law as storage places, and then provide the information that makes them expend dollars to just get rid of those drums, even

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though they have a contract with someone hauling them away? Is that what they will be doing? There's a federal law, is that correct? It says if you hold paint more than 30 days, you then become a resource and you must then ask for an elimination of that storage facility. Is that what they'll be doing? Thank you."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn, one minute to explain your vote."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation. Eight or ten years ago, the legislation, which had been referred to earlier, that placed the state troopers on the road to enforce transportation of hazardous materials, it was my legislation. Prior to that legislation, we saw a lot of spills and accidents on the highways of this state. Since the time of that legislation, there have been very few spills because there's been proper enforcement protection, police work. And industry has not complained. They know that a better job is being done by everyone and it's to everyone's advantage. That's the same philosophy with regard to this legislation. If we put these people on the road to do this job, it will be better for all of us and ultimately you won't hear any complaints. 'Green' votes are the best votes up there. Let's pass this Bill."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 62 voting 'aye', 43 'no', 7 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 820. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 820, a Bill for an Act to add sections to an Act in relation to Fire Protection Districts. Third Reading of the Bill."

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Speaker Greiman: "The Gentleman from Peoria, Mr. Saltsman."

Saltsman: "Thank you, Mr. Speaker. This legislation authorizes the Board of Trustees of a Fire Protection District to levy an additional real property tax at a rate of up to .05% for emergency and rescue crews and equipment if the tax is approved by a referendum. This is a front door referendum."

Speaker Greiman: "The Gentleman moves for the passage of Senate Bill 820. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 97 'aye', 5 'no', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1488. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1488, a Bill for an Act ..."

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

McGann: "Mr. Speaker, I had my light on. I'd like to be recorded as 'aye' on the last Bill, Senate 820."

Speaker Greiman: "Alright. The Gentleman wishes the transcript to reflect that he would have voted 'aye' on Senate Bill 820."

Clerk O'Brien: "Senate Bill 1488, a Bill for an Act in relation to state finance. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "The Gentleman from Morgan, Mr. Ryder. Oh, I'm sorry. Are there any Floor Amendments?"

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

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Speaker Greiman: "The Gentleman from Morgan, Mr. Ryder on Amendment #1."

Ryder: "Thank you, Mr. Speaker. The Floor Amendment #1 was suggested by the staff on the other side of the aisle, and simply makes it explicit that when we discuss Title 4(e), that we're discussing Title 4(e) of the Federal Social Security Act. I would ask for the Amendment to be adopted."

Speaker Greiman: "The Gentleman moves for the passage of Senate Bill 1488. Does anyone stand in opposition? Oh, I'm sorry. Moving too quickly. The Gentleman moves for the adoption of Amendment #1 to Senate Bill 1488. And on that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman asks leave of the House to consider this Bill at this time. Mr. Curran?"

Curran: "Mr. Speaker, I object to having the Bill heard at this time."

Speaker Greiman: "Okay, Gentleman from Morgan, Mr. Ryder, moves that this Bill be heard on the Order of Third Reading at this time. And on that, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. It's unfortunate that it's necessary for me to do this. And I fully understand that Mr. Curran is objecting because of some problems that were incurred on a Bill that he and I both supported in the Senate this afternoon. This Bill is necessary for the Department of Children and Family Services. I'm reluctant to talk about the merits of the Bill except to say that it will enable the Department to obtain in excess of 9 million

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dollars from the Federal Social Security Act that I just discussed, and more than that we hope. So it's important that it be part ... It's part of the budget now. It's money that they wish to spend for a good purpose and that's the reason that it's essential that this Bill be heard and considered this evening. That's the reason that I ask for immediate consideration."

Speaker Greiman: "Question is, 'Shall the Motion carry?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. 71 votes. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 97 'aye'... 98 'aye', 14 'no', 1 voting 'present', and the Motion carries. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 1488, a Bill for an Act in relation to state finance. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Morgan, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker and thank you Ladies and Gentlemen of the House, for the courtesy of allowing this Bill to be heard at this time. The purpose of the Bill is to create within the Department of Children and Family Services, a Special Children Services Fund for the receipt of federal funds. This fund allows the Department to maximize the dollars for the Foster Care Adoption Fund that they're now receiving from the federal government. With the incentive, instead of the money going into the General Revenue Fund, as it now does, it will go into this special fund so that the Department of Children and Family Services can maximize that amount. The incentive of course is, that the more dollars they get from the federal sources, the more money that's available for this purpose. It's a good opportunity to obtain in excess of 9 million extra dollars for this very worthy budget. And I would ask your favorable

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consideration."

Speaker Greiman: "The Gentleman moves for the passage of S.B. 1488. Does anyone stand in opposition? The Gentleman from Cook, Mr. Bowman."

Bowman: "A question of the Sponsor, please."

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

Bowman: "Representative Ryder, these monies, are they reimbursement monies?"

Ryder: "Just one second, please. Yes, they are."

Bowman: "Okay, well if ... then if they are reimbursement monies, why is there not some restriction in the legislation as to the purposes for which the monies can be spent? According to the second paragraph, it says monies in the fund may be used by the Department pursuant to appropriation by the General Assembly for the ordinary and contingent expenses of the Department, which sounds like they can be used for purposes other than foster care and adoption programs."

Ryder: "That would be correct with the exception that Title 4(e) is very specific as to how they may be spent, so that the source of these funds from the Social Security Act, makes the restriction, which means that it's not necessary for us to similarly make the restriction. The source of the funds is indicating that."

Bowman: "Well are you then alleging that these funds would be restricted in the purposes to which they would be spent, because the Bill does not specify that?"

Ryder: "Representative, since this becomes a fund of the Department of Children and Family Services, it is restricted in the sense that it's a reimbursement from the federal government, reimbursed in that process. It is, however, under the appropriation process of the Legislature, one process of which you are intimately aware, so that, that... that will then be shown as dollars coming

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in as a source of revenue to be appropriated according to the legislative process. I would indicate, Representative, that the appropriation for these funds is a part of the current appropriation that you and I heard in Committee."

Bowman: "Well that's true. Just briefly to the legislation. That particular provision does give me a little concern because it seems to me that we may be collecting for one thing and then wind up using the reimbursement. I mean granted, we'd be collecting for the ... properly, but we might wind up in using the reimbursement in the next year for something else. And I would feel more comfortable if it were spelled out in the law. Thank you."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. The Gentleman from Sangamon, Mr. Curran to explain your vote. Mr. Curran."

Curran: "Thank you for the time, Mr. Chairman. What this Bill does, is it takes 30 to 40 million dollars a year which had been going into the General Revenue Fund, or which could go into the General Revenue Fund, and puts in a special account in the Department of Children and Family Services. Now if what you would like to have is, on your voting record, 30 to 40 million dollars a year in special funds ... in a special fund in the Department of Children and Family Services, not in ... to the General Revenue Fund, if you feel that we can afford to deal with the General Revenue Fund in that way at this time, then you want to vote that way. But if you'd rather have 30 to 40 million dollars a year extra in the General Revenue Fund, then you should vote against this, because this Bill stops that money from going into the General Revenue Fund. It sets up a special account and it's 30 to 40 million a year. These

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are federal reimbursement dollars, otherwise they would go into the General Revenue Fund."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane to explain his vote."

Keane: "Thank you, Mr. Speaker. I rise in opposition to this Bill. And the reason is that, what happens when we get reimbursement. We are being reimbursed for funds that we have put out. That money should come back, it should be returned to General Revenue Fund. You know that I sponsor the TIF legislation. And in that legislation, one of the Amendments was for the TIF funds to go into a special account. If we set up enough special accounts in state government, we will not have to come down here. We will not have to come to Springfield. Fine. We're now ... I think I'm talking this Bill up. The citizens will ... the citizens will rise up. This is very, very bad government. Because what happens is, we have separate slush funds all over state government. The universities of Illi... the universities throughout the state attempted to keep their indirect cost. The Auditor General found that where we have these funds, and where those funds exist and are separate, there is a chance for different kinds of hanky-pank to go on. I would urge that we, as a rule, not... not set up special funds which could cause us all embarrassment, and which reduces the little need that we have to come down here anyway."

Speaker Greiman: "Have all... Gentleman from Cook, Mr. Williams, to explain his vote."

Williams: "I also rise in opposition. I believe that this is a bad precedent to allow for special funds. And in addition, the real thing is that, the question is, is the money going to help the children or are we going to help the bureaucracy? I think we're helping the bureaucracy, and I

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urge a 'no' vote."

Speaker Greiman: "The Gentleman from Will, Mr. Regan to explain his vote."

Regan: "Thank you, Mr. Speaker, Members of the House. I think, you all must remember many, many times the statistics that were... that the hot line calls are about 80 percent in four years increased. There's no question about it, the DCFS needs this money to protect our kids."

