

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

72nd Legislative Day

June 29, 1987

Speaker Greiman: "... Having arrived, the House will be in Session. Members will be at their seats. Those not entitled to the floor will withdraw. The Chaplain for today will be the Reverend Thomas G. Radtke, Pastor Trinity Evangelical Lutheran Church of Springfield. Reverend Radtke is the guest of Representative Michael Curran, and the guests... the guests in the gallery may wish to rise with us for the invocation. Reverend Radtke."

Reverend Radtke: "... Would have no authority at all unless You gave it to us. We are, as Scripture reminds us, servants of You for the good of the people we serve. As we are about this important work, which are our corporate responsibility, may we ever be reminded that our primary responsibility is service to You as Lord of all and to our fellow man. Therefore, cause us to place this principle above our own desire and opinion and above all loyalty to party or group. With this privilege and responsibility, let us not be puffed up with pride, but realizing all that we have comes as gifts from Your never ending grace. So, let us move forward and serve with all humility and readiness. As good government is a blessing from You for Your children, so let us be guided by Your Spirit with true faithfulness, high in purpose, never tiring in our duty that the citizens of Illinois will be governed peaceably. At the end of the day, may we have the approval of our conscience and the respect of others and Your commendation, 'Well done, Thou good and faithful servant.' This we ask for the sake of Jesus, who was among his fellow men as one who served. Amen."

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

Ropp - et al: "I pledge allegiance to the flag of the United

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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, do you have excused absences on the Democratic side?"

Matijevich: "None on this side."

Speaker Greiman: "And Mr. Piel on the Republican side."

Piel: "Yes, Mr. Speaker, would the record show that Representative Tuerk and Representative Myron Olson are excused today?"

Speaker Greiman: "Let the record so reflect. Mr. Clerk, take the record. 115 Members having answered the Call of the Quorum, a quorum is present. The Gentleman from DuPage, Mr. McCracken, for what purpose do you seek recognition?"

McCracken: "Thank you, Mr. Speaker. To request a Republican Conference immediately in Room 118?"

Speaker Greiman: "Mr. McCracken, what kind of time will you need?"

McCracken: "Forty-five minutes, I believe."

Speaker Greiman: "Alright. Then... excuse me. Alright, then the House will stand in recess for the purposes of a Republican Caucus in Room 118. The House will come back in Session at ten o'clock. We will be back in Session at ten o'clock. Democratic Members should be on the floor at that time and Republican Members will have returned from their Conference. The House stands in recess until the hour of ten o'clock, allowing time for the Clerk to read in perfunctory. Yes, Mr. Cullerton, for what purpose do you seek recognition?"

Cullerton: "Just a suggestion with regard to reading the agreed concurrences. Do the Republicans have to be present for that?"

Speaker Greiman: "They're Motions. They don't have to be read."

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They're just Motions"

Cullerton: "Thank you."

Clerk O'Brien: "A Message from the Senate, by Ms. Hawker, Secretary. *Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their Amendments of the following Bills, to wit; Senate Bills #48, 49, 126, 236, 355, 378... that was 236, 377, 378, 553, 929, 961, 47, 225, 1263, 288, 315, 317, 319, 322, 327, 332, 337, 338, 580, 783, 784, 326, 785, 836, 839, 1416, 1376, 1025, 942, 943, 1400 and 782, action taken by the Senate June 28th, 1987. Linda Hawker, Secretary.*"

Speaker Greiman: "... Will be in Session. On page eight of the Calendar on the Order of Nonconcurrency... Alright, Ladies and Gentlemen, on page eight of the Calendar, on the Order of Nonconcurrency, on the Order of Nonconcurrency, those Bills are Bills that have been... that have House Amendments that have gone to the Senate and the Senate has refused to concur with the House Amendments. So that, if you have... wish to place a Bill into a Conference Committee, it will be on this Order that you will have to direct your attention. You may also wish, on the other hand, to recede from Amendments that are House Amendments, and that is the Order that we will now pursue. The Chair intends to take only those Bills that the Sponsor intends to not recede, in other words to nonconcur in the Senate action. And so that if you... the Motion would be that the House refuses to recede and that a Conference Committee be appointed. We will not take Motions which will now recede from Senate... House Amendments. So, on this Order appears Senate Bill 12. Mr. Flinn, did you wish to... Mr. Flinn."

Flinn: "I plan to recede, so I'm not qualified for your call."

Speaker Greiman: "Alright. Thank you. Alright. Senate Bill 80,

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Mr. Steczo. Out of the record. Senate Bill 123, Mr. Homer. Out of the record. Senate Bill 124, Mr. Homer. Senate Bill 147. Mr. Daley, what is your pleasure on this?"

Daley: "Out of the record."

Speaker Greiman: "Out of the record. Senate Bill 161, out of the record. Senate Bill 484, out of the record. And Senate Bill 496, out of the record. Senate Bill 600. Mr. Young, what do you wish to do? Mr. Clerk, Senate Bill 600."

Clerk O'Brien: "Senate Bill 600, a Bill for an Act to amend the Municipal Code, with House Amendments 1, 4 and 5."

Speaker Greiman: "Gentleman from Cook, Mr. Young."

Young: "Thank you, Mr. Chairman. I would move that we refuse to recede and place this Bill in a Conference Committee."

Speaker Greiman: "Gentleman from Cook, Mr. Young, moves that the House refuse to recede from Senate (sic - House) Amendments #1, 4 and 5 and that a Conference Committee be established. On that, is there discussion. There being none, the question is, 'Shall the Motion carry?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede from Senate Amendments... from House Amendments #1... from House Amendments #1, 4 and 5 and requests that a Conference Committee be convened. On this Order appears Senate Bill 682, Mr. Brunsvold. Yes, Mr. Steczo, for what purpose do you seek recognition? You want to take that? Mr. Clerk."

Clerk O'Brien: "Senate Bill 682, a Bill for an Act to amend the Municipal Code, together with House Amendments #1, 2 and 5."

Steczko: "Thank you, Mr. Speaker. I move that the House refuse to recede from House Amendments #1, 2 and 5 to Senate Bill 682."

Speaker Greiman: "Gentleman from Cook moves that the House refuse

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to recede from House Amendments #1, 2 and 5 to Senate Bill 682. And on that, is there discussion? There being none, the question is, 'Shall the House refuse to recede?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendments 1, 2 and 5 and a Conference Committee be appointed. On this Order appears Senate Bill 696, Mr. Hicks. Out of the record. On this Order appears Senate Bill 856, Mr. Bowman. Out of the record. And 898, Ms. Braun. 918, Mr. Piel. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 918, a Bill for an Act to amend an Act to provide for and regulate the administration of trusts by trust companies, together with House Amendments #1 and 2."

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

Piel: "Thank you, Mr. Speaker. I would move that the House refuse to recede from House Amendments 1 and 2 and a Conference Committee be reported... be formed."

Speaker Greiman: "Gentleman moves that the House refuse to recede from House Amendments #1 and 2 to Senate Bill 918. There being no discussion, the question is, 'Shall the House so refuse to recede?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Motion... and the House does refuse to recede from Senate... from House Amendments 1 and 2 and asks for a Conference Committee. On this Order appears Senate Bill 1014, Mr. Dunn. Out of the record. On this Order appears Senate Bill 1052, Mr. McGann. Mr. McGann in the chamber? Out of the... Mr. McGann."

McGann: "Yes, thank you..."

Speaker Greiman: "Mr. Clerk, read the Bill... the motion."

Clerk O'Brien: "Senate Bill 1052, a Bill for an Act to amend the Retailers' Occupation Tax Act, together with House

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Amendment #1."

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

McGann: "Yes, I move not to recede with House Amendment on Senate Bill 1052, and I request a Conference Committee."

Speaker Greiman: "The Gentleman from Cook moves that the House do refuse to recede from House Amendment #1 to Senate Bill 1052. There being no discussion, question is, 'Shall the Motion carry?' All in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendment 1 to Senate Bill 1052 and requests a Conference Committee. On this Order appears... Mr. Ronan, yes, did you wish to go back to the Bill that you had... Alright. On this Order appears Senate Bill 161. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 161, a Bill for an Act to amend the Illinois Vehicle Code, together with House Amendments #1, 5 and 6."

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

Ronan: "Thank you, Mr. Speaker and Members of the House. I refuse to succeed (sic - recede) from... Yeah, what's the matter? I said recede. What's the matter? I refuse to recede from House Amendments 1, 5 and 6 and request a Conference."

Speaker Greiman: "Gentleman from Cook, Mr. Ronan, moves that the House refuse to recede from House Amendments 1, 5 and 6 to Senate Bill 161. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is... I'm sorry. All those... All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede from House Amendments #1, 5 and 6 to Senate Bill 161 and requests a Conference Committee. Mr. McAuliffe. Mr. Clerk, on this Order appears Senate Bill 1222. Read the

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Bill."

Clerk O'Brien: "Senate Bill 1222, a Bill for an Act in relation to taxes, together with House Amendment #1."

Speaker Greiman: "Gentleman from Cook, Mr. McAuliffe."

McAuliffe: "I would like the House to refuse to recede from the Amendment."

Speaker Greiman: "Gentleman from Cook, Mr. McAuliffe, moves that the House refuse to recede from House Amendment #1 to Senate Bill 1222. There being no discussion, the question is, 'Shall the House refuse to recede?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendment #1 to Senate Bill 1222 and requests a Conference Committee. On this Order appears Senate Bill 1428. Mr. Turner? Mr. Turner in the chamber? Mr. Turner. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1428, a Bill for an Act in relation to rehabilitation of abandoned housing, together with House Amendment #1."

Speaker Greiman: "Gentleman from Cook, Mr. Turner."

Turner: "Thank you, Mr. Chairman. I refuse to... ask the House to refuse to recede from the... to nonconcur with the Senate Amendments to House Bill... Senate Bill 1428."

Speaker Greiman: "Gentleman from Cook, Mr. Turner, moves that the House refuse to recede to Senate ... to House Amendment #1 to Senate Bill 1428. All those in favor signify by voting... by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede from House Amendment 1 to Senate Bill 1428 and requests a Conference Committee. Ladies and Gentlemen, this morning there were two Calendars, first the customary Calendar which contains the usual and customary material. In addition we had a Supplemental House Calendar

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§1 in yellow which provided for agreed concurrences. These were Bills that the Leadership believed would be... Members would be seeking to concur in the Senate Amendments. If you do not wish to concur on any of the Bills of which you are the Sponsor and which appear on Agreed Concurrences, there is a list here up at the well. Please advise the Clerk that you do not wish to concur with the Senate Amendment, if you are the Sponsor of a Bill that is on the Agreed Concurrence List. It is the intention of the Chair to take a vote on the Agreed Concurrence List in about an hour or so, perhaps at 11:30 or so, twelve o'clock. Members will then have a period of time to vote 'no' or 'present' or not voting, whatever their choice might be. So, you would do well to examine the Agreed Concurrence List to determine whether you have a Bill that you wish to nonconcur in which might be on that list. Other Bills will be on the white Calendar and will be pursued in the usual and customary manner. Ms. Braun, for what purpose do you seek recognition?"

Braun: "Mr. Speaker, I was not on the floor when you called Senate Bill 898, and I was wondering if you could go back to that."

Speaker Greiman: "Absolutely."

Braun: "I would like to nonconcur in Senate (sic - House) Amendment 1."

Speaker Greiman: "Let me also find out... Mr. Homer, you sought recognition?"

Homer: "Thank you, Mr. Speaker. And I would... on the same Order of Business, Senate Bill 124. I wish to refuse to recede."

Speaker Greiman: "Alright. Let's go... I'll call these three Bills and we will take them and then we will move to the Order of Concurrences. So, on page eight of the Calendar appears Senate Bill 123. 124, is that the one... Alright,

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124. Mr. Clerk."

Clerk O'Brien: "Senate Bill 124, a Bill for an Act to amend the Code of Criminal Procedure, together with House Amendment #1."

Speaker Greiman: "Mr. Homer."

Homer: "Thank you, Mr. Speaker. I move, at this time, that the House refuse to recede from the Bill and House Amendment."

Speaker Greiman: "Gentleman from Fulton, Mr. Homer, moves that the House refuse to recede from Senate Amendment 1 to Senate Bill... House Amendment #1 to Senate Bill 124. All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Motion carries, and the House does refuse to recede from House Amendment #1 to Senate Bill 124 and requests a Conference Committee. And requests a Conference Committee. On this Order appears Senate Bill 898. Mr. Clerk."

Clerk O'Brien: "Senate Bill 898, a Bill for an Act to amend the School Code, together with House Amendment #1."

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

Braun: "Thank you, Mr. Speaker. I move that the House refuse to recede from House Amendment 1 to Senate Bill 898 and request that a Conference Committee be appointed."

Speaker Greiman: "Lady from Cook, Ms. Braun, moves that the House refuse to recede from House Amendment #1 to Senate Bill 898. All in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede from House Amendment #1 to Senate Bill 898 and requests a Conference Committee. On this Order... On the Order of Concurrence on page three of the Calendar appears House Bill 16. Mr. Cullerton. Out of the record. On this Order appears House Bill 124, Mr. Ewing. Out of the record. On this Order appears House Bill 143, Mr. Wolf. Out of the record. On this Order appears House Bill 259,

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Mr. Stange. Mr. Stange. Out of the record. On this Order appears House Bill 308, out of the record. House Bill 527, Mr. McCracken. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 527, a Bill for an Act to amend the Code of Criminal Procedure, together with Senate Amendment #2."

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

McCracken: "Thank you, Mr. Speaker. I move to... that the House concur to Senate Amendment #2. Senate Amendment #2 would require that when a child is temporarily removed from the state by the noncustodian parent, that notification be given either to that parent or to the parents... the other parents' attorney and that's all it requires, giving the location and the date or time of return, and I move that we concur in Senate Amendment #2."

Speaker Greiman: "Gentleman from DuPage, Mr. McCracken, moves that the House concur in Senate Amendments #1 and 2 to House Bill..."

McCracken: "Just 2, Mr. Speaker."

Speaker Greiman: "Oh, I'm sorry, 2 to House Bill 527. On that, is there any debate? The Lady from LaSalle, Ms. Breslin."

Breslin: "Thank you, Mr. Speaker. I can understand the reason for this request. I have a feeling, however, that it would be impossible for the state to enforce. What this Amendment does is require every parent who is the custodial parent for the moment to notify the noncustodial parent of the place that they are taking the child in their custody for a vacation period and the dates in which they will be gone. It occurs to me that that would be very difficult to enforce. What if you decide to extend your vacation? What if you couldn't get into that motel that you were planning to stay at and you had to move to the next town? What if you cancelled your vacation for some other reasons and you

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stayed in town? What if, what if, what if? It occurs to me that such a provision would be impossible to enforce and at this late hour, we should probably be looking for other alternatives or studying it over the summer."

Speaker Greiman: "Gentleman from Cook, Mr. Sutker."

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

Speaker Greiman: "Indicates he will."

Sutker: "Representative McCracken, does the Amendment provide that notice to the attorney is sufficient?"

McCracken: "Yes."

Sutker: "You need not notify, therefore, the parent himself or herself, is that correct?"

McCracken: "Correct."

Speaker Greiman: "Mr. McCracken, to close."

McCracken: "I'd ask for a favorable vote. This..."