Speaker Greiman: "Have all voted who wish? Mr. Clerk, take the roll (sic - record). On this question there are 74 'aye', 29 'no', 11 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1447. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1447, a Bill for an Act relating to taxes and fees. This Bill has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

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

Speaker Greiman: "Gentleman from Cook, Mr. O'Connell, on Amendment #2."

O'Connell: "Thank you, Mr. Speaker. Amendment #2, may I withdraw, please?"

Speaker Greiman: "Withdrawn. Further Amendments?"

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

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

O'Connell: "Thank you, Mr. Speaker. Amendment #3 addresses the issue of P tickets. This is a format by which local municipalities may issue driving citations that are not

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reportable to the Secretary of State's Office. Two years ago, I presented the same Amendment that included certain offenses that the Secretary of State's Office opposed to be not included in their reportable offenses, specifically speeding. This is... does not include the offense of speeding. It includes various offenses for which are presently... under the state law, presently reportable. Under this Amendment, they would not be reportable. They're minor traffic offenses that would eliminate the need for individuals to have to appear in court, eliminate the need of local police departments to appear in court to prosecute. I would ask for its favorable adoption."

Speaker Greiman: "Gentleman from Cook moves for the adoption of this Amendment to Senate Bill 1447. Does anybody stand in opposition? There being no one, the question is, 'Shall it be adopted?' Those in favor 'aye', opposed 'no'. The Motion carries. The Amendment's adopted. Are there further Amendments?"

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

Speaker Greiman: "Mr. O'Connell, on Amendment #4. The Clerk advises me that it is the same Amendment as Amendment #3. Carries the same Reference Bureau..."

O'Connell: "I'm sorry. Mr. Speaker, I'm sorry. Amendment #4 takes out the speeding offense. I'm advised by staff that Amendment #3 had the speeding offense in it. I would at this time, ask leave to table Amendment #3."

Speaker Greiman: "Gentleman asks leave to table Amendment 3. Leave is granted. Amendment 3 is tabled. Further Amendments? #4."

O'Connell: "Amendment #4 is the Amendment that I just described which I thought was Amendment #3."

Speaker Greiman: "All those in favor signify by saying 'aye',

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those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #4 is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 1447, a Bill for an Act relating to taxes and fees. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. McGann. Mr. McGann."

McGann: "Mr. Speaker, we just take a moment, please? Mr. Speaker."

Speaker Greiman: "Just a moment, Mr. McGann. Mr. McGann, proceed, Sir."

McGann: "Mr. Speaker, it's strange at this late hour, finally the Speaker gave me consideration to have Senate Bill 1447 heard. It's typical of my legislative package this year, through the Speaker of this House. Therefore, I'd ask leave of this House to put Senate Bill 1447 into Interim Study."

Speaker Greiman: "Mr... Mr. McGann, we thank you for that high drama, but all you need to do is come down to the well and fill out a form and put it in Interim Study. Gentleman asks leave to place the Bill on the Order of Interim Study. Leave is granted. On this Order appears... appears Senate Bill 255. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 255, a Bill for an Act to amend the Illinois Act on Aging. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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

Turner: "Thank you, Mr. Speaker. On the Senate Bill 1448, I'd

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like the Journal to reflect that I wanted to vote 'aye' on that Bill, and I voted 'no' inadvertently."

Speaker Greiman: "Let the transcript so reflect. And now, Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 255, a Bill for an Act to amend the Illinois Act on Aging. Third Reading of the Bill"

Speaker Greiman: "Gentleman from Kankakee, Mr. Novak."

Novak: "Thank you, Mr. Speaker. Ladies and Gentlemen of the General Assembly, Senate Bill 255 amends the Illinois Act on Aging. It mandates the Department of Aging to create a volunteer service credit program under which persons may volunteer their services to provide respite care, homemaker care or related services to persons 60 years or older. The Department on Aging endorses this Bill, and I ask for your affirmative vote. Thank you."

Speaker Greiman: "Gentleman from Kankakee moves for the passage of Senate Bill 255. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. Final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'aye', 1 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 527. Mr. Clerk, read the Bill. Out of the record. On this Order appears Senate Bill 570. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 570, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

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

O'Connell: "Thank you, Mr. Speaker. What Senate Bill 570 does, it authorizes the admission into evidence in sexual assault

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cases involving a child victim, not only the fact that a child made a complaint of the act to another, but also allows evidence of the details of the statement, including responses to questions asked of the child. As in current law, such testimony is admissible only in corroboration of the child's testimony concerning the same subject. I'd ask for its favorable adoption."

Speaker Greiman: "Gentleman moves for the passage of Senate Bill 570. Does anyone stand in opposition to that Bill? Gentleman from Cook, Mr. Williams."

Williams: "Yes, I stand because I feel that, even though I understand the intentions of this particular piece of legislation, I believe that we've got to be very careful when you begin to tamper with the hearsay rule. What you have here is not someone coming in and saying, 'Yes, a complaint was made,' which is normally enough to corroborate the fact that a complaint was made, but you have them coming in and actually giving details as to what was said. You're giving details as to questions and answers that might have been given back and forth. Now, I know these are very traumatic situations, but these are situations where parents, out of a particular desire to get back at somebody, might be more willing to fabricate a story than not. Now, even though it's supposed to be for certain purposes, it's my belief that this is going to go to the truth of the matter asserted or at least that a lot of individuals are going to believe, in fact, what the parents say to be true. Now, I know we want to protect the children, but we also got to remember that a lot of times these are very emotional situations, that when it is emotional like this that it is such a situation that people will be more than willing to do whatever is necessary in order to convict somebody and I don't want to say to

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people, 'Do it,' but I'm willing to say that there'll be enough times when people will out and out lie in order to make sure that what they want a child to say or what they say a child said will get into the record in one form or another. I respect the Sponsor. I respect what he's trying to do, but I really think we ought to be careful when tampering with the hearsay rule. I believe that this is a bad sort of precedent that we're setting, and I would urge a 'no' vote."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 83 'aye', 24 'no', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 749. Mr. Clerk, read the Bill. Mr. Leverenz. Is Mr. Leverenz in the chamber? Alright, Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 749, a Bill for an Act to amend Sections of the Environmental Protection Agency (sic - Act). Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Gentleman from Cook, Mr. Leverenz. Oh, I'm sorry. Are there Floor Amendments?"

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

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

Leverenz: "Thank you, Mr. Speaker. Amendment #1 was devised by people that were not aboard 749 in the original Bill. It retains the present law requiring DOT to determine

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boundaries in the hundred year flood plain, requires the county board and municipality to consider the record of previous experience and allows the applicant to file one amended application at a time. I would move for the adoption of Amendment #1."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #1. Does anyone stand in opposition of that? Mr. Rice, do you want to stand in opposition of that? The question is, 'Shall the Amendment be adopted?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. It is adopted. Are there any further Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Shaw, withdraws the Amendment. Further Amendments."

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

Speaker Greiman: "The Gentleman from Cook, Mr. Shaw, on Amendment 3."

Shaw: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 deals with a situation in my district and in the surrounding... Amendment #3, I'm sorry... and the surrounding districts. A few weeks ago, you know, you read the headlines in the paper, and all this Amendment does is call for a two mile... that people has to be notified living within a two mile radius of any dump that would be requesting a permit. Now... and I think it's important if those of you who don't remember what I'm talking about, the headlines in the paper of a month and a half... back May 31st, was talking about the hazardous waste. And I live in that district where cancer is highest anywhere in this state, 19 percent, and I'm concerned about

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that, and I think the people in that area is concerned about that. On one block, I did a survey, there is at least three families with cancers on one block, and I think that the people should be notified if a... if they are going to be dumping hazardous waste within a two mile radius of them. So, I'm asking for the adoption of this Amendment."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #3. Does anyone stand in opposition of that? The Gentleman from Cook, Mr. Leverenz."

Leverenz: "Thank you, Mr. Speaker. With all due respect to the Sponsor, and I understand his situation, because we have a Bill that is agreed, this would make it unagreed, so I would ask him to withdraw or we would have to beat the Amendment."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'... all in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? The Gentleman from Livingston, Mr. Ewing, to explain his vote. On this question... Mr. Clerk, take the record. On this question, there are 33 voting 'aye', 73 'no', 2 'present', and the Motion fails. Further Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Shaw. Withdraw it. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 749, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

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

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Leverenz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Essentially, this fine tunes what we know, I believe, as 172, and with the Amendment, those that were in opposition to the Bill are now neutral to the Bill, by the change in retaining present law as the Department of Transportation determines a hundred year flood plain, requires the county board or municipality on a local hearing to consider the record of previous experience of the firm and it allows the applicant to make one amended application rather than not being able to do that, and if it is denied, they're stopped dead in the water. I would move that you'd vote 'aye' to pass this Bill to preserve local siting hearings."

Speaker Greiman: "The Gentleman moves for the passage of Senate Bill 749. Does anyone stand in opposition? The Lady from Lake, Ms. Stern. Ms. Stern."

Stern: "Will the Gentleman yield for a question?"

Speaker Greiman: "Indicates he will."

Leverenz: "Of course."

Stern: "Mr. Leverenz, does this Amendment which neutralizes opposition include neutralizing the opposition of the Northwest Municipal Conference?"

Leverenz: "No."

Stern: "Okay. Thank you."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed 'no'. Mr. Kulas, one minute to explain your vote."

Kulas: "Well, Mr. Speaker, I wanted to speak in opposition to this Bill. I voted for this Bill in Committee to get it out on the House floor because I thought it addressed a problem which needs to be addressed. And again, you know, we're going to stick our heads in the sand. Vote 'no' on this terrible Bill."

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Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, to explain his vote. The Gentleman from Will, Mr. Wennlund, to explain his vote."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is a good Bill. Let me tell you that nobody has their head in the sand because it was the proponents, it was the landfill haulers who filed suit to prevent the Solid Waste Management Act, which would have made great headway. This Bill fine tunes the existing process, and it is a significant improvement in the system, and as a matter of fact, will result in more sitings because it provides for an amending process. Waste Management is not opposed to this Bill. I urge your adoption of this Bill, and I urge more 'yes' votes up on the board."

Speaker Greiman: "The Gentleman from Livingston, Mr. Ewing, to explain his vote."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, if you believe in local control, if you want your local county, townships and cities to have control of the siting of these site facilities, then you'll be green up there. Otherwise, you should be red. A red vote is a vote against local control."

Speaker Greiman: "Mr. Leverenz, to explain your vote. Mr. Leverenz, to explain your vote."

Leverenz: "Thank you. I will take the minute. Local control is really needed for one reason. The Village of Hillside tried to fight a state hearing process before 172. They spent 200,000 dollars in legal fees to enforce the suit with the Attorney General's Office, and the hole is still being filled, and by the time they first get to court, it will be probably be capped. I would encourage your green vote so that your local communities really have a say--so in

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what happens, as we did not have that capability with the Village of Hillside, Illinois. We thank you."

Speaker Greiman: "Mr. McCracken, to explain your vote."

McCracken: "For a verification, Mr. Speaker, if this appears to get the requisite number."

Speaker Greiman: "Mr. Regan, to explain your vote."

Regan: "Thank you, Madam Speaker, Members of the House. We just got through defeating a Bill that would take away local control. It was 1013. It went down 93 or something to zip, and this is the same kind of Bill. This is taking control away from the locals, and I think the locals should have it."

Speaker Greiman: "The Gentleman from Jefferson, Mr. Hicks."

Hicks: "Yes, thank you very much, Mr. Speaker. I would agree with the Gentleman that just spoke. I think the whole intent and purpose is to let the locals have the control, and that's exactly what 749 is, and I'd urge everybody to vote green."

Speaker Greiman: "Mr. Hoffman, one minute to explain your vote."

Hoffman: "Thank you very much, Mr. Speaker and Members of the House. The site to which the Sponsor refers, we are taking our garbage over there from Elmhurst. The fact of the matter is that this whole issue is going to come to a head within a very few years, and you cannot deny the participation and the needs of people in the region for sites of this type. You give local control, total local control to this. Everybody wants to get rid of their garbage, but they don't want it at their place. We cannot do that. This is... All you have to do is look at the garbage scow floating around out off the coast of Long Island. We're in serious trouble. This compounds the problem rather than improves it."

Speaker Greiman: "Mr. Clerk, take the record. On this question,

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there are 71 voting... 72 voting 'aye', 35 voting 'no', 4 voting 'present'. Mr. Shaw... 70... no. And I assume that you withdraw the request. Alright. Shaw voted 'no'. So there are 72 voting 'aye', 36 voting 'no', 4 voting 'present', and the... this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Rice, for what purpose do you seek recognition?"

Rice: "On Senate Bill 1488, I would like to be recorded as 'yes' on the transcript, please."

Speaker Greiman: "The transcript will so reflect. On this Order appears Senate Bill 910, Mr. McCracken... Mr. Clerk."

Clerk O'Brien: "Senate Bill 910, a Bill for an Act to standardize the definition of criminal history record information. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Floor Amendments? Mr. McGann, for what purpose do you seek recognition?"

McGann: "Thank you, Mr. Speaker, for recognizing me. I stand on a point of personal privilege. I would like to recognize one of the lovely ladies, the wife of our great, esteemed Legislator, James Keane, who is in the balcony, Mrs. Alice Keane. Thank you, Mr. Speaker."

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

Shaw: "Yes, Mr. Speaker, would you... I made a mistake. I... Let the record show that I would have voted 'aye' on that last Bill, 749."

Speaker Greiman: "Let the record so... let the transcript so reflect. Mr. Matijevich, for what purpose do you seek recognition?"

Matijevich: "Mr. Speaker, I hope Mrs. Keane wasn't up in the gallery when Andy McGann was bum-rapping Jim Keane's Bill."

Speaker Greiman: "Mr. Preston. Mr. Preston."

Preston: "Thank you, Mr. Speaker. Over the last eight years, all

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of my bad votes, when they were taken, I was off the floor and my switch was inadvertently pushed by probably John Dunn. So, I'd like the record to reflect that."

Speaker Greiman: "Were there any Floor Amendments, Mr. Clerk?"

Clerk O'Brien: "No Floor Amendments."

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

Clerk O'Brien: "Senate Bill 910, a Bill for an Act to standardize the definition of criminal history record information. Third Reading of the Bill."

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

McCracken: "Thank you, Mr. Speaker. Senate Bill 910 makes the definition of criminal history record information in the Criminal Justice Information Act and the Freedom of Information Act identical. There is no intent to change the meaning of the definition, but the two definitions are not exactly the same, and this Bill would make them exactly the same. I move its passage."

Speaker Greiman: "The Gentleman moves for the passage of Senate Bill 910. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Gentleman from Will, Mr. Wennlund, one minute to explain your vote. Have all... Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'aye', 3 voting 'nay', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1129. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1129, a Bill for an Act to amend Sections of an Act to require prompt payments by the State of Illinois for goods and services. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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

Clerk O'Brien: "Senate Bill 1129, a Bill for an Act to amend an Act to require prompt payments by the State of Illinois. Third Reading of the Bill."

Speaker Greiman: "Mr. Clerk, would you change the... Mr. White."

White: "Mr. Speaker and Ladies and Gentlemen of the House, this is a simple Bill. Whenever a bill that's submitted by the Illinois Hospital Association to the Illinois Public Aid Office for payment, sometimes it takes as long as six months for the hospitals to receive their funds. This Bill would limit the time to a maximum of 55 days in which the Illinois Public Aid Department must pay their bill to the Illinois Hospital Association hospitals."

Speaker Greiman: "Gentleman moves for the passage of Senate Bill 1129. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All in favor vote 'aye', those opposed 'no'. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112... 114 people voting 'aye', none voting 'no', none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1249. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1249, a Bill for an Act to amend the Private Business and Vocational School Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Alright, this is out of the record. This has

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been extended, is that right, Mr. Mautino? Alright."

Mautino: "Till November 6th, yes."

Speaker Greiman: "Yes, out of the record, alright. On this Order appears Senate Bill 1407. Mr. Clerk, read the Bill. Wait a min... excuse me. Mr. McNamara? Is Mr. McNamara in the chamber? Alright, Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1407, a Bill for an Act to amend the Unified Code of Corrections and the Cannabis Control Act. Third Reading of the Bill."

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

McNamara: "Leave to return that Bill to Second Reading for purpose of an Amendment."

Speaker Greiman: "Gentleman asks leave to return this Bill to the order of Second Reading for the purpose of an Amendment. Has leave. Mr. Clerk, are there Amendments? No further Amendments? And no Motions, is that correct?"

McNamara: "Mr. Speaker, 1, 2, 4 and 5... 1, 3, 4 and 5 have been previously adopted. And there is... 1, 2, 4 and 5 have been previously adopted and there's Amendment #6, which we have a copy of over here at the file."

Clerk O'Brien: "Amendment 6 was withdrawn."

McNamara: "Amendment #6... then we'll address the Amendment #6. Having voted on the prevailing side of Amendment #6, I ask that reconsider the vote by which it was withdrawn."

Speaker Greiman: "Yes, would you bring a copy up to the Clerk, please, of Amendment 6? Alright, the prior Motion is probably leave to reinstate the withdrawn Motion, and the Gentleman has leave. Mr. Clerk, on Amendment #..."

Clerk O'Brien: "Floor Amendment #6, offered by Representative McNamara."

Speaker Greiman: "Gentleman from Cook, Mr. McNamara. Mr. McNamara."

McNamara: "Thank you, Mr. Speaker. I understand from the staff

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here that... Is Amendment 3 on the Bill?"