Speaker Greiman: "Question is, 'Shall the House concur in Senate Amendment #2 to House Bill 527?' All in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are... On this question there are 99 'aye', 1 voting 'no', 8 voting 'present', and the House does concur in Senate Amendment #1 (sic - 2) to House Bill 527. This Bill, having received the Constitutional Majority, is hereby declared passed. 2, Amendment #2. And it remains passed. 671, out of the record. On this Order appears Senate Bill 692, Mr. Countryman. Mr. Clerk."

Clerk O'Brien: "Senate (sic - House) Bill 692, a Bill for an Act to amend the Code of Civil Procedure, together with Senate Amendment #1."

Speaker Greiman: "Gentleman from DeKalb, Mr. Countryman."

Countryman: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House. The underlying Bill amended the Code of

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Civil Procedure to allow lawsuits to be brought against the public, municipal or governmental quasi-municipal corporation in the county which the transaction or some part of the transaction occurred out of which the cause of action arose. And that corrected the Code of Civil Procedure to be the same as against any entity. The effect of the Senate Amendment, however, deals in a different area, and that provides that, notwithstanding any other provision of the law, the contract... on contract actions against a surety on payment or a performance bond shall be commenced, if at all, within the same time limitation applicable to the bond principal. This is the same as House Bill 440 which was presented by Representative Dunn and never got called for a vote. And it also rectifies the problem in the case of People, Exrel, Skinner versus Hellmuth and some others. And in that case what happened was there was a lawsuit brought against the principal. The principal was dismissed because the statute of limitations had run. The surety was held in. The surety on a bond is no more than somebody assuring the performance of the bond, and the equitable solution to the problem is to amend the statute because the Supreme Court said the Legislature never did amend the statute to show there was intent that the surety be enclosed. So, what this does is bring equity to the sureties and the bonds in which they write, and I move for its passage."

Speaker Greiman: "Gentleman from DeKalb, Mr. Countryman, moves that the House concur in Senate Amendment #1 to House Bill 692. And on that, is there any discussion? Question is, 'Shall the House concur?' 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

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record. On this question there are 106 voting 'aye', none voting 'no', 1 voting 'present', and the House does concur in Senate Amendment #1 to House Bill 692. And on this Order appears House Bill 703, Mr. Curran. Do you wish to proceed? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate (sic - House) Bill 703, a Bill for an Act relating to seed capital investments in agribusiness, together with Senate Amendment #1."

Speaker Greiman: "Gentleman from Sangamon, Mr. Curran."

Curran: "Thank you, Mr. Speaker. I wish to concur in Senate Amendment #1 to House Bill 703. The Amendment simply removes the custody of the Seed Capital Fund from the Farm Development Authority and replaces it with the State Treasurer, which we feel is consistent with other state policy."

Speaker Greiman: "Gentleman from Sangamon, Mr. Curran, moves that the House concur in Senate Amendment #1 to House Bill 703. There being no discussion, the question is, 'Shall the House concur?' 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? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 'ayes', none voting 'no' and none voting 'present', and the House concurs in Senate Amendment #1 to House Bill 703. And this Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears House Bill 705. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 705, a Bill for an Act in relation to farm debt mediation, together with Senate Amendment #1 and 2."

Speaker Greiman: "Gentleman from Rock Island, Mr. Brunsvold."

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

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the House. I move to concur in Senate Amendments 1 and 2. Senator Joyce put an Amendment on that fine-tuned the Bill. We, through the negotiation period, decided that the governing board wouldn't be necessary, that Director Herries could handle that. We left the... the advisory board in place for administrative rules. He put a number of minor provisions in there, nothing that would hurt the Bill. Amendment #2 actually moved back the implementation period that was required... that was requested by the bankers. They were upset by the number of days that was in the original Bill, 175. We moved it back to 100 days which meets a lot of their objection. So, I would ask for concurrence on Senate Amendments 1 and 2."

Speaker Greiman: "The Gentleman from Rock Island, Mr. Brunsvold, moves for the concurrence of Senate Amendment #1 and 2 to House Bill 705. And on that, the Gentleman from McLean, Mr. Ropp."

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

Speaker Greiman: "Indicates he'll yield for questions."

Ropp: "In Senate Amendment #1, what was the reason for increasing that membership of the advisory council from 18 to 19?"

Brunsvold: "That was done at the request of the bankers. They thought that they ought to have another banker on that advisory committee, it was done at their request. And I didn't see any harm in that, and we went ahead and went with their request."

Ropp: "How many do they have on there now?"

Brunsvold: "I believe it's three."

Ropp: "Three with the increase up to 19?"

Brunsvold: "Yes."

Ropp: "And the provision for mediation requests within 100 days, is that.."

Brunsvold: "No, the 100 days is... is the implementation period."

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After the Governor... If the Governor would sign the Bill, it would have to be up and running and mediators in place within 100 days. The original Bill said 175 days or February 1st."

Ropp: "I guess I'm raising a practical question as to whether or not those appointments can be made and the advisory committee operative and rules and regulations - if 100 days is really practical. It's a pretty short period of time."

Brunsvold: "We... Yeah, we discussed that, and I discussed that with Larry Werries and we think that, and he agreed that 100 days would not be out of reason at all. He thinks he can get it up and running before that."

Ropp: "Okay. Well, certainly that will keep them on their toes. Thank you."

Brunsvold: "Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 705?' 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 105 voting 'aye', 7 voting 'no', 1 voting 'present', and the House does concur in Senate Amendments #1 and 2 to House Bill 705. And this Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears House Bill 717, Mr. Van Duyne. On this Order appears House Bill 726, Mr. McNamara. On this Order appears House Bill 805. Yes, Mr. DeJaegher, on 726?"

DeJaegher: "Yes, Mr. Speaker, I am a hyphenated Cosponsor of that and Mr. McNamara asked if I would carry that Bill for him."

Speaker Greiman: "Alright, okay, alright. Fine. Mr. Clerk, 726,

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read the Bill."

Clerk O'Brien: "House Bill 726, a Bill for an Act to amend the Intergovernmental Missing Child Recovery Act, together with Senate Amendment #1."

Speaker Greiman: "The Gentleman from Rock Island, Mr. DeJaegher."

DeJaegher: "Thank you, Mr. Speaker, Members of the General Assembly, I move to concur with Senate Amendment #1 to House Bill 726."

Speaker Greiman: "Gentleman moves that the House concur in Senate Amendment #1 to House Bill 726. And on that, is there discussion? The Gentleman from DuPage, Mr. McCracken."

McCracken: "I agree with the Amendment, but, for the record, we should probably discuss the Amendment. There was some concern that I-SEARCH could not... or police, generally, could not adequately serve runaways between 18 and 21; that they reach majority at 18, but the Juvenile Code gives the courts jurisdiction over children until they're 21 in some circumstances. As a matter of fact, defined child is a minor up to the age of 21. Police were becoming concerned that because of this, they may be charged with false arrest if they took into custody someone whose parents had said was a runaway. Apparently, there has been some discussion in the State Police about rule making regarding this issue, at least I'm aware of that and I'm sure Representative DeJaegher is. So, that should solve that problem, making the Amendment appropriate to delete the change in age. So, I stand in support of it."

Speaker Greiman: "Further discussion? Question is, 'Shall the House concur in Senate Amendment #1 to House Bill 726?' 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? Mr. Clerk, take the record. On this question there are 113

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'aye'... Yes, Harris votes 'aye'. Mr. Harris, if you will... if you will push your button, the switches are still open. Oh, I... your key. Alright, fine. Mr. Clerk, take the record. On this question there are 114 'aye', none voting 'no', none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 726. And this Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears House Bill 143. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 143, a Bill for an Act to amend the Public Community College Act, together with Senate Amendment #1."

Speaker Greiman: "Mr. Wolf, 143."

Wolf: "Thank you, Mr. Speaker. House Bill... I move to concur in Senate Amendment #1 to House Bill 143. House Bill 143, as you know, is the Bill that would provide and permit the election of trustees by a single member district. The Bill, as it was originally submitted, would have applied to all community college districts in the state except for the City of Chicago, Cook County and East St. Louis. The Amendment that was put on by the Senate provides now that this legislation will only apply to the Belleville area college community district which is in my area. I would move to concur in Senate Amendment #1."

Speaker Greiman: "Gentleman moves that the House concur in Senate Amendment #1 to House Bill 143. Any discussion? There being none, 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 103 'aye', 3 'no', 1 voting 'present', and the House does concur in Senate Amendment #1 to House Bill 143. And this Bill, having received the

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Constitutional..., is hereby declared passed. On this Order... On this Order appears House Bill 717. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 717, a Bill for an Act to amend the Civil Administrative Code of Illinois, together with Senate Amendment #1."

Speaker Greiman: "Gentleman from Will, Mr. Van Duyne."

Van Duyne: "Yes, thank you, Mr. Speaker. The Amendment makes no substantial change, and I move to concur."

Speaker Greiman: "Question is, 'Shall the House...' Gentleman from Will moves that the House concur in Senate Amendment #1 to House Bill 717. And on that, the Gentleman from DuPage, Mr. McCracken."

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

Speaker Greiman: "Indicates he'll yield for questions."

McCracken: "I agree it doesn't make a change. Doesn't language covering the disposal, as well as other uses, already exist in the Bill? You would agree with that."

Van Duyne: "The Amendment does change... add the disposal, but Senator Joyce assures me that that's no major problem, and he will work it out with the Governor."

McCracken: "Okay. Thank you."

Speaker Greiman: "Question is, 'Shall the House concur in Senate Amendment #1 to House Bill 717?' Those in favor vote 'aye', those opposed '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 113 'aye', none voting 'no' and none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 717. And this Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears House Bill 805. Mr. Klemm, do you wish to proceed? Mr. Hannig, yes, alright. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 805, a Bill for an Act to amend the Illinois Vehicle Code, together with Senate Amendment #1."

Speaker Greiman: "The Gentleman from Macoupin, Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House, I would move that we concur in Senate Amendment #1. The Amendment to the Bill actually is a technical Amendment, but it does limit further the Bill. The underlying Bill basically provides that we would exempt two small zip code areas in the Foster Township area from the emission inspection test. And it also has Amendment #2 which Representative Klemm has been working on very hard to try to get passed. I'd be happy to answer any questions."

Speaker Greiman: "The Gentleman from Macoupin moves that the House concur in Senate Amendment 1 to House Bill 805. And on that, is there discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1?' 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? Have all voted who wish? Mr. Clerk, take the record. On this question there are 80 'ayes', 29... or 79 'ayes', 30 'nos', none voting 'present', and this... and the House does concur in Senate Amendment #1 to House Bill 805. And this Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears House Bill 819. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 819, a Bill for an Act to amend the School Code, together with Senate Amendments #1 and 2."

Speaker Greiman: "Lady from Cook, Ms. Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, I move to concur with House Bill 819."

Speaker Greiman: "The Lady from Cook, Ms. Flowers, moves that the House concur in Senate Amendment #1 and 2 to House Bill

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819. And on that, the Gentleman from... the Lady from Cook, Ms. Pullen."

Pullen: "I'd like to ask the Sponsor a question, please."

Speaker Greiman: "Indicates he'll (sic - she'll) yield for a question."

Pullen: "Will you please explain, since this is final passage, what House Bill 819 does as amended by the Senate?"

Flowers: "Technically, the Bill was rewritten in the Senate to create the drug free school and... because that's where drugs... that's where kids really get their introduction to drugs. That is the purpose of the Bill. And, as far as the Amendment is concerned, I have not read it thoroughly, but I don't know all the changes that they made. But it's just a better Bill than what it was when it left the House. The Senate Amendment #2 provides that the state drug free school advisory committee shall recommend, instead of develop, criteria for rating certain grant applications and guidelines and administer procedures for the drug free school program. Also, it eliminates the restriction on the type of members designated by the State Superintendent of Education to serve on the advisory committee."

Pullen: "You said that this Bill is for the purpose of promoting drug free schools. Would you please tell us briefly how it seeks to do that?"

Flowers: "As far... It's educating the kids on what drugs can do to them, number one. Number two, there will be some enforcement there to support the increased efforts by the local law enforcement agencies working in conjunction with the school districts and prevent drug and alcohol abuse among school age children in and around the schools."

Pullen: "Does it set up state and local drug free advisory committees for this?"

Flowers: "No, they're already set up."

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Pullen: "You mean, according to... do you mean they're set up in the initial Bill or do you mean they're set up in law already?"

Flowers: "They're already in law"

Pullen: "They're in law. So, this is some sort of Amendment to the state and local drug free advisory committees that exist?"

Flowers: "Right."

Pullen: "Thank you."

Speaker Greiman: "The Lady from DuPage, Ms. Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Greiman: "Indicates he (sic - she) will."

Cowlshaw: "Representative, as I understand, there were two Amendments that were adopted in the Senate. Is that correct?"

Flowers: "That's correct."

Cowlshaw: "Now, the prior speaker who asked some questions here just before I was recognized asked you about the state drug free school advisory committee and the local corresponding committees, and you explained that those committees are already established by current law that already exists in the Illinois School Code. Is that correct? Alright. In that event, I think it's appropriate, since we seem to have a tendency here to want to litter all the law books with more and more things that do practically nothing, if those two types of committees already exist, just what does this Bill do?"

Flowers: "I would yield that question to Representative Braun, please."

Speaker Greiman: "Alright, the Lady from... with leave of the House, the Lady from Cook, Ms. Braun."

Braun: "Representative Cowlshaw and to Representative Pullen,

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what this essentially does is gives the state some... an advisory... allows for the setting of advisory councils that are created here to assist law enforcement to assist local school districts so we, then, give ourselves some activity to indicate that we are interested in helping them do what we've said, at least in the newspapers, that we're going to do. So, we're not preempting the locals. We're not getting in front of them. And the Senate Amendment, frankly, helps that, because the Senate Amendment just says that we, instead of developing criteria for this, for rating grant applications, we will recommend criteria. So, we're not... this is not mandating anything. We are just giving, if you will, a helping hand to what it is that the locals are doing to prevent drugs in the schools."

Cowlshaw: "Okay. Perhaps, since you were answering this question, you might be willing to answer the next one. It is my understanding that all this Bill refers to, as far as groups, committees, anything along that line, is the state drug free school advisory committee and the local counterpart."

Braun: "Right."

Cowlshaw: "But you just mentioned some other kind of committee."

Braun: "No. Law enforcement. That's already there."

Cowlshaw: "You're going to have a law enforcement committee?"

Braun: "No, no. Law enforcement is already involved with anti-drug activities on the schools."

Cowlshaw: "Well, I most certainly hope so."

Braun: "Right. And the schools... the school... And the school... the school boards are involved in anti-drug activities in schools."

Braun: "They ought to be."

Cowlshaw: "Right. So, all this is saying is that we, the state, via the... what are we calling it, the drug free school

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advisory committee, we will be involved in that process, will make recommendations, but no mandates, will assist those local efforts. All it does is put the state into the action, as it were, with assisting locals. And it seems to me totally appropriate, Representative Cowlshaw, that we would do that, because it's one thing for us to sit back and to empower them to do something about drugs - it's another thing to say that we will be involved with assisting them."

Cowlshaw: "Alright. In other words, these committees are now to become involved in law enforcement."

Braun: "No, Representative Cowlshaw, that's nothing... the Bill has nothing to do with that. Look at the... I mean, if you look at the language of the Bill. All that we're doing is saying that the state wants to assist you, local school districts... the state wants to assist you, local law enforcement, in your efforts to create a drug free environment in the schools. We're not mandating guidelines. We're not mandating anything. We're just there in an advisory capacity and that is what the Bill calls for, is an advisory capacity."