Clerk O'Brien: "Amendment #3 was withdrawn."

McNamara: "Then I withdraw Amendment #6 and return it to Third to... for immediately being heard."

Speaker Greiman: "Alright. Amendment 6 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 1407, a Bill for an Act to amend the Unified Code of Corrections and the Cannabis Control Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. McNamara."

McNamara: "Thank you, Mr. Speaker. This is a Bill that we worked out and... which it gives a new problem in the... or a new offense in the law which is on trafficking of substance which is a greater offense than it was... and there was no offense before. You understand... I understand that there is no opposition to this Bill, and I urge its approval."

Speaker Greiman: "Gentleman moves for the passage of Senate Bill 1407. Does anyone stand in opposition? Gentleman from Cook, Mr. Young."

Young: "A question of the Sponsor."

Speaker Greiman: "Indicates he'll yield."

Young: "Is cannabis in this Bill?"

McNamara: "Yes, this is a Bill on controlled substance of cannabis and it's a trafficking offense. That trafficking offense is one that would make a new offense for carrying it across the state line."

Young: "What amounts does the offender have to have in his possession for it to be trafficking?"

McNamara: "I believe it's over 500... 15 grams of heroin is current delivery of less than 15 grams of heroin. I

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believe it's over 500 grams of cannabis. Okay. One of the Amendments has deleted cannabis out of the Bill. Amendment #5."

Young: "Inquiry of the Clerk. Is Amendment..."

McNamara: "I'm getting my signals straight."

Young: "Is Amendment #5 on the Bill, Mr. Clerk?"

Speaker Greiman: "Mr..."

McNamara: "Amendment #5, I understand, is on the Bill."

Speaker Greiman: "1, 2, 4 and 5 are on the Bill, Mr. Young and Mr. McNamara and anybody else."

Young: "Thank you."

Speaker Greiman: "Something is heavy over my head."

McNamara: "We're alright."

Speaker Greiman: "Now, Mr. McNamara, proceed, and Mr. Young. Have you finished questioning, Mr. Young?"

Young: "Yes, I have."

Speaker Greiman: "Alright. The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Mr. Leverenz, to explain his vote."

Leverenz: "If this Bill doesn't pass, somebody will do a two and half gainer out of the balcony."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received a Constitutional Amendment (sic - Majority), is hereby declared passed. On the Order of Senate Bills appears Senate Bill 1138. Mr. Clerk, read the Bill."

Clerk Leone: "On page seven of the Calendar, Senate Bill 1138, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik."

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Wojcik: "Yes, Mr. Speaker and Members of the House. Senate Bill 1138 amends the Public Aid Code, provides that appeals by recipients or applicants of the General Assistance Program in Cook County, outside of Chicago, shall be taken to a public aid committee. Oh, Mr. Speaker, I regret that I'm reading this. In conversation with the other side of the aisle, I feel that it would be appropriate to place this Bill in Interim Study until we can satisfy our thoughts."

Speaker Greiman: "Then do so. Why not do so then?"

Wojcik: "Thank you."

Speaker Greiman: "Thank you very much. Alright, on this Order appears Senate Bill 1410. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1410, a Bill for an Act to amend an Act to amend the Bill of Rights for Victims and Witnesses of Violent Crime Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Daley."

Daley: "Thank you, Mr. Speaker. Senate Bill 1410 would amend the Bill of Rights of Victims and Witness. It would provide that the court must inform a victim at the sentencing hearing of the minimum amount of time during which the defendant may actually be imprisoned. I'd ask for a favorable vote."

Speaker Greiman: "Gentleman moves for the passage of Senate Bill 1410. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All in favor say 'aye'... vote 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this question there are 109 voting 'aye', 2 voting 'no', 3 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1506. Mr. Clerk, read the Bill."

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Clerk Leone: "Senate Bill 1506, on page 12 of the Calendar, Senate Bill 1506, a Bill for an Act to provide for public hearings in relationship to changes in community-based services. Third Reading of the Bill."

Speaker Greiman: "The Lady from Cook, Ms. Flowers, on 1506. Proceed."

Flowers: "Mr. Speaker, I would like to bring Senate Bill 1506 back to Second Reading for the purpose of an Amendment."

Speaker Greiman: "The Lady asks leave to return this Bill to the Order of Second Reading for purposes of an Amendment. Lady is given leave. Mr. McCracken."

McCracken: "If she adopts an Amendment, I going to object to its being heard tonight. I'm just, you know, fair warning. It's been called once."

Speaker Greiman: "It may be one that you like. The Lady is within her right. Lady asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Mr. Clerk."

Clerk Leone: "Floor Amendment #4, offered by Representative Flowers."

Speaker Greiman: "Yes, Ms. Flowers."

Flowers: "I'll leave it on Third."

Speaker Greiman: "Lady withdraws the Amendment. Further Amendments?"

Clerk Leone: "No further Amendments."

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

Clerk Leone: "Senate Bill 1506, a Bill for an Act to provide for public hearings in relation to changes in community-based services. Third Reading of the Bill."

Speaker Greiman: "Lady from Cook, Ms. Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill is called the Community-Based Service Hearing Act. It

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merely requires that if a new organization move into the community, that it will notify the community either by way of newspaper or either posting the notices within the most public places in the community. And I would move for the passage of Senate Bill 1506."

Speaker Greiman: "Does anyone stand in opposition to this Bill? Gentleman from Cook, Mr. Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I reluctantly rise in opposition to this because I know the Lady has a particular problem in her own area, and I respect that. But, unfortunately, the Bill, as is drawn, goes way too far. It is opposed by the United Way. It is opposed by the Association for Rehabilitation of Facilities. It is opposed by just about every private social service organization in the State of Illinois, religious and nonreligious in nature. Unfortunately, it just goes way too far, and so I must oppose the Bill."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. Gentleman from Warren, Mr. Hultgren, to explain his vote. Mr. Hultgren, to explain his vote. Mr. Black, to explain his vote."

Black: "Thank you very much, Mr. Speaker. I thought the Sponsor intended to put an Amendment on this that would have made it apply only to the City of Chicago and environs. And without that Amendment, I reluctantly am not able to support her Bill."

Speaker Greiman: "Ms. Williamson, to explain her vote. Mr. Weaver, to explain his vote."

Weaver: "Thank you, Mr. Speaker. I talked with the Sponsor of this Bill after the first time it was called. The Bill has not changed. It still would restrict groups that provide public service like the Red Cross and like emergency

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service agencies. I really don't think we can live with it in its present form."

Speaker Greiman: "Gentleman from Macoupin, Mr. Hannig, to explain his vote."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. The Sponsor had an Amendment that I believe would have at least tried to address the problem. Unfortunately, at this late hour with the deadline approaching at midnight, she was advised that her Amendment would be objected to and she wouldn't have a chance to then call the Bill on Third Reading. The Bill already has two Amendments on it. I think we can take the Lady at her word that she'll try to work it out in Conference Committee. She's making a good faith effort to try to address a problem in her district. And I think we ought to give her the courtesy of continuing with the process. And I'd ask for a 'yes' vote."

Speaker Greiman: "Ms. Flowers, to explain her vote."

Flowers: "Mr. Chairman, Ladies and Gentlemen of the General Assembly, again, I did try to address the issues in which I spoke to you about. I spoke with United Way. United Way is no longer in opposition to this Bill. This Bill... I have a problem in my community, as so many of you have had problems in your community. I am trying to address the problem in my community. There is technically no teeth to this Bill. This Bill is merely asking, if you want to come into the community, that you advertise. How would I know that there's a United Way in my community who would want to help my community? Also, today it can be United Way; tomorrow they can be pushing drugs. I feel like my community has a right to know. I would appreciate more 'yes' votes. Thank you."

Speaker Greiman: "Mr. Matijevich, to explain your vote."

Matijevich: "Speaker, I know this is out of the rules. But if

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she could nod her head, I think most of us are opposed because of the... what we think is the opposition of the United Way and others. But I surely would, if Representative Flowers would make the commitment that she... there are two Amendments on it - that she would not, through the Senate Sponsor, not allow this Bill to be passed, not concur in the Senate and get it back in Conference to work something out, I'm going to change my vote and allow her to do that. Does she make that commitment to us? Where is Mary?"

Speaker Greiman: "Gentleman from Cook..."

Matijevich: "She's nodding her head yes. I change to 'aye'."

Speaker Greiman: "... Mr. Shaw, one minute to explain your vote."

Shaw: "Yes, thank you, Mr. Speaker. And I talked to many of the Members here and I know that Representative Flowers did file... draw up the Amendment, have the Amendment drawn up to deal with the problem. I talked to United Way and the problem that we are having is... in our community, is one of the things is you go to sleep at night and you have a abandoned building next door to you and you wake up the next morning and you have a house full of inmates over there that's just been let out of Statesville. We do need an 'aye' vote on this Bill, and we will work it out in the Senate... in the Conference Committee, and you can be assured of that. It's just to address a problem that's confronting us in the neighborhood that we live in."

Speaker Greiman: "Mr. Leverenz, one minute to explain your vote."

Leverenz: "I would ask you to give her the requisite number of votes. She has given her word. You will have an opportunity to kill it later if she doesn't keep her word. Thank you."

Speaker Greiman: "Mr. Cullerton, to explain his vote. On this question there are 63 voting 'aye', 52 voting 'no' and none

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voting 'present'. Mr. McCracken?"

McCracken: "Verification, Mr. Speaker."

Speaker Greiman: "I'm sorry, Mr. Cullerton."

Cullerton: "I just wanted to explain my vote. I was just going to point out that if former Representative Vinson was still here, that we would cut a deal on this Bill and we'd be done with it, and it would be over there and it would be in a Conference Committee."

Speaker Greiman: "No one is indispensable. Mr. McCracken, do you wish to verify this Bill? Alright. Mr. Clerk. Mr. Hicks. Excuse me. Mr. Hicks, I'm sorry. Mr. Hicks asks leave... Mr. Hicks asks leave to be verified. Yes, you have leave to be verified. Mr. Clerk, verify the Affirmative Roll."

Clerk Leone: "Poll of the affirmative. Berrios. Braun. Breslin. Brunsvold. Bugielski. Capparelli. Christensen. Cullerton. Currie. Daley. Davis. DeLeo. Deuchler. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Greiman. Hannig. Hartke. Hicks. Huff. Jones. Keane. Kirkland. Krska. Kulas. Laurino. LeFlore. Leverenz. Martinez. Matijevich. Mautino. McGann. McNamara. McPike. Morrow. Mulcahey. O'Connell. Panayotovitch. Phelps. Preston. Rea. Regan. Rice. Richmond. Ronan. Saltsman. Shaw. Steczo. Sutker. Terzich. Turner. Van Duyne. White. Williams. Wolf. Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker Greiman: "Questions of the Affirmative Roll, Mr. McCracken. Mr. Keane asks leave to be verified. Mr. Keane have leave to be verified?"

McCracken: "Yes."

Speaker Greiman: "Yes, alright. Proceed."

McCracken: "Representative Panayotovich."

Speaker Greiman: "Mr. Panayotovich. Mr. Panayotovich, is he in the chamber? Is the Gentleman in the chamber? How is the

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Gentleman recorded?"

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

Speaker Greiman: "Remove him. Further?"

McCracken: "Representative Van Duyne."

Speaker Greiman: "Mr. Van Duyne. Mr. Van Duyne. Mr. Van Duyne
in the chamber? How is he recorded?"

Clerk Leone: "As voting 'aye'."

Speaker Greiman: "Remove him. Mr. Dunn, for what purpose do you
seek recognition?"

Dunn: "Just to observe that this verification is dilatory and
should be brought to an end as soon as poss... Nobody goes
home at 10:30 at night on deadline day, and they know that.
It's... this is a dilatory procedure. They should withdraw
their..."

Speaker Greiman: "Mr.... Yes."

Dunn: "... verification and go on with the business of this
House."

Speaker Greiman: "Mr. McCracken."

McCracken: "Representative Huff."

Speaker Greiman: "Mr. Huff. Mr. Huff in the chamber? How is the
Gentleman recorded?"

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

Speaker Greiman: "Remove Mr. Huff. Mr. Regan, for what purpose
do you seek recognition? Mr. Regan goes from 'aye' to
'no'. Mr. McCracken."

McCracken: "Representative... Oh, I see him there.
Representative DeLeo."

Speaker Greiman: "Mr. DeLeo. Mr. DeLeo in the chamber? Mr.
DeLeo. How is Mr. DeLeo recorded?"

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

Speaker Greiman: "Remove Mr. DeLeo."

McCracken: "Representative..."

Speaker Greiman: "Ms. Stern. Ms. Stern votes 'aye'."

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McCracken: "Representative Terzich."

Speaker Greiman: "Mr. Terzich. Mr. Terzich in the chamber? How is Mr. Terzich recorded?"

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

Speaker Greiman: "Remove Mr. Terzich."

McCracken: "Representative Mulcahey."

Speaker Greiman: "Excuse me. Ms. Davis asks leave to be verified. She has leave. And Mr. Steczo."

McCracken: "Representative Mulcahey."

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

Homer: "How am I recorded, Mr. Speaker?"

Speaker Greiman: "You're recorded as voting 'no'."

Homer: "Please vote me 'aye'."

Speaker Greiman: "Change Mr. Homer to 'aye'. Ms. Satterthwaite. Ms. Satterthwaite votes 'aye'. Questions?"

McCracken: "Yes. Representative Deuchler."

Speaker Greiman: "Ms. Deuchler. Ms. Deuchler is here with Ms. Frederick".

McCracken: "Representative Currie."

Speaker Greiman: "Ms. Currie is at Mr. Morrow's desk."

McCracken: "I already asked for Representative Mulcahey. He hasn't been removed. Representative Mulcahey."

Speaker Greiman: "Mr. Mulcahey. Mr. Mulcahey in the chamber? Mr. Mulcahey. Mr. Mulcahey. How is Mr. Mulcahey recorded?"

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

Speaker Greiman: "Remove Mr. Mulcahey."

McCracken: "Representative McNamara."

Speaker Greiman: "Mr. McNamara. Mr. McNamara is at the door."

McCracken: "Representative Laurino."

Speaker Greiman: "Mr. Laurino. Mr. Laurino. Somebody is in his chair. Mr. Laurino. How is Mr. Laurino recorded?"

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

Speaker Greiman: "Remove Mr. Laurino."

McCracken: "Representative Flinn."

Speaker Greiman: "Mr... I'm sorry, who was that?"

McCracken: "Representative Flinn."

Speaker Greiman: "Mr. Flinn. Flinn is in his chair."

McCracken: "Representative..."

Speaker Greiman: "Mr. Novak. Mr. Novak votes from 'no' to 'aye'.
Proceed, Sir."

McCracken: "Representative Farley."

Speaker Greiman: "Mr. Farley is in his chair, as always."

McCracken: "Representative Hicks. Oh, I'm sorry. He was
verified."

Speaker Greiman: "No, he was verified."

McCracken: "Nothing further."

Speaker Greiman: "Nothing further? Mr. DeJaegher. Mr. DeJaegher
votes... goes from 'no' to 'aye'. On this question there
are 60 voting 'aye', 48 voting 'no' and none voting
'present'. This Bill, having received a Constitutional
Majority, is hereby declared passed. On this Order appears
Senate Bill 1159. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1159, a Bill for an Act relating to
polygraph examinations. Third Reading of the Bill."

Speaker Greiman: "Lady from Cook, Ms. Barnes."

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. Senate Bill 1159 was suggested by the Illinois
Coalition Against Sexual Assault. One of the proponents is
the Cook County State's Attorney. It prohibits a law
enforcement officer, state's attorney or other official
from requiring the alleged victim of certain sex offenses
to take a lie detector test as a prerequisite to pursuing
the investigation or prosecution. It had come to the
attention that some law enforcement officers refused to

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proceed with the case because the alleged victim was too frightened and considered it a traumatic experience to have a lie detector test. I would ask for an 'aye' vote."

Speaker Greiman: "Lady from Cook moves for the passage of Senate Bill 1159. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 100... Mr. Mautino votes 'aye'. Mr. Granberg votes 'aye'. Mr. Shaw votes 'no'. Mr. Kirkland votes 'aye'. Ms. Jones votes 'aye'. You're voting 'aye', Ms. Jones. Vote 'no'. Ms. Jones votes 'no'. On this question there are 101 voting 'aye', 12 voting 'no', 1 voting 'present'. This Bill, having received... Mr. Shaw votes 'aye' now. 101 vot... 102 voting 'aye', 11 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Dunn, for what purpose did you seek recognition?"

Dunn: "I had my light on to seek a verification. But, that's alright. You've declared it passed."

Speaker Greiman: "On this Order appears Senate Bill 1513. Mr. Clerk, read the Bill."

Clerk Leone: "On page nine of the Calendar, Senate Bill 1513, a Bill for an Act to amend the Trust and Trustees Act. Third Reading of the Bill."

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

Capparelli: "Thank you, Mr. Speaker. Senate Bill 1513, as amended, requires a trustee to furnish a final account to beneficiaries upon termination of a trust and it also provides a statute of limitations for trustees. The Bill provides a five year period of limitations in which to file

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an action against a trustee unless there was fraud. We believe that there should be a period of time in which a trustee has a right to put to rest all the terminated files. We had, last week, the CPAs with a two year limitations. The Illinois Bar Association supports this, the corporate fiduciaries, and I ask for a favorable Roll Call."