Cowlshaw: "Alright. To the Bill, and thank you very much for your answers. I am grateful for that. To the Bill. This Bill, which does absolutely nothing, reminds me of something I have long believed and believed fervently and that is, that God so loved the world, that He did not send a committee."

Speaker Greiman: "Lady from Cook, Ms. Parcels."

Parcels: "Thank you, Mr. Speaker. Would the Sponsor yield? Would the Sponsor yield? I have no problem with the idea, but I noticed under the Fiscal Note it said the funding of this program will be based upon the amount appropriated for the purposes of this legislation by the General Assembly

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and the Governor which says to me almost nothing. I mean, it's sort of a cop out. Do we have anywhere in our elementary and secondary education appropriation a line item for this?"

Braun: "No."

Parcells: "So, we're going to be coming up with a committee that we have no funding for."

Braun: "No, that's... the committee is just there, Representative. The state, right now, we have no mechanism for assisting local government efforts to prevent drugs in the schools. We don't. And so, to fill that void and to say the state really is involved in a programatic kind of way, we're creating an advisory committee. Now, the advisory committee may, at some point in the future, develop some program where locals can apply to us for assistance in terms of dollars, but that's down the road. That's not what this does. All we're talking about is we need some... some programatic way to show the involvement by this Body in anti-drug activities. How... I mean, I don't understand what difficulty there could possibly be with that."

Parcells: "I see. I just... I wasn't sure what you had in mind in the way of expenditures of funds."

Braun: "Right. Just an advisory committee."

Parcells: "This committee would probably have no salary, but perhaps a reimbursement, so there would have to be a small amount of money, I would assume..."

Braun: "Through the state."

Parcells: "... allocated to this."

Braun: "That would come out of the State Board's budget, not ours. I mean, it's not a direct appropriation."

Parcells: "Right. It's not a line item in the budget, to your knowledge."

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Braun: "No."

Parcells: "Thank you."

Braun: "Thank you."

Speaker Greiman: "Have all voted who... Is there further discussion? Is there further discussion? There being none, the Lady from Cook, Ms. Flowers, to close."

Braun: "Thank you, Mr. Speaker."

Speaker Greiman: "Ms. Braun, to close."

Braun: "To the Members, right now, we have a situation in which the state, we make all these noises about wanting drugs off the school campus, but we have yet to have a systemic programmatic way to assist local law enforcement and to assist the... and to assist the efforts by school districts. And so, that's all this Bill does. It's an advisory committee. The advisory committee will make recommendations. We are there to help. It is not... It does not require an expenditure of money. This Bill is simply to say that we, in the State of Illinois, are supportive of the local efforts to get drugs out of our schools. And I think that's a positive vote for every Member in this House."

Speaker Greiman: "Question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 819?' 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 87 voting 'aye', 21 voting 'no', 7 voting 'present', and the House concurs in Senate Amendment #1 and 2 to House Bill 819. And this Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears House Bill 915. Mr. Clerk, read the Bill. Mr. Mulcahey, did you wish us to proceed? 915."

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Clerk O'Brien: "House Bill 915, a Bill for an Act to amend the School Code, together with Senate Amendment #1."

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

Mulcahey: "Thank you, Mr. Speaker. I move we concur with Senate Amendment #1 to House Bill 915. It puts July 1st, 1987, as the effective date and the Bill itself repeals the August 1st repealer of the school aid formula. The Amendment simply makes July 1st of '87 the effective date, and I would move for concurrence."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Mulcahey, moves that the House concur in Senate Amendment #1 to House Bill 915. And on that, is there discussion? There being none, the question is, 'Shall the House concur in Senate Amendments #1 to House Bill 915?' 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 111 'aye', none voting 'no', none voting 'present', and the House concurs in Senate Amendment #1 to House Bill 915. And this Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears House Bill 932. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 932, a Bill for an Act authorizing the conveyance of certain state property, together with Senate Amendment #1."

Speaker Greiman: "The Gentleman from Jackson, Mr. Richmond."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 to House Bill 932. What it does is to remove the Section that pertains to payments of over one dol... by... over one dollar by the Department of Conservation to the Joliet Regional Port District in Will County for a lease of up to

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99 years. This is being handled in another Bill. So, I move that we concur with this Amendment."

Speaker Greiman: "Gentleman from Jackson, Mr. Richmond, moves that the House concur to Senate Amendment #1 to House Bill 932. And on that, is there discussion? There being... the question is, 'Shall the House concur?' 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 112 voting 'aye', none voting 'no' and none voting 'present', and the House concurs in Senate Amendment #1 to House Bill 932. And this Bill, having received the Constitutional Majority, is hereby declared passed. With leave of the House, we'll return to the Order of House Bills on Concurrence, House Bill 671. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 671, a Bill for an Act to amend Township Law, together with Senate Amendment #1."

Speaker Greiman: "And on that, the Lady from Cook, Ms. Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill originally passed the House on an agreed Calendar, I believe. It changes the date on which townships are required to determine what the salary will be when they are facing an election. It moves the date back from about a week or two before the election to just before the time of filing. And the reason for this is to relieve township officials from having to campaign on rumors about what they intend to do with officials' salaries during campaign season. If this Bill passes, what we will have done is... what they will be able to do is take action on their salaries up front, so that in townships where they have no intention of changing the salaries, they don't have to keep beating off their opponents saying, 'Look what

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they're going to do just before the election when they have no intention of doing that at all.' The Amendment in the Senate simply limited this to Cook County because it was some Cook County townships who had suggested this and some of the downstate townships weren't sure that they wanted it. And I move we concur in Senate Amendment 1."

Speaker Greiman: "The Lady from Cook, Ms. Pullen, moves that the House concur in Senate Amendment #1 to House Bill 671. Is there discussion? There being none, the question is, 'Shall the House concur?' 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? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 'ayes', 2 voting 'no', 2 voting 'present', and the House does concur in Senate Amendment 1 to House Bill 671. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Mautino, for what purpose are you seeking recognition?"

Mautino: "Mr. Speaker, my vote on House Bill 705 was inadvertently recorded as 'yes'. I would like the record to reflect and the Journal to reflect that I would have voted 'no'. Thank you."

Speaker Greiman: "Let the transcript so reflect. Ladies and Gentlemen, let me remind Members... Yes, Ms. Deuchler."

Deuchler: "I would like the transcript to reflect that I would have voted 'no'... or 'yes' on that, my button was inadvertently pushed."

Speaker Greiman: "On the preceding Bill? Alright. That would be on 671, Ms. Deuchler would have voted 'aye' on that Bill. Let the transcript so reflect. Mr. DeJaegher. Mr. DeJaegher. Well, Mr. Matij... Mr. DeJaegher. Mr. DeJaegher would have voted 'yes' on that Bill also. Mr.

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Matijevich. Matijevich."

Matijevich: "Speaker, let the record reflect the reason I didn't vote was because I was confused. The Sponsor said it referred to Cook County only, and my analysis indicates just the opposite. So, I just didn't vote."

Speaker Greiman: "Ladies and Gentlemen, Members are again reminded, if they have a Bill on the Agreed Concurrence List that they wish to nonconcur in, come to the well and advise the Clerk so that that Bill may be removed from the Agreed Concurrence List. Very shortly we will be voting on the Agreed Concurrence Calendar and you will then have an opportunity to change that vote thereafter. However, we will be voting shortly on this Calendar. On the Order of Concurrences on page three appears House Bill 942. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 942, a Bill for an Act to amend certain Acts in relation to energy generation from solid waste, together with Senate Amendments #1 and 3."

Speaker Greiman: "Gentleman from Cook, Mr. Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would move to concur with Senate Amendments #1 and #3 to House Bill 942. House Bill 942, in its present form, is an attempt to address the serious solid waste disposal problem that northeastern Illinois faces in the next few years. We've all been made aware that tipping fees are rising, landfills are closing. We know that the possibility of siting new landfills is almost impossible, but something has to be done to try to deal with the garbage crisis that we currently have. House Bill 942 seeks to do that. House Bill 942 would, in its present form, would provide that local municipalities and local areas would be able to provide and develop solid waste disposal plants similar to and in conjunction with the 172 plants that we enacted just

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a few years ago. In terms of doing that, they will have a goal of 25 percent recycling and, once that is accomplished and once they have the plants set forth, they could, in fact, use incineration of that solid waste to cogenerate electricity. That electricity would then be sold to the utility company and hopefully the combination of tipping fees and the fees that would be charged for the sale of the electricity would pay for the plant and the disposal of the garbage. House Bill 942 also provides that the utility, if they have to buy back at higher than the avoided cost rate, would be able to take the amount of additional between the avoided cost rate and the purchase rate, as a credit to the public utility tax; however, that credit would have to be paid back by the plant. So, there actually would be no loss to the public utility fund. This would be similar to loans. Also, I should make mention that the first dollars to be coming out of the public utility fund would not happen probably until 1994 because it would take that long for the siting to happen, it would take that long for the plants to be built and for the first electricity to be sold. While it's not very often that we get a chance to address a problem this far in the future, we do know and we've seen headlines in the Chicago newspapers that there is what they call a trash mess in northeastern Illinois. In my area in the southern suburbs and the northern suburbs in the City of Chicago and the collar counties, there is a very, very serious problem and a problem that will get more serious in the very, very near future. House Bill 942 is an attempt to address that after... after months and months and months, in fact, almost a year and a half of discussion and debate. We think that House Bill 942 now is in shape to be sent to the Governor and also in shape to really provide a positive impact on the solid waste disposal

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problems in the northeastern part of the state. I would move to concur, Mr. Speaker, in the Senate Amendments and would answer any questions that Members of the House might have."

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, moves that the House concur in Senate Amendments #1 and 3 to House Bill 942. There being no discussion, the question is, 'Shall the House so concur?' 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 114 'aye', none voting 'no', 1 voting 'present', and the House does concur in Senate Amendment #1 and 3 to House Bill 942. And this Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House Bill 971. Mr. Mautino, do you wish to proceed? 971? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 971, a Bill for an Act to amend the Juvenile Court Act, together with Senate Amendments #1, 2, 3 and 4."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendments 1, 2, 3 and 4. 1, 2, 3 are technical in nature, and Amendment #4 removes from the legislation Cook County because they do not operate under the same auspices of the ESRs in downstate Illinois. Has a definition of chronic truant in that legislation and provides for chronic truant to, as a last resort, after all the other avenues have been tried, as far as local assistance, that the court can mandate the student back into school system. It is the 'MINS' petition revisited, and I move for the concurrence."

Speaker Greiman: "Gentleman from Bureau, Mr. Mautino, moves that

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the House do concur in Senate Amendments #1, 2, 3 and 4 to House Bill 971. On that, is there discussion? There being none, the question is, 'Shall the House concur?' 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. Ropp. I'm sorry. Did you wish to explain your vote?"

Ropp: "Yes, Mr. Speaker, I think..."

Speaker Greiman: "Take as much latitude as you like, Mr. Ropp."

Ropp: "Pardon?"

Speaker Greiman: "Take as much time as you like. Proceed."

Ropp: "Thank you. Mr. Speaker, Members of the House, this is a very important issue. The fact that Amendment 4 from the Senate is being accepted means that we are attempting to take away any leverage that we have in getting kids back into our school system who are currently considered dropouts or chronic truants. There are many people in the Chicago area that think that this is a very bad provision because, if you look at the dropout rate in our state, where we have some 44 percent in Chicago, in some schools 70 percent, we currently have no leverage in order to get those very important young people back into our school system. The very fact that we have so many young people who need to be properly trained in some area for a vocation or for just good proper education, we're exempting the very area in our state where we have our biggest problem. This is a situation that we in the State Legislature are not addressing as we should, and I certainly do not think we ought to concur with Senate Amendment #4."

Speaker Breslin: "There being no further discussion, Representative Mautino, to close."

Mautino: "I will explain my vote, if I may, and try to respond to Representative Ropp's concern, if it's agreeable with you."

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Well, you could call it, and I'd like to ensure to the Gentleman that this was Cook County's request. The Bill came from downstate Illinois to provide for the chronic truant provision. If, in fact, the State's Attorney of Cook County and the Cook County individuals want to be removed, that is their provision. But for the rest of the state who wants this legislation, I say we adopt it and then later, if the State's Attorney of Cook County or the educator... the Superintendent of Education of Cook County, which operates in a different fashion than us, downstate have a problem we can correct it in the fall."

Speaker Breslin: "Representative McLean, you have... Representative Ropp, you have already explained your vote, Sir. Have all voted who wish? Have all voted who wish? Representative Ropp, for what reason do you rise?"

Ropp: "Well, I was going to just respond that..."

Speaker Breslin: "Sir, that's really inappropriate now."

Ropp: "The state's attorney does support being included. That's what I wanted everyone to know."

Speaker Breslin: "Okay. Have all voted who wish? The Clerk will take the record. On this question there are 79 voting 'aye', 6 voting 'no' and 30 voting 'present'. This Bill, having... This Bill, having received the Constitutional Majority, is hereby declared passed, and the House does concur in Senate Amendments 1, 2, 3 and 4 to House Bill 971. House Bill 981, out of the record. Going to page four on your Calendar on the Order of Concurrences appears House Bill 989, Representative Church... McPike and Churchill. Out of the record. House Bill 998, Representative Churchill and Klemm. Excuse me, with leave of the Body, we'll go back to House Bill 989. Representative Churchill will present the Bill on behalf of himself and Representative McPike. Representative

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Churchill."

Churchill: "I'm sorry, Madam Speaker. My discussion with you was based on House Bill 998, not House Bill 989. I believe that Representative McPike will have a Motion on that at some later time."

Speaker Breslin: "Okay. Mr. Clerk, take 989 out of the record. House Bill 998, Representative Churchill."

Churchill: "Yes, Madam Speaker, at this point, I would move to nonconcur with Senate Amendment #2 to House Bill 998."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendment #2 to House Bill 998. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 998?' All those in favor vote 'aye'... all those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does nonconcur in Senate Amendment #2 to House Bill 998. The next Bill is House Bill 1018, Representative Cowlshaw. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1018, a Bill for an Act creating the Board of Higher Education, together with Senate Amendment #1."

Speaker Greiman: "Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 to House Bill 1018. The underlying Bill simply adds the Chairman of the Illinois State Scholarship Commission to the members of the Board of Higher Education. When the Bill... That was all the Bill did, and it went out of here, of course, without any dispute at all. In the Senate, the Senators, for some reason, seemed to think that Representative Satterthwaite's Bill, House Bill 180, they could use as a vehicle and so they substantially amended Representative

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Satterthwaite's Bill. And, as a result of that, I thought it was a good idea to amend what had been House Bill 180, sponsored by Representative Satterthwaite, onto this Bill so that we did not lose that. It is the language that has to do with the merit recognition scholarship provisions. Consequently, this becomes a Cowlshaw - Satterthwaite Bill, and I think, if you can pronounce those two words, you ought to be entitled to vote on this Motion."

Speaker Breslin: "The Lady has moved for concurrence in Senate Amendment #1 to House Bill 1018. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1018?' All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', none voting 'no' and none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 1018. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1021, Representative Wolf. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1021, a Bill for an Act to amend the Local Mass Transit District Act, together with Senate Amendment #1."

Speaker Breslin: "Representative Wolf."

Wolf: "Thank you, Madam Speaker. I move to concur in Senate Amendment #1 to House Bill 1021. This Bill applies only to the Metro East Transit District and among other things, provides or includes the provision whereby townships can be added to the present transit district. Senate Amendment #1 merely codifies the legislative intent that was established in this House prior to the Bill going over to the Senate and I would move to concur."

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Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 1021. And on that question, is there any discussion? Hearing none, the question is, 'Shall House Bill 1021 pass?' All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. Have all voted who wish? The Gentleman from Cook, Rep... Have all voted who wish? The Clerk will take the record. On this question there are 86 voting 'aye', 26 voting 'no' and none voting 'present'. This... The House does concur in Senate Amendment #1 to House Bill 1021. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1064, Representative Cullerton. Out of the record. House Bill 1093, Representative Mulcahey. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1093, a Bill for an Act to amend the School Code, together with Senate Amendments #1 and 2."

Speaker Breslin: "Representative Mulcahey."

Mulcahey: "Thank you, Madam Speaker. First of all, Amendment #2 simply removes from the Bill, the principal... it deletes 'demotion' as a part of reclassification, and Amendment #1 provides that performance evaluations will take... occur every two years as opposed to every year, and that the evaluation is held in the school year preceding the proposed reclassification. And the reason for this, of course, is to review and discuss the deficiencies which may form a basis for reclassification, not a whole lot different than the original Bill. Originally, April 1st preceding the date was the reclassification date that was on the Bill. If reclassification is recommended, notice is given to the principal, and within seven days, as to the reasons why, number four, a hearing before the school board is given 55 to 65 days after the official notice is provided. The board hearing is closed, and 10 days after

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the hearing or May 1st, whichever comes first, the principal is notified of his reclassification, and finally number seven, the administrative review law shall govern all these proceedings. And I would move for the adoption of... or concur in Senate Amendment #1 and 2 to House Bill 1093."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendments 1 and 2 to House Bill 1093. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 1093?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 86 voting 'aye', 27 voting 'no', and 1 voting 'present'. And the House does concur in Senate Amendments 1 and 2 to House Bill 1093. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1133, Representative Keane. Clerk... Out of the record. House Bill 1145, Representative Braun and Jones. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1145, a Bill for an Act in relation to certain organizations which discriminate, together with Senate Amendment #1."

Speaker Breslin: "Representative Braun."

Braun: "Thank you very much, Madam Speaker. The only change occurred by the Senate Amendment was to change which... to change the reporting mechanism within State Government. The... It calls for the Department of Human Rights to report to the Comptroller, and that's all the Amendment does. I concur in it, or I call for concurrence in the Senate Amendment."

Speaker Breslin: "The Lady moves to concur in Senate Amendment #1

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to House Bill 1145. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1145?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', 3 voting 'no' and none voting 'present'. The House does concur in Senate Amendment #1 to House Bill 1145. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1148, Representative Braun and Davis. Clerk, read the Bill."

Clerk Leone: "House Bill 1148, a Bill for an Act to amend the Illinois Public Aid Code, together with Senate Amendment #1."

Speaker Breslin: "Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This was part of the welfare reform package. Actually, it replicates part that was in Representative Daniel's Bill, but having worked together on both sides of the aisle to put his Bill together to get it agreed upon in the House and in the Senate, this is, if you will, a trailer to that. The Senate Amendment just conformed the language to language that Representative Daniel's had suggested, and I move for concurrence."

Speaker Breslin: "The Lady moves to concur in Senate Amendment #1 to House Bill 1148. Is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1148?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 108 voting 'aye', 3 voting 'no' and 2

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voting 'present', and the House does concur in Senate Amendment #1 to House Bill 1148. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1149, Representative Martinez. Clerk, read the Bill."

Clerk Leone: "House Bill 1149, a Bill for an Act in relationship to the qualified court interpreter, together with Senate Amendment #1."

Speaker Breslin: "Representative Martinez."

Martinez: "Thank you, Madam Speaker, Members of the House. I move to concur with Senate Amendment #1 on Senate (sic - House) Bill 1149."

Speaker Breslin: "Could you explain to us what the Senate did?"

Martinez: "Provides that the administrative office of the Illinois shall develop standards of qualifications for court appointed interpreters and that the Department of Registration and Education assumes the responsibilities for this program instead of the administrative offices of the courts. The Chicago Bar Association is in support of this, and I ask you for support."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1149. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1149?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no' and 1 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 1149, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 1187, Representative Black. Clerk, read the Bill."

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Clerk Leone: "House Bill 1187, a Bill for an Act to amend the Civil Administrative Code of Illinois, together with Senate Amendment #2."

Speaker Breslin: "Representative Black."

Black: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. The underlying Bill simply directs the Department of Agriculture to establish, as it passed out of the House, an Illinois Fresh Label Program. It was amended on Senate Amendment #2 to change the name of the program to Illinois Grown. That's because we were running up against some federal regulations on what indeed might be fresh meat or fresh pork or what have you. I certainly would move that we concur with Senate Amendment #2."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #2 to House Bill 1187. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 1187?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 109 voting 'aye', 3 voting 'no' and 1 voting 'present', and the House does concur in Senate Amendment #1 to House Bill 1187. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1194, Representative Braun. Clerk, read the Bill."

Clerk Leone: "Senate (sic - House) Bill 1194, a Bill for an Act to amend the Minority and Female Business Enterprise Act, together with Senate Amendment #3."

Speaker Breslin: "Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Amendment 3 got rid of the, really, the controversial... the most controversial part of this Bill."

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It got... the waiver provision is taken out of the Bill altogether, and what it simply provides for is the toll free hotline for change in the council and for targeting and for the nondiscrimination in bonding, but the provision which provided for waiver of bonding, which was in the original Bill, was taken out in the Senate. And I move that we concur in the Senate Amendments."

Speaker Breslin: "The Lady has moved to concur in Senate Amendment #3 to House Bill 1194. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #3 to House Bill 1194?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no' and none voting 'present', and the House does concur in Senate Amendment #3 to House Bill 1194. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1249, Representative Terzich. Clerk, read the Bill."

Clerk Leone: "House Bill 1249, a Bill for an Act to amend the Emergency Medical Services Systems Act, together with Senate Amendments #1 and 2."

Speaker Breslin: "Representative Terzich."

Terzich: "Yes, Madam Speaker, Ladies and Gentlemen of the House. I move that we concur with Senate Amendment #1 and #2. Senate Amendment #1 sets up the Medical Service Disciplinary Review Board and Amendment #2 sets up the criteria for nurses in the Emergency Medical Service and I would move for its concurrence."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendments 1 and 2 to House Bill 1249, and on that question, is there any discussion? The Gentleman from

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Bureau, Representative Mautino."

Mautino: "Would the Gentleman please speak to Senate Amendment #2 and what those classifications are?"

Terzich: "Yes, it sets up the criteria for field RNs which completes substantially the same training as required for an emergency medical service technician and also the mobile intensive care nurse, which must complete special training including training in telemetric communication, advance cardiac life support and pre-hospital trauma support as approved by the Department of Public Health."

Mautino: "I didn't hear a word you said, Bob. I..."

Terzich: "What can I tell you? What it does, it sets up the criteria for emergency medical service personnel."

Mautino: "I could hear that one, Bob."

Speaker Breslin: "Is there any further discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 1249?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 115 voting 'aye', none voting 'no' and 3... and none voting 'present', and the House does concur in Senate Amendments 1 and 2 to House Bill 1249. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1256, Representative Steczo. Clerk, read the Bill."

Clerk Leone: "Senate (sic - House) Bill 1256, a Bill for an Act to provide for the creation and management of forest preserve districts, together with Senate Amendments #3 and 4."

Speaker Breslin: "Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. I would move to concur with Senate Amendments #3 and 4 to House

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Bill 1256. Senate Amendment #3, in addition to the... retaining the original language of the Bill, provides that property owned for forest preserve district is exempt from eminent domain or condemnation and that's similar... we're giving to downstate forest preserve districts the same authority that currently Cook County has and it also provides that ordinances to create expenditures or liabilities may be passed by a majority of members who are either elected or appointed. The present statutes suggest that such ordinances would only be passed by appointed members. This Amendment also expands the type of land that a forest preserve district may acquire to include land which may be returned to its natural condition. Presently, only forested land and that land capable of being forested may be included. It makes a change in the bid limits, bid thresholds which is something that has always passed this House unanimously - in fact, did last year - raises for forest preserve districts and park districts the bid limit from \$4,000 to \$10,000. That is more than norm for most units of local government today. And Senate Amendment #4 provides that in Cook County, with respect to golf courses, if there is a sale of a golf course, the right of your first refusal will go the Cook County Forest Preserve District and if they do not pass upon that in 30 days, then it would pass to the local park district whose... in whose territory that golf course may be. I would answer any questions and if not, move to concur with Senate Amendments 3 and 4."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendments 3 and 4 to House Bill 1256, and on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments 3 and 4 to House Bill 1256?' All those in favor vote 'aye',

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all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 107 voting 'aye', 6 voting 'no', and 2 voting 'present', and the House does concur in Senate Amendments 1 and 2 to House Bill 1256 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1291, Representative Hensel. Clerk, read the Bill."

Clerk Leone: "House Bill 1291, a Bill for an Act to amend an Act to revise the law in relationship to counties, together with Senate Amendment #1."

Speaker Breslin: "Representative Hensel."

Hensel: "Thank you, Madam... Thank you, Madam Speaker and Members of the House. I move to concur with the Senate action which added Senate Amendment #1. What Senate Amendment #1 does was to delete the Amendment that was added on the House floor. I have checked with the House Sponsor of that Amendment. We are in agreement. What the Bill now does, it just provides that any county board may, by resolution or ordinance, require each occupant of an industrial or commercial building located in an unincorporated area to obtain a county occupancy permit and I ask for a favorable vote."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 1291 and on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Breslin: "He will."

Hensel: "Yes."

Cullerton: "Was this the subject matter of... strike that. Was Senate Amendment #1 the subject matter of either a Senate or a House Bill?"

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Hensel: "What it did was delete the House Amendment that was put on the floor that Representative Weaver put in that would have allowed board members to be paid on a per meeting basis as an alternate and they thought it was not a good idea and I agreed that we would concur with the Senate action."

Cullerton: "I'm sorry. I can't hear."

Hensel: "It's not my fault."

Cullerton: "Okay, I'll try this again. Representative Weaver, on Amendment #2..."

Hensel: "That was a House Amendment."

Cullerton: "House Amendment #2, in determining the county board members' salaries, allowed for the calculation on a per meeting basis, is that correct?"

Hensel: "As an alternate, if they wanted to do that."

Cullerton: "Instead of a per diem or a salary basis, and what did Senator Karpiel's Amendment do?"

Hensel: "Senate Amendment #1 deleted that Amendment that we put on in the House and so it leaves the Bill as it came out of Committee, which provides that a county board, by resolution or ordinance, require that each occupant of an industrial or commercial building located in an unincorporated area to obtain a county occupancy permit and that's all that the Bill does now, if we concur."

Cullerton: "Right. Now, have you checked with Representative Weaver as to his position on the Senate's Amendment that struck his Amendment from the Bill?"

Hensel: "That's correct and I checked with Representative Weaver and he's in agreement with me."

Cullerton: "Fine, thank you."

Speaker Breslin: "The Gentleman from Warren, Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

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Hensel: "Yes."

Speaker Breslin: "He indicates he will."

Hultgren: "I'm not sure I understand what an occupancy permit is.
Can you tell me?"

Hensel: "Well, basically, when a occupant vacates a building and
you have a new occupant and they should then go to the
county and get an occupancy permit to make sure that they
have complied with all the codes in case there's a change
in the building that they are going to use it for."

Hultgren: "Is there a fee attached to getting the occupancy
permit?"

Hensel: "I don't believe there is, no. It's not a license. We
are not charging them anything. It's not like a license
fee."

Hultgren: "We're simply trying to enforce the county building
code, for example. Is that right?"

Hensel: "That's correct. That's correct."

Hultgren: "Would it be possible under your legislation for the
county to charge a fee to issue this occupancy permit?"

Hensel: "I'm not sure whether that's in the statutes or not. I
don't think they would. I think what they are trying to
do, legislative intent, is to make sure that when the
occupants vacate a building and you have a new occupant
that they are up to code and if there are any changes that
would have to be made, I think the fees would be instituted
in that area there."

Hultgren: "And this is a local option sort of thing, by county,
is that right?"

Hensel: "That's correct."

Hultgren: "Thank you for responding to those inquiries."

Speaker Breslin: "The Gentleman from McHenry, Representative
Klemm."

Klemm: "Thank you, Madam Speaker. Will the Sponsor yield for a

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question?"

Speaker Breslin: "He will."

Hensel: "Yes."

Klemm: "Representative Hensel, in our analysis of Senate Amendment 1, is that incorrect actually?"

Hensel: "Pardon?"

Klemm: "The analysis that we have for Senate Amendment 1, is that incorrect?"

Speaker Breslin: "Do you have the analysis?"

Hensel: "Well, we're deleting Senate Amendment... Senate Amendment 1 deletes that portion, yes. It deletes the provision that county board members be paid on a per diem, per meeting."

Klemm: "Alright, we had allowed... we had allowed... we had allowed that to be either way, wasn't it?"

Hensel: "That's what the Amendment that we put on the House floor. Now we are taking it out."

Klemm: "So they cannot use a per diem method of paying county board members, is that right?"

Hensel: "No, the Amendment, as it's stated would have been an alternative to either way. You can still get paid by per diem if the county board would elect to do so."

Klemm: "Well, it seems - and this is why I need your clarification - it seems that the initial language allowed either or for county board members to be paid per diem or by salary and now Senate Amendment 1 deletes the per diem method. Is that correct?"

Hensel: "Well, what the Amendment was going to do, the House Amendment would have allowed them to have the option to either pay them on a per diem or a per meeting basis and the Senate didn't feel that they should have the option to do that, so we're deleting that out of the..."

Klemm: "But you will leave intact the per diem and the salary?"

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Hensel: "That's correct. It will be back to the way the original statute was, right."

Klemm: "That's what I wanted the clarification of. Thank you very much."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1291?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 107 voting 'aye', 9 voting 'no' and none voting 'present'. The House does concur in Senate Amendment 1 to House Bill 1291 and this Bill, having received the Constitutional Majority, is declared passed. Representative LeFlore, for what reason do you rise?"

LeFlore: "Yes, Madam Chairman, I'd like to take this opportunity to introduce a former Rep., Jesse Madison, an executive vice-president of the park district."

Speaker Breslin: "Welcome, Jesse. House Bill 1336, Representative Ryder. Clerk, read the Bill."

Clerk Leone: "House Bill 1336, a Bill for an Act to amend the Illinois Public Aid Code, together with Senate Amendment #1."

Speaker Breslin: "Representative Ryder."

Ryder: "Thank you, Madam Speaker. I would move to concur with Senate Amendment #1 which deleted a provision providing Department of Public Aid is not responsible for payment of attorneys' fees in certain circumstances. That Amendment that was deleted was covered in another Bill so that it is still part of the law and I would ask to concur with House Bill 1336, Senate Amendment #1."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment 1 to House Bill 1336, and on that question, is

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there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1336?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment 1 to House Bill 1336, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1349, Representative Barnes. Is the Lady in the chamber? Representative Barnes. Out of the record. House Bill 1351, Representative Cullerton. Clerk, read the Bill. Out of the record. House Bill 1373, Representative Johnson. Clerk, read the Bill."