Speaker Greiman: "Gentleman moves for the passage of Senate Bill 1513. And on that, the Gentleman from Macon... Does anyone stand in opposition? The Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This legislation is a fundamental change, a very basic change in a complicated area of law involving trusts, trust beneficiaries, those who prepare accounts and reports involving trusts or prepare those reports for beneficiaries and when they prepare them and when they don't have to prepare them. At the time this Bill was... was presented in Committee, a question was raised about what the major bar associations in this state have to think or say about this legislation and the position of the two largest bar associations in this state was unknown at that time. The lobbyists who are presenting this legislation, and the Sponsor, both generously agreed to hold the Bill on the floor of the House to see if something could be worked out by the various... by both bar associations here in the State of Illinois. And what I am to report now is that, unfortunately, we're seeing this Bill called prior to the time that the major lawyer associations in this state, who have the closest connection on a day-to-day basis with the operation of trusts and are charged with the responsibility of looking out for those to whom the trust owed duty to make payments - those groups are unsure about their position. They haven't had time to formulate a position.

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They are not in favor of the legislation at the present time, and this Bill should be held for work in the summer. There is a problem here. There is no statute of limitation with regard to trusts, so, obviously, something needs to be done. I'm for doing something. I think everyone involved is for doing something. But the concern right now is that those who see these things in action day-to... on a day-to-day basis are not sure about the implications of the technical language before us, and this Bill should be held at this time. So, I would just ask that we, with all due deference to the Sponsor, who did hold the Bill on Second, to try to work something out, something has not yet been worked out, but it can be worked out. Let's just defeat this Bill at the present time. We can put it in Interim Study, work on it this summer, come back in the fall with language that everybody feels comfortable with to protect the little children, the widows, the orphans or the beneficiaries of these trusts. So, I would urge the temporary defeat of this legislation tonight."

Speaker Greiman: "Question is, 'Shall this Bill pass?' Those in favor vote 'aye', those opposed vote 'no'. Mr. Countryman, to explain your vote."

Countryman: "Thank you, Mr. Speaker. I agree with the Chairman of the Judiciary Committee in a lot of ways. The question of statute of limitations is one the Judiciary Committee should deal with as a whole and not for specific entities. However, I do serve as a private trustee, I represent a number of trustees. And, for that reason, to avoid any conflict of interest in my disclosure here today, I'm going to vote 'present'."

Speaker Greiman: "Gentleman from Cook, Mr. Preston."

Preston: "Mr. Speaker, I guess I'm rising on a point of order. I think it is a bad procedure, when Bills are debated, to

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follow a practice of only calling on one person to be in opposition to it. There're some Bills that are significant that may require more debate even though it is of a late hour than simple one statement."

Speaker Greiman: "Gentleman from Cook, Mr. Levin, to explain your vote."

Levin: "In explaining my 'aye' vote, we were sent down here to vote, to make the decisions, not to defer to the bar associations, who ought to follow our schedule and we shouldn't follow theirs."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 1... there are 94 voting 'aye', 14 voting 'no', 7 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1159. No, appears Senate Bill 1270. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1270..."

Speaker Greiman: "Out of the record. On this Order appears Senate Bill 1025. Mr. Clerk, read the Bill. On this Order, therefore, appears Senate Bill 1355. Mr. Clerk, read the Bill. Back by popular request."

Clerk Leone: "Senate Bill 1355, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill."

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

Giorgi: "Mr. Speaker, this Bill requires a sentence of at least five years probation for a minor convicted of a Class X Felony. It passed the Senate unanimously in Committee and in the Senate proper. I urge the support of this Bill."

Speaker Greiman: "Gentleman from Winnebago moves for the passage of Senate Bill 1355. Does anyone stand in opposition to that Bill? There being no one, the question is, 'Shall this Bill pass?' All those in favor signify by voting

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'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 107 voting 'aye', 4 voting 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1365. Mr. Clerk, read the Bill."

Clerk Leone: "On page four of the Calendar, Senate Bill 1365, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

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

O'Connell: "Thank you, Mr. Speaker. This deletes the offense of unlawful possession of firearms from the fact that a person has been convicted of a felony and has in his possession a firearm or firearm ammunition. What the Bill actually does is that if you are apprehended and charged with... and in the possession of a firearm in the conviction of a... and you are perpetrating a felony, it deletes the lesser included offense of unlawful possession of a firearm, which is a misdemeanor, and you are then compelled to be charged solely with a felony. So, basically, it deletes the lesser included offense of a possession of a firearm and eliminates the discretion of the prosecutor to charge you with a misdemeanor as opposed to the higher offense of a felony. I ask for your favorable vote."

Speaker Greiman: "Gentleman moves for the passage of Senate Bill 1365. Does anyone stand in opposition? Gentleman from Cook, Mr. Young."

Young: "Thank you, Mr. Speaker. I rise in opposition to this Bill. All the former state's attorneys in this Body knows how well the state's attorneys use their discretion, and we shouldn't take it away from them."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those

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in favor signify by voting 'aye', those opposed vote 'no'.
Mr. Countryman, to explain your vote."

Countryman: "Well, I want to congratulate the Sponsor. It's the first time we've eliminated a crime all year. But in doing so, we've taken away the options to charge a misdemeanor to a felony, and I'm not so certain it's a good vote. So I'm going to vote 'present'."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 77 voting 'aye', 24 voting 'no', 7 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1370. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1370, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

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

O'Connell: "Thank you, Mr. Speaker. This eliminates the defense of voluntary intoxication necessary to absolve a criminal defendant of liability in a specific intent crime. Presently, a case law would reflect that intox... voluntary intoxication is not a defense to a specific intent crime. This is codifying that, and I ask for a favorable vote."

Speaker Greiman: "Gentleman moves for the passage of Senate Bill 1370. Does anyone stand in opposition? Excuse me, Mr. Black, for what purpose do you seek recognition?"

Black: "Thank you very much, Mr. Speaker. Just to point out to you, and I have had my light on, on 1365, for some reason, my 'yes' vote didn't record on the board."

Speaker Greiman: "Alright. The record will so reflect. Does anyone stand in opposition to Senate Bill 1370? There being no one, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote

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'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 96 'ayes', 16 'nos', 1 'present'. Mr. Williams votes 'no'. 96 'aye', 17 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1397. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1397, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Greiman: "Lady from Cook, Ms. Flowers."

Flowers: "Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1397, this Bill expands the offense of threatening a public official by redefining the manner in which the offense may be committed. Under this Bill, an offense is committed if a person conveys not only a telephone or written threat, but also a verbal, in person threat to take the life or... of another. And I move for the passage of Senate Bill 1397."

Speaker Greiman: "The Lady from Cook moves for the passage of Senate Bill 1397. Who stands in opposition? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, I thought that Representative Flowers was going to amend the Bill to include assistant attorney generals and public defenders, and I don't see any Amendments on the Bill. And I don't think it's going to a Conference Committee without any Amendments on it. You can write a letter to the Governor."

Flowers: "Representative Cullerton, you know that I called the staff person and asked the staff person to put the Amendment together. Thus far, I didn't ask you... earlier today, that I have not received the Amendment. So, what am I to do?"

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Cullerton: "Maybe you can write a letter to the Governor. Maybe he can amendatorily veto it."

Speaker Greiman: "Mr. Johnson."

Johnson: "You know, I'm tired and everybody else is tired too. And the easiest thing to do is just to sit back and let another Bill pass. In fact, these should all... should be in the Consent Calendar, since none of them have been defeated yet. This is, with all due respect to Representative Flowers, my good friend, this is a terrible Bill. I want you to see, read this Bill and see the ramifications of what we're going to do here. Any person who knowingly delivers... first, to begin with, it's an awful concept to begin with. But the idea was if you got a written threat to the Governor in the mail, threatening to kill him, that there ought to be some criminal sanctions. But look and see, if we pass this Bill, what this law is going to then provide. First of all, it's a Class 4 felony. We've already got way too many people in the penitentiaries and grossly inflated budget for corrections. But, aside from that, it not only includes a public official, which includes not only the Governor, Lieutenant Governor, Attorney General, Secretary of State, State Comptroller, Members of the General Assembly, State Treasurer, Associate Judge, Circuit Judge, Appellate Judge, Supreme Court Judge, State's Attorney, assistant state's attorney, clerk of the court, mayor, village president, alderman, city council member, village trustee, city commissioner, etcetera, or any member of their family. So, in order to commit a Class 2... or Class 4 felony and allow you to go to the penitentiary, what you can do is any one of a number of things. You go up, in a bar, to a village commissioner, and say, 'I'm going to beat the hell out of you', and that's a Class 4 felony. You go up to the child in school

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of the local city council member and say, 'I'm threatening you here in person because I'm made at you and I'm mad at your father or mother for the job that they're doing in office', that's a Class 4 felony. Now, I realize that we need some protections. I'm not sure what they are. But we sure don't need to create a Class 4 felony for an in person confrontation with any one of a laundry list of public officials or the members of their family. I just simply don't understand; (a), the idea of creating a new crime; (b), the idea of setting ourselves and other public officials apart; and (c), the idea of absolutely opening this up to the place where, in nearly any situation, somebody could wind up going to the penitentiary. I know Representative Flowers is well intended in this legislation. But it's not well drafted. It's incredibly broad. And if this were enforced to the letter of the law, we could probably put five or ten thousand new people a year in the Illinois penitentiaries, at least. And I really respectfully request, the late hour notwithstanding, and the fine Sponsor notwithstanding, that this is a horrible Bill and it ought to be defeated."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. The Gentleman from St. Clair, Mr. Stephens, to explain his vote."