Clerk Leone: "House Bill 1373, a Bill for an Act to create the Bowdre Township Metropolitan Exposition Auditorium and Office Building Authority, together with Senate Amendment #1."

Speaker Breslin: "Representative Johnson."

Johnson: "Thank you, Madam Speaker and Members of the House. House Bill 1373, as it passed the House, would create the Bowdre Township Metropolitan Exposition Auditorium and Office Building Authority, define its powers and duties. Went out unanimously for the purpose of, if necessary, in the future applying for appropriate funding for Hindsboro Civic Center. The effect of Senate Amendment #1, Representative Schaffer and Klemm... Senator Schaffer and Representative Klemm, would add provisions creating the Marengo and Crystal Lake Civic Authorities and creating their powers and duties. I would move that the House concur with Senate Amendment #1."

Speaker Breslin: "The Gentleman has moved to concur in Senate

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Amendment 1 to House Bill 1373, and on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, Madam Speaker. Could I ask the Sponsor to take this out of the record for just one second?"

Johnson: "Sure."

Speaker Breslin: "Out of the record. On page 5 on your Calendar, the next Bill is House Bill 1391, Representative Countryman. Clerk, read the Bill."

Clerk Leone: "House Bill 1391, a Bill for an Act to amend the Illinois Insurance Code, together with Senate Amendment #1."

Speaker Breslin: "Representative Countryman."

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1391 and the underlying Bill amended the Insurance Code to require an insurer to disclose the limits of liability under the policy of the insured to the person who is injured as the result of an accident. The effect of Senate Amendment 1 is to limit the disclosure liability to the insured's personal private passenger automobile liability policy, requires a description of the injury, medical costs incurred and copies of medical reports be submitted with the request for disclosure. And I move concurrence in Senate Amendment #1."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1391, and on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1391?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment #1 to

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House Bill 1391 and this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, may I have your attention, please. Earlier this morning, we indicated that if you had a Bill on the Consent Calendar that you did not want on the Consent Calendar you were to notify us and we would cut the time off for notifying us by 12:00 noon. It is 12:00 noon. We are about to cut off that time. If there is anyone else that wishes to remove their own Bill from the Consent Calendar, they should approach the well immediately. We will, therefore, begin to prepare the other forms for voting 'no' on individual consent Bills and we will be getting back to you shortly to take the Roll Call on the Consent Calendar. Thank you. The next Bill on the Order of Concurrences, on page 5 on your Calendar, is House Bill 1411, Representative Greiman. Out of the record. House Bill 1412, Representative Greiman. Out of the record. House Bill 1432, Representative Krska. Representative Krska. Out of the record. House Bill 1484, Representative Doederlein. Clerk, read the Bill."

Clerk Leone: "House Bill 1484, a Bill for an Act to amend the Abused and Neglected Child Reporting Act, together with Senate Amendment #1."

Speaker Breslin: "Representative Doederlein."

Doederlein: "Madam Speaker, Ladies and Gentlemen of the House, I move to concur with Senate Amendment #1. It sets a starting date or effective date of January 1, 1988."

Speaker Breslin: "The Lady has moved to concur in Senate Amendment #1 to House Bill 1484, and on that question is there any discussion? Hearing none... the Gentleman from Cook, Representative Preston."

Preston: "Would the Lady yield for a question?"

Speaker Breslin: "She will."

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Preston: "Representative, I'm sorry. I didn't hear what you said Senate... what the Bill did and what the Senate Amendment does to it."

Doederlein: "Oh, the Senate Amendment sets a starting date, an effective date of January 1, 1988."

Preston: "And what does the Bill itself do?"

Doederlein: "The Bill itself sets special procedures for DCFS when they come into the... to investigate teachers in the classroom."

Preston: "I see. Thank you."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1484?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 116 voting 'aye', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1484, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1500, Representative Churchill. Is the Gentleman in the chamber? Representative Churchill. Out of the record. House Bill 1540, Representative Parcels. Clerk, read the Bill."

Clerk Leone: "House Bill 1540, a Bill for an Act to amend the Illinois Insurance Code, together with Senate Amendment #1."

Speaker Breslin: "Representative Parcels."

Parcels: "Thank you, Madam Speaker. This is a Bill that passed out of the House 116 to 1 and came back to us from the Senate with 59 votes. It amends the Insurance Code to require that in regard to dependents covered under two or more policies which provide for coordination of benefits, the benefits under the policy of the insured whose birthday

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falls earlier in the year shall be determined first. It's a way to clarify this so that it's more easily handled. What the Senate did was get... add an effective date of 180 days to give the companies some time to organize and simplify their procedures and I move to concur."

Speaker Breslin: "The Gentle... the Lady has moved to concur in Senate Amendment #1 to House Bill 1540, and on that question, the Gentleman from DeKalb, Representative Countryman."

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

Speaker Breslin: "She will."

Countryman: "Representative, currently, isn't it the first policy that covered that would cover?"

Parcells: "I didn't hear the question."

Countryman: "Well, if you have two policies, isn't it the first one that was purchased that would cover for the coordination of benefits?"

Parcells: "I believe the way the law reads now is that it is the father's policy that comes first and this would make it whose ever birthday falls first. So, if mother's birthday falls earlier in the year, it would be her policy that would be used instead of father's. Not age, it wouldn't matter if she is younger, just whose ever birthday falls first."

Countryman: "Well, what if..."

Parcells: "Some of these companies are already doing this now."

Countryman: "What if one had better benefits than the other? Can the individual elect to take the better benefits?"

Parcells: "Well, of course, the second policy will pick up what the first doesn't. You're aware of that. Nor does this Bill mandate that you have two policies. If presently, the children are covered only under one policy, that will remain the same. Nobody is forcing both parents to take

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these benefits, but as you know, the first policy will cover the first things and then you can add the rest to the second policy presently."

Countryman: "So they shouldn't be denied any benefit as a result of this?"

Parcells: "They would not be denied any benefits."

Countryman: "I mean if one had a better benefit then that benefit ought to pay. Is that right?"

Parcells: "That's correct."

Countryman: "Who suggested this Bill? The companies themselves or..."

Parcells: "Yes."

Countryman: "Thank you very much."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1540?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 116 voting 'aye', none voting 'no' and none voting 'present', and the House does concur in Senate Amendments #1 to House Bill 1540, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1548, Representative Leverenz. Is the Gentleman in the chamber? Out of the record. House Bill 1560, out of the record. House Bill 1567, Representative Petka. Clerk, read the Bill."

Clerk Leone: "House Bill 1567, a Bill for an Act to amend the Unified Code of Corrections, together with Senate Amendment #1."

Speaker Breslin: "Representative Petka. Representative Petka."

Petka: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1567, the Senate Amendment which came back over to us amends the Criminal Code of Procedure and

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adds to it a Section of the aggravating factors which can be additionally considered in imposing the death penalty. Under the Amendment that has been placed on in the Senate, a murder that is committed in a cold, calculated and premeditated manner, pursuant to a preconceived plan, scheme or design so as to take a human life by unlawful means and if the conduct of the defendant created a reasonable expectation that the death of a human being would result therefore, this would be an... statutory aggravating factor which could be considered by a jury or the trier of fact in determining whether or not the death penalty should be imposed. This particular Section is modeled after a Section which is found in the State of Florida's death penalty Section. This statutory factor has been in effect in the State of Florida for four years. The language was upheld not only by the Florida Supreme Court, but when the defendant appealed to the United States in a Writ of Certiorari, it was also denied, which basically is an upholding of the Florida statute. This provision is intended to apply to those situations in which a defendant basically takes the life of another person after deliberating upon it for extended periods of time. It is not widely known, but many of the crimes in which the death penalty is now eligible, basically are crimes which are committed as an after-thought on a murder that is committed in after-thought to a forceable felony. For example, back in the County of Will, in a case that I personally tried myself, a defendant jumped on a drunk who was staggering out of a bar at two o'clock in the morning and beat him up and knocked him unconscious and as a result, he died. Because there was a robbery connected with this, he was eligible for the death penalty and received it. However, in another instance in which a

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defendant found out that his wife was cheating on him, he laid in ambush for approximately one week waiting for the ideal time, shot the victim a couple of times and then doused him entirely with gasoline and after he was doused in gasoline, the defendant... the victim expired. That type of a case was not eligible for the death penalty and it seems that's an anomaly in the law that needs to be corrected. This is exactly what this Section is intended to remedy and I move for concurrence."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1567, and on that question, the Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This one we ought to pay attention to because this is a very, very serious situation here. We're talking about amending the Criminal Code of Procedure to add a really a new area for the death penalty and although I support the death penalty, I don't support this Amendment. First of all, the language is vague and unclear. The language that the Senate added was if the murder is committed in a 'cold, calculated and premeditated manner pursuant to a preconceived plan.' Well, you know, those things are... what's cold murder? You know, it's just kind of crazy language. I don't know where they came with it and I don't think it can withstand any sort of a constitutional challenge, which only means that we are going to spend more money on prosecution and more money in terms of getting these people tried and attempt on death row and more and more appeals. But the next question is what the United States Supreme Court has decided in the area... in this whole area and the United States Supreme Court has decided that just murder in and of itself is not sufficient for the death penalty and I think you had better

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take a good cold, hard look at this and oppose it."

Speaker Breslin: "The Gentleman from Champaign, Representative Johnson."

Johnson: "I don't mean to presuppose to tell people on the House floor what to do, but I would think if there is ever a Bill there ought to be some attention to and close attention to it's a Bill that would allow the state a greatly expanded right to execute its citizens. You know, we talk... Representative Cullerton and I do and Representative Countryman and others, about this whole series of Bills that we always see introduced that expand the prison population, the Class X to begin with, but then we add to Class X all kinds of additional things and expanded categories of aggravated battery and consecutive sentencing. I will say, Representative Petka, with this Bill, would at least meet that criticism. This Bill would substantially... if it's carried out, would substantially reduce our prison population. I've got to give him credit for that. This Bill is so broadly drawn that it could cover nearly any situation of an unlawful killing and expands by multi times over those narrow categories we have in the statutes now. Not a whole lot of us were here in 1977. I was and I was on the Judiciary II Committee when we passed - and I voted for - capital punishment Bill in Illinois. And we had then a clear legislative intent, unequivocal, and those of you who were here remember that because Representative Kozinski, who is now deceased, was the Sponsor of that, that given the awesome power of the state to shave somebody's head and give them a last meal and lead them into a room and kill them, that that power ought to be very narrowly circumscribed and we did. We drew a narrow death penalty statute that would apply to those most heinous situations that the ultimate penalty, I

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guess, the majority felt was appropriate for; killing a policeman in the line of duty, killing in the course of... multiple murders, a second murder and so forth. But this Bill, as Representative Countryman has so articulately pointed out, is so broad and so vague, and I would suggest unconstitutionally vague, that we could use this to kill at least eight or ten times the number of people that are on death row now. I don't know what 'cold, calculated and premeditated' means. I don't know what 'pursuant to a preconceived plan or scheme or design to take a human life by unlawful means' means. Most murders or most homicides that are simply spur of the moment sorts of things probably aren't murder anyway. They are probably some form of different degree murder or manslaughter. So that this situation, in my judgment and some limited exposure, both from my law partners being prosecutors at one point and those same people doing some defense work now, I think would be so broad that no one, including the judges or juries or state's attorneys, defense counsels, citizens, victims or anyone else would have any conception of what it means and more important than that would never meet the Supreme Court's test of specificity and I think most important, you got to realize, when you send somebody to death row and two years after you execute them, somebody testifies that there was a perjury or a mistake or a mistaken identity or new evidence, there is no appeal. There is no appeal for that person's family. There is no appeal once they take you in a room and put poisonous dye in your veins and kill you. It's all over. And so, while I still support a limited application of the death penalty and have very grave reservations both ways about that issue, to expand it as broadly as this Amendment would do and as this Bill would do, I think would work contrary to

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the ends of criminal justice. It would make juries less likely to convict. It would be unfair, unjust and overbroad and ought to be defeated."

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

McCracken: "Thank you, Madam Speaker. I rise in support of the Gentleman's Motion to concur. This language is patterned directly after the Florida statute which has been upheld by that Supreme Court against attacks intimated here today. Certiorari has been denied in seeking U. S. Supreme Court review of this issue twice. So, this language is clearly constitutional. The better question for us today to consider is whether it's wise public policy and I submit to you that it is. It is not true that a murder is a murder is a murder. It is not true that there are no worse ways to die than other ways to die. It is not true that all murderers should be subjected to the same punishment. In fact, we recognize that policy when we make the lesser offense of reckless homicide, and it's a lesser offense because it's not an intentional act within the meaning of our criminal laws. This is the penultimate intentional act. This is the act where one has a preconceived plan, a design to carry out a murder. There is nothing wrong with making this subject to the death penalty where other types of murder are not subject to the death penalty. I submit to you that there is a substantial qualitative difference between this type of murder and murders for which the death penalty does not apply. I think this does no harm to our constitution and represents sound public policy."

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

Williams: "Thank you, Madam Speaker. I also rise in opposition to this and unlike the last speaker, Mr. McCracken, I'd

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like to say... excuse me for mentioning a name... unlike the last speaker, I'd like to say that... he says that a murder is a murder is a murder. Under this Bill... or this Amendment, a murder will be a murder regardless. There are good sound reasons for having the differentiations between the types that's subject to the death penalty. When you have a person that is being convicted of a murder in which he has acted against a police officer, a jail guard, someone under the age of 12, all of these are circumstances which make a difference. When the victim has been convicted of a murder before, that makes a difference. But here you've got vague language calling for cold... as he says, what is it? Cold, calculated and premeditated manner. Any time someone murders someone, you almost assume by the very nature of it being a murder that it was cold and then it says whether it was calculated... a scheme or design to take a life by some unlawful means of conduct that may have created a reasonable expectation that someone was going to die. If you in any sort of manner, if you in any... basically what you're saying is murder is automatically subject to the death penalty regardless. This is just... this is probably one of the most cruel things we have done today and I respect the Sponsor, but I gotta say if we take this Bill and this Amendment lightly, we going to be leading ourselves into a situation where everything and everybody who comes before the bench will find themselves subject to death and this is wrong. If I've ever seen a movement that's wrong and they say the Constitution and what they do in Florida. This is Illinois. If Florida is inhumane, if Georgia is inhumane, if Mississippi is inhumane, if the rest of the country is inhumane, it makes no sense for us here in Illinois to be inhumane. You know, under certain

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circumstances, dependent upon the prosecutor, dependent upon how you want the facts to be couched and said in court, every possible defendant coming before the bench will be able and be eligible for the death penalty. They can put these sort of ambiguous words and meanings to just basically say if you have been convicted of murder, you can expect the death penalty. I urge that we nonconcur. This is a very serious piece of legislation. It substantially changes the present law and it starts us down the path of showing that Illinois is not an enlightened state, that Illinois is one that's willing to follow the dictates of someplace else where they have not the sort of what I call well-thinking Legislators that we have here today and I move that we nonconcur in this piece of legislation."

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

Kulas: "Thank you, 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 Petka, to close. Representative Petka."

Petka: "Thank you again, Madam Speaker, Members of the House. It seems I have heard these arguments before and I'd like to tell you where I heard them. I have had the opportunity as a state's attorney in one of the larger counties in Illinois to try, myself, personally, eight capital cases. And many of the arguments that have been raised today and the forceful and the eloquentness that has been made by these... by the people who... I respect, have been made before a number of juries in cases I have personally prosecuted. And let me just tell you this, Ladies and Gentlemen, what this legislation seeks to remedy are those

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instances and those situations where people go out, plan, wait and do unspeakably terrible crimes and because of the fact that we simply have not placed the teeth into our death penalty statute, they simply skate. They do not get the death penalty, what they deserve. I can tell you there are situations where people have been... had gasoline poured on their body and they have been lit and they are not eligible for the death penalty; but yet, if you roll a drunk and you knock them around a few times and you rob them and he happens to die, he's eligible. And as a matter of fact, Robin Wayne Owens right now is on death row for doing exactly that. But people who go out, plan for over a week to murder someone, can pour acid on them and kill them, can put gasoline on them and kill them, can use a stick of dynamite on a street and blow them apart, they are not eligible for the death penalty. That seems to me to be something that needs to be remedied by this Legislature. What these Gentlemen who have been... they are very fine people have said is not only do they not want an expansion of the death penalty, but they want to contract, they want to contract what the people of this state have said time and time again, we want... we want people who premeditate, who act in cold and calculated manner to receive the death penalty. I can't say it strong enough. This is the type of case which... the type of case which simply cries out for a correction and a remedy under the law. It's a type of situation which our Supreme Court has refused to take certiorari from the State of Florida, which simply means that they felt there was nothing wrong with the Florida death penalty statute. I forcefully urge an 'aye' vote on this matter."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1567?' All those in

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favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative O'Connell, one minute to explain your vote."

O'Connell: "Thank you, Madam Speaker. I have not... I don't think I have voted contrary to Representative Petka throughout the Session. This Bill, however, is... I saw this for the first time this morning and I did have a conversation with Representative Petka regarding the thrust of the Amendment. I think that this type, this far reaching and significant and ultimate type of legislation that we are sending to the Governor should go through a Committee process and I don't know what the process was in the Senate, but clearly we have not had an opportunity, in this House, to consider the merits or demerits of the Bill however you look at it in a very thoughtful or lengthy procedure. And I, for one, while I respect the Sponsor, will be voting 'present' on this Bill in order to give it more of a hearing than it's been given this morning."

Speaker Breslin: "The Gentleman from Will, Representative Wennlund, one minute to explain your vote. Representative Wennlund."

Wennlund: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I urge more green votes up there and I urge particularly the lawyers on the House floor to think about the death, the cold, calculated and premeditated death of a young lawyer by the name of Tim McNamee. Shot to death by a thirty aught six rifle capable of killing an elephant. Think about the cold, cruel and calculated method. If that doesn't deserve the death penalty, nothing does. Think about it when you leave your law office, when you go back to your district, think about that kind of premeditated crime. This deserves your green 'yes' vote. This type of cold, calculated, premeditated murder deserves a 'yes' vote

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and it deserves the death penalty. Think about Tim McNamee when you push that switch. Thank you."

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

Johnson: "I just want to verify it if it gets the number of votes it needs."

Speaker Breslin: "Very good. Have all voted who wish? Have all voted who wish? Only vote your own switches, Ladies and Gentlemen. This Bill will be verified. Have all voted who wish? The Clerk will take the record. On this question, there are 69 voting 'aye', 35 voting 'no', and 12 voting 'present'. Poll the absentees, Mr. Clerk, and then poll the affirmative."

Clerk Leone: "There are no Members who are not voting."

Speaker Breslin: "Poll the affirmative then."

Clerk Leone: "Poll of the Affirmative. Ackerman. Barger. Barnes. Berrios. Black. Brunsvold. Bugielski. Capparelli. Christensen. Churchill. Cowlshaw. Curran. Daley. Daniels. DeLeo. Doederlein. Ewing. Farley. Flinn. Virginia Frederick. Giorgi. Goforth. Granberg. Hallock. Hannig. Hartke. Hasara. Hensel. Hicks. Hoffman. Hultgren. Keane. Klemm. Krska. Kulas. Laurino. Leverenz. Martinez. Matijevich. Mautino. Mays. McAuliffe. McCracken."

Speaker Breslin: "Excuse me, Mr. Clerk. Representative Giglio changes his vote from 'no' to 'aye'. Proceed, Mr. Clerk."

Clerk Leone: "McGann. Novak. Robert Olson. Panayotovich. Parcels. Parke. Bernard Pedersen."

Speaker Breslin: "Excuse me, Mr. Clerk. Representative Johnson, Representative Churchill asks leave to be verified. You have leave, Sir. Proceed."

Clerk Leone: "William Peterson. Petka. Phelps. Piel. Pullen. Regan. Ronan. Ropp. Ryder. Stange. Stephens. Tate."

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Terzich. Wait. Weaver. Wennlund. Williamson. Wojcik.
And Wolf."

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

Cowlshaw: "May I please have leave to be verified?"

Speaker Breslin: "Representative Cowlshaw, you have leave to be
verified. Representative Black, for what reason do you
rise?"

Black: "Thank you, Madam Speaker. May I have leave to be
verified, please?"

Speaker Breslin: "Representative Black asks leave to be verified.
Does he have leave, Sir? You have leave. Representative
Black asks leave to be verified. Representative O'Connell,
for what reason do you rise?"

O'Connell: "Change from 'present' to 'aye'."

Speaker Breslin: "Change Representative O'Connell from 'present'
to 'aye'. Proceed, Representative Johnson."

Johnson: "Yeah, let me just say... I know this isn't in the
rules, but I don't mean any disrespect to anybody I'm
verifying on this because I realize there's other meetings
going on. The fact of the matter is this is just a... it's
truly a life and death issue, so I'm going to treat it
accordingly. No disrespect to people I'm verifying off.
Representative Wait."

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

Johnson: "Regan."

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

Johnson: "Stange."

Speaker Breslin: "Representative Stange. Jim Stange. Is the

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

Johnson: "Are we still going?"

Speaker Breslin: "Yes."

Johnson: "I'm sorry. Piel."

Speaker Breslin: "Representative Piel. Representative Bob Piel.

The Gentleman is not in the chamber. The Gentleman is in the chamber. Leave him on the Roll Call. Representative... three Representatives who were verified off have returned to the chamber. Please record them as voting 'aye', Mr. Clerk. Representative Wait, Representative Stange and Representative Regan."

Johnson: "Madam Speaker, with all respect for the time of the House, there don't appear to be enough people gone to make a difference and I'm not going to waste any more time. So, I would withdraw our request for verification."

Speaker Breslin: "Very good. Okay. Representative Harris asks to change from 'present' to 'aye'. Representative Rea changes from 'no' to 'aye'. Representative Mulcahey changes from 'no' to 'aye'. Representative... on this question, there are 74 voting 'aye', 30... Representative Van Dwyne changes from 'no' to 'aye'. Representative Richmond changes from 'present' to 'aye'. Representative Martinez, how do you wish to be recorded? Change Representative Martinez from 'no'... from 'aye' to 'present'. Is everyone recorded as he or she would like? Would you turn off Representative Van Dwyne. On this question, there are 75 voting 'aye', 31 voting 'no' and 10 voting 'present'. The House does concur in Senate Amendment... Senate Amendment #1 to House Bill 1576 (sic - 1567) and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative DeLeo, for what reason do you rise?"

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DeLeo: "Thank you, Madam Speaker, Members of the House. I'd like to take a personal point of privilege."

Speaker Breslin: "Proceed."

DeLeo: "A former Member of the House of Representatives, my good friend and now just reelected to the the Circuit Court of Cook County, Judge Dan O'Brien."

Speaker Breslin: "Welcome. Is that good Danny or bad Danny?"

DeLeo: "That's the good Danny."

Speaker Breslin: "Hooray. Welcome. With leave of the Body, we'll go back to House Bill... Representative Homer, for what reason do you seek recognition? Representative Homer, for what reason do you seek recognition?"

Homer: "Madam Speaker, only to point out that you earlier misstated the Bill number for the record, but I understand you are going to repeat it now anyway, correct?"

Speaker Breslin: "Yes."

Homer: "Okay, thank you."

Speaker Breslin: "The House has just concurred in Senate Amendment #1 to House Bill 1567. With leave of the Body, I'd like... and that Bill, having received the Constitutional Majority, was declared passed. House Bill 1560, we'd like to go back to Representative Levin for that Bill. Representative Levin. Clerk, read the Bill."

Clerk Leone: "House Bill 1560, a Bill for an Act to amend the Illinois Administrative Procedure Act, together with Senate Amendment #1."

Speaker Breslin: "Representative Levin."

Levin: "I would move that we nonconcur in Senate Amendment #1."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendment #1 to House Bill 1560. Could you tell us why, please?"

Levin: "Yeah, this is... the underlying Bill is a JCAR Bill. The Amendment, Senate Amendment #1 was the subject of a

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separate Bill which was not reported out of Labor and Commerce here in the House because of opposition. The Senate attempted to put it on. There's still opposition, so we want to send it back and ask the Senate to recede from the Amendment."

Speaker Breslin: "The question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 1560?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendment #1 to House Bill 1560. The next Bill, on page 5 on your Calendar, is House Bill 1585, Representative Mautino. Clerk, read the Bill."

Clerk Leone: "House Bill 1585, a Bill for an Act to amend the School Code, together with Senate Amendment #1."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. I move to concur with Senate Amendment #1 to House Bill 1585. The original Bill 1585 established the Illinois Institute for Entrepreneurship Education, specifically at Northern Illinois University. It's a combination program funded by the private sector as well as the public sector. The decreasing appropriation from \$250,000 initially reduces down to nothing in five years and that portion is picked up by the private sector if, in fact, the program would be to continue. Senate Amendment #1 establishes that one of the individuals who is representing the Department of Commerce and Community Affairs as a member of the Institute shall be a minority or a female as defined by the Minority and Female Business Enterprise Act and it provides that in no instance shall the state's share be more than \$250,000. And I move for concurrence on Senate Amendment #1 to House Bill 1585."

Speaker Breslin: "The Gentleman has moved to concur in Senate

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Amendment #1 to House Bill 1585, and on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1585?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 109 voting 'aye', none voting 'no' and none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 1585, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1590, Representative Kulas. Out of the record. House Bill 1602, Representative Cowlshaw. Out of the record. House Bill 1680, Representative Mautino again. Representative Mautino. Clerk, read the Bill."

Clerk Leone: "House Bill 1680, a Bill for an Act to amend the Employee Ownership Assistance Act, together with Senate Amendment #1."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. I move to concur with Senate Amendment #1 to House Bill 1680. When 1680 went over to the Senate, it was a vehicle Bill for the small business and the Department of Commerce and Community Affairs. What this now does is to provide, in Senate Amendment #1, the state program, phase 2, for the Small Business Innovation Research, which is SBIR, to provide for matching funds to the Federal Phase I Small Business Research Program. DCCA will administer the program. It's federal funding and they're required to submit the report concerning the results of that program. It's a federal program passed through and they are the management agents. I move for concurrence to Senate Amendment #1, which is the Bill in its current form."

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Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1680, and on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1680?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 115 voting 'aye', none voting 'no' and none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 1680, and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dunn is in the Chair for a special announcement. Representative Dunn."

Dunn: "Will Representative Jesse White please come up here? As all of you know, we recently had a very important athletic event. Jesse, get up here. The annual legislative tennis tourney, and out at the Racquet Club, a winner was chosen and the winner is coming right up here. But I would like you to know that Jesse White is the 1987 tennis champion in the All-American Division of the SIIA Legislative Tennis Tournament. He finished in first place at the 14th annual tennis tournament just completed. His partner was Ted 'Park District' Flickinger. The reason I'm up here is that I was supposed to be Jesse's partner and I feel I should have been standing here as his partner with... in the winner's position also because whoever plays with Jesse wins. Jesse is a great tennis player and on behalf of the sponsors of the SIIA tennis tournament, I'd like to present the first place trophy to Jesse White."

White: "Well, thank you very much. I play tennis once a year and I'm grateful to Mr. Walters for hosting this wonderful tennis tournament and my partner of a few years ago vacated

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the scene. He went back to Decatur to avoid playing with me this year. John, I sincerely believe that half of this trophy belongs to you. So, thank you."

Speaker Breslin: "With leave of the Body, we'll go back to House Bill 1602 and give Representative Klemm leave to present this Bill on behalf of Representative Cowlshaw, who is the lead Sponsor. Hearing no objection... Oh, Representative Cowlshaw is back. Hearing no objection, House Bill 1602. Representative Klemm."

Klemm: "Thank you, Madam Speaker. I move to concur with Senate Amendment #1 on House Bill 1602. What Senate Amendment #1 does is it adds a Section to the Bill concerning library research and reference facilities. It clarifies that those will be down at Champaign Urbana and the Southern Illinois University Carbondale campus and it allows the State Librarian to designate libraries with computerized data retrieval devices and clarifies that Section and I move for its adoption."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 1602, and on that question, is there any discussion? Hearing none, the question is, 'shall the House concur in Senate Amendment #1 to House Bill 1602?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The clerk will take the record. On this question, there are 114 voting... 115 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment #1 to House Bill 1602, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1684, Representative McPike. Out of the record. House Bill 1742, Representative Mays. Representative Mays, do yo want this Bill called for

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concurrence? Out of the record. House Bill 1748, Representative Kirkland. Is the Gentleman in the chamber? Representative Kirkland. Out of the record. House Bill 1767, Representative Rea. Clerk, read the Bill."

Clerk Leone: "House Bill 1767, a Bill for an Act to amend the Environmental Protection Act, together with Senate Amendment #1."

Speaker Breslin: "Representative Rea."

Rea: "Yes, I would move to concur with Senate Amendment 1 to House Bill 1767. This is a technical Amendment which clarifies the original intent of House Bill 1767. When LRB had drafted the Bill, they had... they put the word 'permit' in there which should not have been and we did not find the mistake until it had gotten to the Senate. So, I would move for concurrence."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1767, and on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1767?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment #1 to House Bill 1767, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1786, Representative O'Connell. Clerk, read the Bill."

Clerk Leone: "House Bill 1786, a Bill for an Act to amend the Criminal Code, together with Senate Amendments #1 and 2."

Speaker Breslin: "Representative O'Connell."

O'Connell: "Thank you, Madam Speaker. Amendment... Senate

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Amendment #1 is a cleanup of the original Bill that passed out of this House which provided an exemption for the eavesdropping violations for incoming calls or recordings for various consumer hotlines. And, of course, the thrust of that exemption was to try to provide some insulation against the number of threats and calls in terms of tampering or providing alien substances in various food and drug products. Senate Amendment #2 was submitted by AT&T, which makes the eavesdropping law consistent with current normal practices that AT&T telephone companies use with regards to monitoring their own system of operating phone systems. So, there was no disagreement in the Senate and I see no controversy nor have I heard of any opposition here in the House and I ask that there be concurrence in Senate Amendments #1 and 2."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendments 1 and 2 to House Bill 1786, and on that question, the Gentleman from Macon, Representative Dunn."

Dunn: "What's left in the main Bill?"

O'Connell: "The main Bill is still... the substance of the main Bill is still there. All that Senate Amendment #1 did would provide..."

Dunn: "What is the main Bill then? That's what I really want to know."

O'Connell: "Well, there are a number of large manufacturing food companies... food manufacturing companies that hold out to the public consumer hotlines, wherein complaints of tainted foods or bad foods may be called in on a very bonafide, honest basis. The consumer hotlines, however, have been utilized by individuals along the lines of the Tylenol... Representative Dunn?"

Dunn: "Yes."

O'Connell: "... along the lines of the Tylenol case. They have

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been using the hotlines to submit these crank calls."