Stephens: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. With all due respect to Representative Johnson, Mary, I've said that I was looking for a Bill that I could help you with. I'm going to add my... I was hoping I could be the 60th vote for you. But, I... evidently won't be, so..."

Speaker Greiman: "Now, there are six people who are asking to explain their vote. Do they really want to? You have a

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right, under our rules. Do you want to really explain your vote, Ladies and Gentlemen? I guess you do. Ms. Braun, explain your vote."

Braun: "I'll be brief."

Speaker Greiman: "You only have one minute."

Braun: "The point is... the point is that if you write a letter to the Governor saying you're going to kill him, that's a Class 4 felony already. That's in the law. If you stand in front of him and tell him you're going to do that, it's not. Now, that doesn't make a whole lot of sense. So, Representative (sic - Senator) Alexander filed this Bill because she was concerned that in person threats ought to be treated the same way as written threats. That's all this Bill does. It really deserves a green vote."

Speaker Greiman: "Mr. Petka, one minute to explain your vote."

Petka: "Thank you, Mr. Speaker, Members of the House. Representative Braun has stole my thunder. The fact of the matter is that this terrible Bill, that was referred to by another Representative is the law in the State of Illinois, right now and merely adds two provisions. It extends the threats to assistant state's attorneys and also that it extends it to in person threats. And I believe that should be passed."

Speaker Greiman: "Gentleman from Kankakee, Mr. Novak. One minute to explain your vote."

Novak: "Thank you, Mr. Speaker. With all due respect to the Sponsor, you know, I was thinking, I just had a thought. Maybe if this law did pass, the way I was treated last Friday, maybe all the Republicans on the other side of the aisle would be guilty of a Class 4 felony."

Speaker Greiman: "Mr. Petka. Mr. Petka, did you just now wish to vote? Mr. McCracken, one minute to explain your vote."

McCracken: "Well, I think this is a good Bill. If Representative

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Cullerton can make influencing a teenager's choice of colleges a crime, I think threatening a public official in person should be a crime and certainly should be as great a crime as a threat that is not made in person. There's nothing wrong with this Bill. I respectfully disagree with Representative Johnson. It does not do violence to our system of justice. It is a very good Bill, Mary. I wish you had more votes."

Speaker Greiman: "The Lady from Cook, Ms. Flowers, one minute to explain your vote."

Flowers: "First of all, this Bill is already law, and it's just expanding it. There is a Senator sitting across the aisle from us on the other side of the hall now that's walking around with a 24 hour bodyguard, and I guess maybe it's a joke to him, or what do we need the bodyguard for? I don't know. I'll let you answer that. Also, also here in... there's an article that I have, it's called Danger in the Courts. I'm sure some of you are aware of the horror stories that we've heard on the news about people being assassinated or being shot or killed in courts by people who has been disgruntled about the attitude that they may have been given. We are vulnerable to what is going on out here in society just like everybody else is. Senator Alexander had a bad experience in her office where she was threatened by way of telephone. And this is her way of answering those charges. So, again, I would just like to urge for..."

Speaker Greiman: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 38 'ayes'... 39 'ayes', 75 'nos', 1 voting 'present', and the Bill fails. On this Order appears Senate Bill 1412. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1412, a Bill for an Act to amend the Uniform Code of Corrections... Unified Code of Corrections."

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Third Reading of the Bill."

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

O'Connell: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This addresses the various penalties for First Degree Murder. Presently, the minimum term for First Degree Murder is 20 years with a maximum of 40 years. This maintains the minimum but increases the maximum to 60 years. And for an extended term, it increases the amount to... from 50 to 100 years for an extended term. It is the range. I would ask for a favorable vote."

Speaker Greiman: "Gentleman has moved for the passage of Senate Bill 1412. Does anyone stand opposed? Mr. Cullerton."

Cullerton: "Just for the purposes of legislative intent. As I understand it, when a defendant is convicted of any felony and the court finds that the offense was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty, that's when this would apply. Is that correct?"

O'Connell: "A portion of it, as far as the extended term. It extends it to 60 years."

Cullerton: "That's when the murder..."

O'Connell: "That's the minimum."

Cullerton: "That's when the murderer is brutal?"

O'Connell: "That's correct."

Cullerton: "And could you tell us what a nonbrutal murder is, please?"

Speaker Greiman: "Question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 94 'aye'... 93 'aye', 20 'no', 2 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. On

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this Order appears Senate Bill 1496. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1496, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Saline, Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This legislation redefines the crime of calculated criminal disposal of a hazardous waste. It changes from the knowingly disposes to knowing, taking out conscious disregard. And the Amendment became the Bill that we adopted yesterday. I ask for your favorable vote."

Speaker Greiman: "Gentleman moves for the passage of Senate Bill 1496. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. And this is final action. Have all voted who wish? Mr. McCracken, to explain his vote. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. 78 'aye', 35 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1497. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1497, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1497 amends the Environmental Protection Act. It would provide for the forfeiture of an amount equal to the profits and savings gained directly or indirectly as a result of a criminal violation of the Environmental Protection Act or EPA regulations. It also would provide for the forfeiture of any vehicles or conveyances that are used in committing the violations.

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This is a Bill aimed at getting after the midnight dumpers and other illegal people that are hurting the environment, and I would ask for a favorable Roll Call."

Speaker Greiman: "Gentleman moves for the passage of Senate Bill 1497. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 'ayes', none voting 'no', none voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. Gentleman from Cook, Mr. Bowman, for a Motion."

Bowman: "Thank you, Mr. Speaker. I now move to extend the deadline on Senate Bill 1470 till the end of the Veto Session. This is the pension amortization legislation."

Speaker Greiman: "Gentleman moves to extend the deadline with respect to this Bill until the end of the Veto Session. Is there any discussion? There being none... The Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. 1470 has had an opportunity to be heard a number of times. The requirements for notice have been waived on this Bill. The deadline has been extended on this Bill. Or, no, the deadline hasn't been extended; the hearing in Committee was extended, I believe. Or, no, it was discharged from Committee. So, notice was waived. It was discharged from Committee. And now the Sponsor wants to send it off six months hence. If it's not a good idea now, it's not going to be a good idea in six months. I suggest we oppose this and get out of here tonight."

Speaker Greiman: "Question is, 'Shall the Motion be... carry?' All those in favor signify by voting 'aye', those opposed

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vote 'no'. Voting is now open. 60 votes required. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 68.. 69... 68 voting 'aye', 44 voting 'no', 2 voting 'present'. This Motion carries. Yes, Chair recognizes the Gentleman from Cook, Mr. Turner. Mr. Turner."

Turner: "Thank you, Mr. Chairman, Ladies and Gentlemen of the Assembly. I'd like to have leave to take from the table Senate Bill 1091 and move to Interim Study."

Speaker Greiman: "Gentleman asks leave to take Senate Bill 1091 from the table and place it on the Interim Study Calendar of what Committee, Mr... of the Committee to which it has been assigned. There being no objection, using the Attendance Roll Call, the leave is granted. On this Order appears Senate Bill 1283. Mr. Clerk, read the Bill."

Clerk Leone: "Page seven of the Calendar, Senate Bill 1283, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Lake, Mr. Matijevich."

Matijevich: "Yes, Mr. Speaker, Senate Bill 1283 is the Bill to authorize the use of portable breathalyzer devices and was prepared by the Illinois Association of Chiefs of Police. It is a particular help for law enforcement officers in rural areas where officers may have to transport individuals 30 or more miles to an evidential test site only to find that the results are too low. The preliminary breath screening devices are utilized with success in several states, including Wisconsin and Michigan and the support of the Secretary of State and the Department of Public Health are for this Bill. And I would ask for your support."

Speaker Greiman: "Gentleman from Lake, Mr. Matijevich, moves for

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the passage of Senate Bill 1283. Does anyone stand in opposition to that Bill? The Gentleman from Cook, Mr. Young."

Young: "A question of the Sponsor."

Speaker Greiman: "Indicates he'll yield."

Young: "If the motorist passes the preliminary test, can the police officer still make him take the other test?"