Dunn: "Okay, that's fine. Thank you."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 and 2 to House Bill 1786?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 100 voting 'aye', 12 voting 'no' and 4 voting 'present'. This Bill... and the House does concur in Senate Amendments 1 and 2 to House Bill 1786, and this Bill, having received the Constitutional Majority, is hereby declared passed. With leave of the Body, I'd like to go back to Representative Kirkland's Bill, House Bill 1748. Read the Bill, Mr. Clerk. House Bill 1748, Sir."

Clerk Leone: "House Bill 1748, a Bill for an Act concerning programs available for adults through state agencies, together with Senate Amendments #1."

Speaker Breslin: "You'll have to put it up on the board. Representative Kirkland."

Kirkland: "Thank you, Madam Speaker. The Amendment just changes a reporting requirement from semi-annual to annual. The original Bill required certain state agencies to file these reports with the State Board of Education concerning adult education programs and services just kind of to set the State Board up as a clearing house for information on those programs. Thank you."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1748, and on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1748?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage."

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Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'aye', none voting 'no' and none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 1748, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1805, Representative Phelps. Clerk, read the Bill."

Clerk Leone: "House Bill 1805, a Bill for an Act to amend the School Code, together with Senate Amendment #1."

Speaker Breslin: "Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #1 to Senate Bill... House Bill 1805 actually just clarifies that the many math and science academies that we set up at the universities will now be designated the summer month program which was the intent of the Bill all along, but now this actually clarifies it in the language and I ask that you concur in Amendment 1."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1805, and on that question, the Lady from Kane, Representative Deuchler."

Deuchler: "Madam Speaker, to the Bill."

Speaker Breslin: "Proceed."

Deuchler: "Ladies and Gentlemen of the House, in House Bill 1805, the idea of enriching the gifted program that this idea does not have merit is not the point; however, to set up a mechanism at this time is the point. Do we want to do it? Is the timing right? We have a flag ship Math-Science Academy that is noted around the country and, in fact, has had international acclaim. Please give it a chance to flourish and prosper and to set a model for state-wide gifted programs. Three years down the road, four years down the road, with all the classes enrolled is surely the time to think then about replicating this model, not now."

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Please vote 'no' on the Motion to Concur."

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

Ropp: "Thank you, Mr. (sic - Madam) Speaker. Would the Sponsor yield?"

Speaker Breslin: "He will."

Ropp: "Representative, do you think that this program will in any way reduce the amount of money that is being used for gifted children?"

Phelps: "Representative Ropp, it's not an intent to compete with the residential program in Aurora and I... at this stage, this calls for no new appropriations. It actually points out that we should utilize our universities that would be geographically spaced through the state that will help the summer programs from the schools to send those math and science gifted kids, if they want and some of this, of course, if you remember the original debate, calls for tuition fees, endowments and the summer program monies that could be spent if the local school boards dictate that. So, I don't feel it will compete. In fact, it might serve as an impetus to send those children that do go to the summer program to finally the residential program in Aurora."

Ropp: "In other words, you think that this Bill passing and signing into law could, in fact, be implemented without any dollars directly appropriated to it?"

Phelps: "That's in fact what it does now and I think it will be successful. That doesn't mean that in the future that it would not grow with some type of intent, only with local jurisdiction dictating to us, the state, that it does work on a level that maybe was not recognized to be, but still the residential could be the final resting place for these children that realize the summer program first that cannot

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go from north or south to the central part of the state to stay full time."

Ropp: "Well, to the Bill, Madam Speaker. It just seems at this point in time that we are calling upon a group of institutions to go a little bit beyond what is expected with our flag ship institution that we have. I think this is a good idea. The fact is I have sponsored several Bills to do the same thing in other areas, but to come up with six of them at this time, I think, is probably a Bill before its time and ought to be considered a couple, three years down the road. Thank you."

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

Satterthwaite: "Madam Speaker and Members of the House, I rise in support of the Gentleman's Motion to concur with Senate Amendment #1. Senate Amendment #1 simply states that these programs would only be conducted during the summer months. They would not be in competition with other programs throughout the state and, in fact, the main Bill itself is in compliance with the study group that was formed to look at the feasibility of a math science academy. That study group indicated that we needed to do many other things in addition to a math science academy and one was the alternative for summer programs of specialized natures. And so, if we are able to put this legislation in place, the planning could at least be completed and if there is a need for public funds at some later time, we might be able to fund it with public dollars, but as it is now, it's simply concurring in a Senate Amendment that says that these programs would be conducted in the summer only and I would suggest support for the Gentleman's Motion."

Speaker Breslin: "The Lady from DuPage, Representative Cowlshaw."

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Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would like to remind my colleagues that when this Bill... and it is the Bill, not just the Amendment that we are voting on here... when this Bill passed out of this House, it did so by a vote of 60 'yes' votes on a controversial and verified Roll Call. Consequently, this is not something that this House has heartily endorsed. As I recall the debate when this Bill got its 60 votes, there was some concern then and I certainly continue to have that concern about our funding for public education. We put some important initiatives, reform initiatives into place when we passed Senate Bill 730. My friends, we have never adequately funded the reform initiatives that we adopted in 1985. We have insufficient dollars to revise our school aid formula. We do not fund the categoricals we have in place. My friends, now more than ever, we have to determine what our priorities are. Either we want to divert funds, which ultimately is what this Bill would do, from the regular school year and the regular school programs that teach all of our children, hopefully, to read and write and compute or we want to keep diversifying and having more and more summer program..."

Speaker Breslin: "Proceed, Representative Cowlshaw."

Cowlshaw: "I'm sorry. This is a summer program only and until we can adequately fund those things which I think ought to be our priorities, we cannot afford and would be ill-advised to pass this Bill."

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

Hoffman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I, too, rise in opposition to this concurrence. I would point out to this Body that we're at that point in time in this Session where we're not going to increase the

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revenues for not only education, but also for many other areas of State Government. Also, it's evident and the Governor has indicated that he's going to cut \$113,000,000 out of the elementary and secondary education budget as it leaves this... it leave this Body. So, not only is the state not going to have money to fund these programs, but neither are the local units of government, the local school districts going to have money to fund these programs and the Governor also said he's going to cut \$47,000,000 out of the university budgets. So, they are not going to have the money to fund this program. I think it ill behooves this Body to pass legislation which raises hopes in a certain segment in our constituency that something is going to happen in their favor when, in fact, there are no resources to make that happen. With all due respect to the seriousness of the intent of the Sponsor, I do not believe that this is a propitious time for us to move this program from this Body with our concurrence when, in fact, we know the resources at the local level or at the state level are not going to be available."

Speaker Breslin: "The Gentleman from Jefferson, Representative Hicks."

Hicks: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. You know, I find it somewhat ridiculous to hear some of the things that have been talked about about this Bill when we talk about the money that's being spent and the possibility of spending money for kids throughout the State of Illinois. You know, we funded a math science academy up north and we spent eleven and a half million dollars to buy a building that we bought for the second time because the State of Illinois built that building in the first place and then turn around and we buy it again for eleven and a half million dollars, and then we spend

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three and a half million dollars to send kids up there that are very limited or a very select group of kids and when we talk about kids being able to be eligible for programs in the summer time throughout the State of Illinois, kids from all over the state who are going to be able to do it and going to be able to try to excel in the science and math, which is so desperately needed, then they stand up and talk about we can't afford doing it. I think that's really ludicrous for us to stand here and say those types of things when we are spending these millions of dollars on a very select group of kids and I think that we ought to be taking a very serious look at this and voting green on this very fine Bill. Thank you."

Speaker Breslin: "Representative Phelps, to close."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I hear so often from the other side of the aisle since I have been here almost three years, how cautious we should be in financing new programs and how we should look at where the money comes from and then we offer an idea in such a practical approach that does not cause us concern for new dollars. We try to utilize those that will be appropriated, that's already been approved to the reform package, that gives local control to school boards, that says yes we will send these two children from our district, along with their own private tuition, some of the dollars we have from the summer programs, the \$15,000,000 that we have appropriated for that purpose to the reform Bill. And now we hear such rhetoric as saying, 'Oh my, this will threaten the program because this idea is already in focus and we've got money in it, the Aurora residential program.' That's fine and well, but when we have a chance to try to accommodate kids from the southern to the northern tip of the state that possibly could not go when they are 11, 12

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years old to the residential authority, but yet have a summer program experience, I don't think it's really practical or even fair for you to deprive those kids of having that experience before they can get away from home in a broader experience. And on that basis and to just bring your attention to Senate Bill... that the Senate gave 57 votes to nothing on this particular Bill... on this Amendment that clarifies it to be a summer program, I find it somewhat ridiculous that we see the opposition here. I appreciate the concurrence."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1805?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 71 voting 'aye', 40 voting 'no' and 1 voting 'present', and this... Representative Mulcahey, for what reason do you seek recognition?"

Mulcahey: "I'm not quite sure. Speaker, record me as voting 'no'."

Speaker Breslin: "Record Representative Mulcahey as voting 'no'. There are therefore 70 voting 'aye', 41 voting 'no', and 1 voting 'present'. Representative Young votes 'aye'. On this question, there are 70 voting 'aye', 41 vot... 71 voting 'aye', 41 voting 'no' and 1 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 1805 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1836, Representative Cullerton. Clerk, read the Bill."

Clerk Leone: "House Bill 1836, a Bill for an Act to amend the Campground Licensing and Recreational Area Act, together with Senate Amendments #1 and 2."

Speaker Breslin: "Representative Cullerton."

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Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I would move to concur in Senate Amendments #1 and 2 to House Bill 1836. The Bill deals with membership campgrounds and Senate Amendment #2 embodies the entire Senate action. It defines sales person for purposes of Unemployment Compensation Act. Provides that membership camping operators can only be considered liable for the representations of third parties providing amenities to consumers only if the operator knew or should have known about the representations of such third parties. Sets forth the advertising standards which membership camping operation... operating must comply with in soliciting new members and it sets forth the notice language which must be included in the membership camping documents regarding the consumer's right of rescission. Happy to answer any questions and appreciate your vote."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendments 1 and 2 to House Bill 1836. On that question, the Gentleman from DeKalb, Representative Countryman."

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

Speaker Breslin: "He will."

Countryman: "Representative Cullerton, in your description, did you indicate that the campground would only be liable if some third person made a misrepresentation? Was that the way I heard that?"

Cullerton: "Right, this was... this language was worked out with the Attorney General. Attorney General wanted to make sure that in determining liability of the campground operators for third party representations that the language be clear that the operator must know or should have known about the representations. And if that was the case, then the camping operator himself would be liable."

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Countryman: "But can he be liable if his own salesman makes a misrepresentation?"

Cullerton: "Of course. We are talking about third party representations."

Countryman: "So, it really doesn't deal with the issue of his own person making a misrepresentation. It only brings on a vicarious liability in the event some third party makes a representation that he knew or should have known, is that correct?"

Cullerton: "Right."

Countryman: "Okay, thank you."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 1836?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Representative Novak votes 'aye'. He is voting 'aye'. 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'. The House concurs in Senate Amendments 1 and 2 to House Bill 1836, and this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we are going to change the Order of Business. We are going to go back to Bills on this Order of Concurrence and we are going to entertain Motions to Nonconcur. We have several Bills already listed in which Members wish to nonconcur. If you have a Bill that is not on my list, please come to the well and give us your Bill number and we will be happy to call it. The first Bill is on page 5 of your Calendar. House Bill 1411, Representative Greiman. Representative Greiman."

Greiman: "Thank you, Speaker. I would move that we nonconcur with Senate Amendments #1 and 2 to House Bill 1411."

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Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendments 1 and 2 to House Bill 1411, and on that question, is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments 1 and 2 to House Bill 1411?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendments 1 and 2 to House Bill 1411. House Bill 1412, Representative Greiman. Representative Greiman."

Greiman: "Yes, I would make the same Motion."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendments 1 and 2 to House Bill 1412, and on that question, is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments 1 and 2 to House Bill 1412?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendments 1 and 2 to House Bill 1412. On page 4 on your Calendar appears House Bill 989, Representative Churchill. House Bill 989, Representative Churchill."

Churchill: "Thank you, Madam Speaker. I'm not sure whether Representative McPike has a... do you want to go ahead with it?"

Speaker Breslin: "You were supposed to nonconcur."

Churchill: "Fine, I move that we nonconcur on House Bill 989."

Speaker Breslin: "Representative Churchill moves to nonconcur in Senate Amendments 1 to House Bill 989, and on that question, is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 989?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendments... in Senate Amendment #1 to House Bill 989."

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The next Bill is on page 5 on your Calendar, House Bill 1684, Representative Greiman. House Bill 1684."

Greiman: "Yes, I'd move to nonconcur with Senate Amendment #1."

Speaker Breslin: "The Gentleman moves to nonconcur with Senate Amendment #1 to House Bill 1684, and on that question, is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 1684?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendment #1 to House Bill 1684. The next Bill is on page 6 on your Calendar, House Bill 2032, Representative Greiman."

Greiman: "Yes, I would move to nonconcur with Senate Amendment #1 to House Bill 1684 (sic - 2032), Madam Speaker."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendment #1 to House Bill 2032, and on that question the Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Madam Speaker. Would the Gentleman rise for a question, please?"

Speaker Breslin: "The Gentleman will answer a question."

Didrickson: "Representative Greiman, House Bill 2032 deals with Workers Compensation, and that's been part of negotiations over at the Mansion. What I'm wondering here, if we nonconcur, what the plan might be?"

Speaker Breslin: "Representative Greiman, can you tell us about the plan?"

Greiman: "Yes, well, it's my understanding that this is a Bill which will be a vehicle so that there will be something to put an agreement into."

Didrickson: "Are you aware that there is agreement? Has your side been informed?"

Greiman: "I am aware of almost nothing about this subject matter, Madam Chairman of the Labor and Commerce, but... so I do

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not know, Madam Minority Spokesman."

Didrickson: "Okay. I guess I just wanted to raise that question.

Then for those of us on our side, perhaps a 'present' vote would be the appropriate vote."

Speaker Breslin: "The question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 2032?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in Senate Amendment #1 to House Bill 2032. The next Bill is House Bill 2033, appearing on page 6 on your Calendar. Representative Greiman. Representative Greiman moves to nonconcur on Senate Amendment #1 to House Bill 2032 (sic - 2033). Mr. Clerk, correct me if I'm wrong. We just did House Bill 2033. Is that correct? I see. Excuse me. I am incorrect. The Bill number is House Bill 2033. Representative Greiman moves to nonconcur in Senate Amendment #1 to House Bill 2033, and on that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2033?'... 'Shall the House nonconcur in Senate Amendment #1 to House Bill 2033?' Representative Didrickson, did you wish to speak?"

Didrickson: "To ask the Gentleman a question. Representative Greiman, are... is there movement on the agreed Bill process with regards to unemployment insurance? Have you heard something that I haven't?"

Greiman: "I'm not sure that I would know that they've come to an agreement on this, but it's my, excuse me, it's my understanding that this is also a Bill which is there if they do reach agreement. I don't think they... they haven't changed their notions about proceeding with agreed Bills, as I understand it, but you do need a Bill to move. And I suspect that if nothing happens, it may not be to the

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best interests of the people with whom you are usually affiliated and represent."

Didrickson: "Well, I hope there is some good news that we can all agree to. The last meeting that we had broke up over tremendous disagreements, so I hope this is a good sign."