Matijevich: "Yes. Yes, they could still... if there are other reasons why the arresting officer feels that there is evidence enough to arrest, they can. But in more cases than not, probably, if one passes the test, then the officer won't take them to the evidential site. So, it can be a protection for the person."

Young: "Are these preliminary tests admissible in court?"

Matijevich: "Yes, they are admissible. The defense can use these tests in court or in an administrative hearing."

Young: "Can the prosecution use them in court?"

Matijevich: "Yes."

Young: "Is there a probable cause requirement before the test can be administered?"

Matijevich: "Yes, probable cause is required and the officer just makes a request of the ... it is not a requirement. The officer makes a request of the person for the test. It doesn't... if the person says no, then the officer cannot take the test."

Speaker Greiman: "Question is, 'Shall this...' Had you finished, Mr. Young? Question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. Mr. Countryman, one minute to explain your vote."

Countryman: "Well, I may be the only one who stands in opposition to the Bill, but I'm concerned about these machines not being tested in the same manner that the other breathalyzer

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machines are tested. Inaccurate material that can... that's admissible in court, either way, is bad material. I don't think we've had an opportunity to see this. I respect the Sponsor and I'm willing to work with him to come out with a Bill some time in the future that will deal with these machines. But the way these tests are administered is crucial in coming out with an accurate result, and I think that this is premature and there's no need to do it..."

Speaker Greiman: "Gentleman from Cook, Mr. Williams, one minute to explain your vote."

Williams: "I also feel that the Sponsor is well-intentioned, but I'm not really sure that these machines are as accurate as they should be. This is a very serious situation when you're out and you're made to force these... I can understand that someone in rural areas, but the fact that even though you may turn down... even though you may be proven negative, you could be forced to take a second test. Why give them the first? I understand they're trying to cut it down. I would hope that this wouldn't apply to Cook anyway, but what can I say? It does. I understand that, but I think that we may be doing this a bit too fast."

Speaker Greiman: "Mr. Clerk, take the record. Question is,... On this question there are 83 'aye', 7 'no', 25 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed passed. On this Order appears Senate Bill 77. Mr. Clerk, read the Bill."

Clerk Leone: "On page four of the Calendar, Senate Bill 77, a Bill for an Act in relationship to towing and removal of nuisance vehicles. Third Reading of the Bill."

Speaker Greiman: "Mr. Cullerton asks leave of the House to have this Bill heard on the Order of Third Reading today, using the Attendance Roll Call. Mr. McCracken."

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Cullerton: "Mr. Speaker. Mr. Speaker, I want to bring the Bill back to Second Reading, remove all Amendments..."

Speaker Greiman: "Gentleman asks leave to return this Bill to the Order of Second Reading for the purpose of an Amendment. Mr. Cullerton has leave. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 77 is now on the Order of Second Reading."

Cullerton: "Right. So, Mr. Clerk, could you tell me how many..."

Speaker Greiman: "Are there any Amendments, Mr. Clerk?"

Cullerton: "What Amendments have been adopted?"

Clerk Leone: "Amendments 2, 4 and 5 are presently on the Bill. Amendments 1, 2, 4 and 5 are presently on the Bill."

Cullerton: "Well, Amendments #1, 4 and 5 are the Amendments that I have previously sponsored. I would move to table those. Representative McCracken sponsored Amendment #2, and I would move to table that Amendment as well."

Speaker Greiman: "Gentleman moves to table Amendments 1, 2, 4 and 5 to Senate Bill 77. Is there any discussion? There being none, all those in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendments are tabled. Further Amendments?"

Clerk Leone: "No further Amendments."

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

Clerk Leone: "Senate Bill 77, a Bill for an Act in relationship to the towing and removal of nuisance vehicles. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, now this Bill can pass without any fear of it ever becoming a vehicle, because there are no Amendments on the Bill. The Bill simply authorizes... adds townships to the list of municipalities and counties that can ... that would be empowered to empower the appropriate law enforcement

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agency to remove inoperable motor vehicles or its parts after issuance of notice to the owner. I would move for the adoption."

Speaker Greiman: "Question is, 'Shall this Bill pass?' Does anyone stand in opposition? Could anyone stand in opposition to this Bill? Question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. Final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Bill there are 108 voting 'aye', 4 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Motions, Mr. Giglio, you are recognized for a Motion."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have a Motion on file to take House Bill 1339 from the table and put it in Interim Study. I checked with the other side of the aisle and the Chairman of the Committee and everything seems to be in order."

Speaker Greiman: "Gentleman from Cook, Mr. Giglio, moves to take Senate Bill 1339 from the table and place it on..."

Giglio: "House. House."

Speaker Greiman: "I'm sorry, House Bill 1339 and place in on... from the table and place it on the Interim Study Calendar of the Committee to which it was assigned. Is there leave to use the Attendance Roll Call? Leave is hereby granted. Ladies and Gentlemen, let me on behalf, I think, of the Speaker, the real Speaker and the real Minority Leader, take the opportunity to thank all the Members, today particularly, for the cooperation and for the good work that we... I think we did. We kept our order. We kept our restraint. We kept our tempers pretty much, and we moved ahead. Mr. Goforth, did you want to add something to

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that?"

Goforth: "Thank you, Mr. Speaker, since we've got a little lull here, since neither Leadership on either side of the aisle would buy us supper, Representative Panayotovich and myself invite you all over, as soon as we close, to Sam's. There will be food and free drinks."

Speaker Greiman: "And on that happy note, on that happy note, the Chair recognizes the Gentleman from Madison, Majority Leader McPike, who is sitting with Mrs. McPike on the floor of the House. Mr. McPike."

McPike: "Thank you, Mr. Speaker. I move the House stands adjourned until tomorrow at the hour of 9:30 a.m."

Speaker Greiman: "Gentleman moves that the House stand adjourned until the hour of 9:30 tomorrow, leaving... allowing perfunctory time for the Clerk. All those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does stand adjourned till the hour of 9:30."

Clerk Leone: "House Joint Resolution Constitutional Amendment #13. House Joint Resolution Constitutional Amendment #13. Resolved by the House of Representatives of the 85th General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state, for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section 8 of Article IX of the Constitution to read as follows: Article IX. Revenue. Section 8, Tax Sales. Real property shall be sold for the nonpayment of taxes or special assessments without judicial proceedings. The right of redemption for all sales of real estate for the nonpayment of taxes or special assessments, except as provided in paragraphs 2 and 3 of this Subsection (b) shall

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exist in favor of the owners and persons interested in such real estate for not less than two years following such sales. The right of redemption from the sale for nonpayment of taxes or special assessments of a parcel of real estate which is vacant, nonfarm real estate or, (b), contains an improvement consisting of structure or structures each of which contains six or more residential units or, (c), is commercial or industrial property shall exist in favor of the owners or persons interested in such real estate for not less than one year following such sales. The right of redemption from the sale for nonpayment of taxes or special assessments of a parcel of real estate which is vacant, non-farm real estate or contains an improvement consisting of the structure or structures each of which contains six or more residential units or is commercial or industrial property or upon which all or part of the general taxes for each of the two or more years are delinquent shall exist in favor of the owners and persons interested in such real estate for not less than six months following such sales. Owners, occupants and parties interested shall be given reasonable notice of the sale and the date of expiration of the period of the redemption as the General Assembly provides by law. This Constitutional Amendment takes effect upon adoption by the electors of this state. First Reading of the Constitutional Amendment #13 as amended on Third Reading. A Message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of the following Bills, together with Amendments, and adoption of which I am instructed to ask concurrence of the House of Representatives, to wit; House Bills 42, 113, 124, 461, 1760, 1806, 1869, 1953, 1959,

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2070, 2104, 2151, 2206, 2227, 2243, 2256, 2269, 2353, 2425,
2514, 2740, 2758, 2785, 2810, 401, 513, 527, 705, 942, 981,
1034, 1068, 1167, 1295, 1434, 1590, 1701, 1736, 1781, 1859,
1955, 2190, 2222, 2193, 2327, 2332, 2350, 2359, 2377, 2591,
2630, 2636, passed the Senate as amended June 26th, 1987.
Linda Hawker, Secretary.' A further Message from the
Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am
directed to inform the House of Representatives that the
Senate has concurred with the House in the passage of the
following Bills, together with Amendments, and the adoption
of which I am instructed to ask concurrence of the House of
Representatives, to wit; House Bills 2766, 2791, 2795,
2806, 2807, 2808, 2821, 2825, 2826, 2827, 2834, 2838, 2842,
2843, 2849, 2853, 10, 47, 100, 126, 180, 192, 259 and 262,
308, 337, 2636, 1148, 16 and 1194, passed the Senate as
amended June 26th, 1987. Linda Hawker, Secretary.' No
further business, the House will now stand adjourned till
tomorrow, June 27th at the hour of 9:30 a.m."

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