Greiman: "Well, it's... I think it's a sign that the process has to keep moving as we reach, you know, Armageddon, we have to have some kind of vehicle to carry us to the Heavens above."

Speaker Breslin: "The question is, 'Shall the House concur (sic - nonconcur) in Senate Amendment #1 to House Bill 2033?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in Senate Amendment #1 to House Bill 2033. The next Bill is House Bill 1432, Representative Krska. It's on page 5 on your Calendar. Representative Krska."

Krska: "I move to nonconcur with Senate Amendments 1 and 2 to House Bill 1432."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendments 1 and 2 to House Bill 1432, and on that question is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments 1 and 2 to House Bill 1432?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in Senate Amendments 1 and 2 to House Bill 1432. The next Bill is House Bill 259. That's on page 3 on your Calendar. Representative Stange."

Stange: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We're not going to... move to nonconcur on House Bill 259. We're going to be working out a Resolution with the Democrats regarding some party language in here."

Speaker Breslin: "The Gentleman has moved to nonconcur in Senate Amendment #1 to House Bill 259, and on that question is

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there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 259?' All those in favor say 'aye', all those opposed say 'no'. The question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 259?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. And the House nonconcur in Senate Amendment #1 to House Bill 259. Is there anyone else who seeks recognition at this time to move to nonconcur on a Bill that is on the Order of Concurrence? Representative DeLeo wishes to nonconcur in House Bill 871. It is not printed on our Calendar. Is it 871? That is on the Consent Calendar. Mr. Clerk, on the Consent Calendar, House Bill 971, 871 appears. Was it taken off of the Consent Calendar, Mr. Clerk?"

Clerk Leone: "House Bill 871 has been removed from Supplemental 1 Consent Calendar."

Speaker Breslin: "Was already removed. Hearing no further requests, we are going to go on to page 6 on our Calendar, on the Order of Concurrences, starting at the top. The first Bill is House Bill 1869, Representative McAuliffe. Clerk, read the Bill."

Clerk Leone: "House Bill 1869, a Bill for an Act to amend the Illinois Vehicle Code, together with Senate Amendment #2."

Speaker Breslin: "Representative McAuliffe."

McAuliffe: "Madam Speaker and Ladies and Gentlemen of the House, I would move to concur in Senate Amendment #1 and 2 to House Bill 1869. Senate Amendment #1 allows the practice of the Secretary of State to continue to issue probationary drivers licenses to people who have been convicted of driving a vehicle out of its classification. In other words, if they had a... if they were caught driving a motorcycle on a drivers license, they would still be able

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to get a restrict... or get a probationary permit from the Secretary of State under those circumstances."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #2 to House Bill 1869, on that question the Gentleman from Macon, Representative Dunn."

Dunn: "What else does this Bill do?"

McAuliffe: "If you are driving on an expired license, it allows them to issue a probationary drivers license. It has some provisions dealing with obtaining a fraudulent drivers license, also."

Dunn: "In all those instances the Secretary can issue a probationary drivers license?"

McAuliffe: "Probationary license. Yes, Sir."

Dunn: "Alright. Thank you."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #2 to House Bill 1869?' All those in favor say 'aye', all... all those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? The Gentleman from Franklin, Representative Rea, one minute to explain your vote. I don't think it's needed. Have all voted who wish? The Clerk will take the record. On this question there are 115 voting 'aye', 1 voting 'no', and none voting 'present', and the House does concur in Senate Amendment #1, rather Senate Amendment #2 to House Bill 1869. The next Bill is House Bill 1888, Representative Hartke. Clerk, read the Bill."

Clerk Leone: "House Bill 1888, a Bill for an Act to amend the Senior Citizens and Disabled Persons Property... Persons Tax Relief, together with Senate Amendment #1."

Speaker Breslin: "Representative Hartke."

Hartke: "Thank you very much, Madam Speaker. I wish to concur with Senate Amendment #1 to House Bill 1888. What this

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Bill now does it adds or it increases the income level for certain individuals in the Circuit Breaker Program. I ask for your support for Amendment #1 to House Bill 1888."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1888. On that question is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1888?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 92 voting 'aye', 20 voting 'no', and 2 voting 'present', and the House does concur in Senate Amendment #1 to House Bill 1888, and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Giorgi, for what reason do you rise?"

Giorgi: "Madam Speaker, I voted in the affirmative on the Bill before this, which is H... House Bill 1869, and I voted to extend Edgar's powers to revoke and suspend and I'm ashamed of myself, so I want the record to reflect that I wanted to vote 'no' on that Bill."

Speaker Breslin: "The record will reflect that you are ashamed, Sir. With leave of the Body, Transcription tells me that I did not properly declare House Bill 1869 passed, so at this time I'd like to go back to House Bill 1869 and declare that this Bill received the Constitutional Majority and is declared passed. With leave of the Body, I'd also like to take one more Bill on nonconcurrency for Representative Frederick. That Bill is House Bill 2827. It is on page 7 on your Calendar. Representative Frederick."

Frederick: "Yes, Madam Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1..."

Speaker Breslin: "No, we were taking nonconcurrency Motions."

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Frederick: "Nonconcurrency. That's right."

Speaker Breslin: "Yes, are you nonconcurring?"

Frederick: "Yes."

Speaker Breslin: "Very good. Proceed."

Frederick: "Okay. To House Bill 2827."

Speaker Breslin: "The Lady has moved to nonconcur in Senate Amendment #1 to House Bill 2827, and on that question is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 2827?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it, and the House nonconcur in Senate Amendment #1 to House Bill 2827. With leave of the Body, I'd like to go back to House Bill 1373 for Representative Klemm and Johnson. Representative Johnson, House Bill 1373. Representative Klemm advises me that an agreement has been reached on this Bill."

Johnson: "That's... that's correct. As I explained before, the original Bill created a authority for Bowdre Township. Representative Klemm and Senator Schaffer have added a exposition authority for Crystal Lake area. I would move to concur with that Amendment, Senate Amendment #1 on House Bill 1373."

Speaker Breslin: "Representative Johnson moves to concur in Senate Amendment #1 to House Bill 1373, and on that question is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1373?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', 3 voting 'no', and 1 voting 'present', and the House does concur in Senate Amendment #1 to House Bill 1373. House

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Bill 1937, Representative Ewing. Out of the record. House Bill 1956, Representative Keane. Clerk, read the Bill. Representative Keane? Out of the record. Ladies and Gentlemen, we have an announcement. We'll have Supplemental #3 Calendar announcement. The Bills on Supplemental #3, Ladies and Gentlemen, that has been passed out, are concurrence Motions. They are all of the Bills that were taken off of the agreed Consent Calendar... agreed Concurrences List at the request of the Sponsor. So that is what is on this Motion... this sheet. Mr. Clerk."

Clerk Leone: "Supplemental #3 to the House Calendar is now being distributed."

Speaker Breslin: "House Bill... On the Order of Concurrences, on page 6 on your Calendar, is House Bill 1998, Representative Stephens. Is the Gentleman in the chamber? Out of the record. House Bill 2031, Representative Farley. Representative Farley. Out of the record. House Bill 2032 and 2033 have already been acted upon. House Bill 2043, Representative Pullen. Clerk, read the Bill."

Clerk Leone: "House Bill 2043, a Bill for an Act to amend the Civil Administrative Code of Illinois, together with Senate Amendment #1."

Speaker Breslin: "Representative Pullen."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I will be moving to concur in Senate Amendment 1 to House Bill 2043. This Bill relates to AIDS and it relates to ensuring that semen that is stored and used in sperm banks to artificially inseminate women must be free from the AIDS infection... the AIDS virus. The Senate, after we have had discussions with the Department of Public Health on this Bill, has added registration of tissue banks, rather than just of sperm banks, so that while the Department of Public Health has, for some time, had rules

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requiring testing of donors of organs and tissues in order to prevent the spread of this infection, they have not required tissue banks to register with them, so they do not know where they all are, and therefore cannot enforce their rules. Under this Amendment, tissue banks, which would include those that procure, furnish, donate, process or distribute corneas, bones, organs, or other human tissue for purposes of injecting, transfusing or transplanting any of them in the human body, would have to register with the Department of Public Health so that we can ensure that rules can be enforced to prevent the spread of human ammuo deficiency virus. I move to concur with Senate Amendment #1."

Speaker Breslin: "The Lady moves to concur in Senate Amendment #1 to House Bill 2043, and on that question the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. Will the Sponsor yield?"

Speaker Breslin: "She will."

Cullerton: "Representative Pullen, just for purposes of legislative intent, it's my understanding that you do not intend for the definition of human tissue to also include blood. Is that correct? You do not intend for this to require all blood donors to be tested."

Pullen: "This does not relate to blood donors."

Cullerton: "Right. The question is whether or not all other human tissue includes blood? As I take it for your answer, it's your intention that it not include the definition of blood under all other human tissue. Is that correct?"

Pullen: "I don't think that I can answer that question at this time, so I will ask leave to take it out of the record. I have been discussing this with the Department of Public Health. This particular definition is their language, and I would not want to give you an answer that is not

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expressive of their intent."

Cullerton: "Right. Thank you. So you'll take it out of the record for now and then we'll get right back to it."

Pullen: "I'd like to take it out of the record, please. Oh, excuse me. I'm just now being informed by the liaison from the Department of Public Health that it is not their intent to include blood."

Cullerton: "Right. That's what I understand, as well. I concur with your Motion to concur."

Pullen: "Thank you."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2043?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', none voting 'no', and none voting 'present'. The House does concur in Senate Amendment #1 to House Bill 2043. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2044, Representative Pullen."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I will be moving to concur with Senate Amendment 1 to House Bill 2044. This was the Bill that the House passed by about a 90 to 19 vote concerning the protection of the public from AIDS. It had many provisions in it. What the Senate has done, is they have amended the first Section, which concerned confidentiality of data in the Department of Public Health's central computers, basically. Rather than our dictating the number of employees who could have access to the data, they have changed it to requiring that the data be stored and processed in the most secure manner available, so that if we were off by one or two employees, we would not hamper the Department's necessary

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efforts. I accept this. I think that this language still ensures confidentiality and that it improves the Bill. They have also removed the Sections relating to blood terrorism, relating to making it a criminal offense to knowingly donate blood when you know that you are capable of spreading the virus. I personally believe that that is probably already illegal under criminal statutes because of the anti-social nature of that action, because of the dangerous nature of that act. The Director of Public Health was very unhappy with that provision. I informed him that I would consider asking the House and Senate to remove it with the understanding that, if we learn of an incident where someone in Illinois counsels others to go donate blood in order to spread the AIDS infection, as has happened in Texas and some other places where this was used as a political device to attempt to get money for certain purposes, that I would be in the next day with a Bill to restore this, but I have agreed to the Director's request to remove it from the Bill, and I would ask the House to agree to that. It further amends the Section concerning notification to school districts when a child of school age is found to be infected. It adds those children who are infected, not just those who have been diagnosed as having the disease, because... because asymptomatic carriers are presumed by all medical authorities to be as capable of transmitting the disease as those who are actually diagnosed. It also responds to a criticism in the school notification provision that, in the original language, we permitted... we required notification to the Superintendent and President of the School Board, but prohibited them from disclosing the identity of the child to anyone, and the Senate has added language that allows the disclosure of the identity of the child only to the Principal of the school

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the child attends, the school nurse at the school, and the classroom teachers in whose classes the child is enrolled. It was pointed out in debate on this matter when we discussed it earlier, that it did not make sense to notify the Superintendent and the President of the School Board, but not tell the classroom teachers who have to be the people who take care of these children and who might have to clean up after any nose bleeds or other accidents and who might have to be concerned about the behavior of the children in the classroom that could cause accidents that none of us want to happen, so we have provided for that in this Amendment. It changes the health care worker language by authorizing the employer to remove an infected health care worker from direct patient care, but no longer requiring that, so that the employer could make the decision on the basis of an individual health care worker's duties and whether it is thought that those duties would include a possible transmission. It changed the language of the pre-marital testing section in a technical manner that makes it conform to the language that we have already passed on Senate Bill 85, which added that the certificate that the physician provides to the County Clerk must indicate that the results have been provided to both parties. That's really a technical change, and it adds an effective date, and that's the contents of Senate Amendment 1 to House Bill 2044. I move its concurrence, please."

Speaker Breslin: "The Lady moves to concur in Senate Amendment #1 to House Bill 2044, and on that question the Gentleman from Cook, Representative Levin."

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

Speaker Breslin: "She will."

Levin: "Okay. With respect to the portion of the Senate

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Amendment #1 that deals with school children. Is there any penalty for disclosure to any other employees or if a employee of the school system discloses to an unauthorized person?"

Pullen: "Not specifically in this particular provision. There are other Bills that we have passed that address confidentiality issues, and I don't think that... I am not particularly concerned about the people who are receiving this information being irresponsible with it. I think that they recognize the gravity of the situation, but that this is a necessary provision so that school authorities can take care of the children who are infected and protect from possible accidents which could inadvertently cause a spread of the infection."

Levin: "To the Bill, Madam Speaker. Since this is final passage, I rise in opposition to concurrence in Senate Amendment #1. You know, we heard during earlier debates, the story related by the Chairman of our Human Services... Resources Committee, about how easy it is for confidential information in the schools to, unfortunately, get spread around, and we're talking about children and we're talking here, I think, about the fact that a child who is, you know, faced with the situation where spreading rumors about that child, whether true or not, can have a dreadfully devastating effect. This package is a hodge-podge. This package contains a series of very repressive pieces of legislation, and if we look at what the other states... the other state legislatures have done in responding to the AIDS problem, they have not panicked in the way that this Legislature has. They have not passed this kind of repressive package, and I just encourage you to reconsider your support for these various provisions that are going to do absolutely nothing to fight this terrible disease.

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And what they are going to do is they are going to make our society a lot more repressive society. It's going to make it a lot more expensive to get married. We're going to be spending a lot of money needlessly. We're going to be taking a lot of people's rights away, needlessly. I urge a 'no' vote."

Speaker Breslin: "Representative Pullen to close."

Pullen: "I just ask for concurrence in Senate Amendment 1. Thank you."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2044?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final action. Have all voted who wish? The Clerk will take the record. On this question there are 84 voting 'aye', 25 voting 'no', and 5 voting 'present'. The House does... Representative Bugielski votes 'aye'. There are, therefore, 85 voting 'aye'. Representative Johnson votes 'aye'. Representative Homer votes 'aye'. There are 87 voting 'aye'. Representative Granberg votes 'aye'. Representative Rice votes 'aye'. On this question there are 89... Representative Rice, why do you still seek recognition? Representative Hultgren votes 'aye'. On this question there are 90 voting 'aye', 23 voting 'no', and 3 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 2044. Turn off Representative Hultgren, please. The next Bill is House Bill 2065, Representative... excuse me. House Bill 2044, having reached the Constitutional Majority, is hereby declared passed. Excuse me, Representative Van Duynes. With leave of the Body, I would like to go back to Representative Leverenz's Bill, House Bill 1548, appearing on page 5 on your Calendar. Representative Leverenz."

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Clerk Leone: "House Bill 1548, a Bill for an Act to amend the Human Care for Animals Act, together with Senate Amendment #1."

Speaker Breslin: "Representative Leverenz, would you feel more comfortable if Representative Greiman were in the Chair."

Leverenz: "Well, now?"

Speaker Breslin: "It's up to you. Proceed, Representative Leverenz."

Leverenz: "Why, surely, that's fine. If he's here, both of you can be in the Chair. I would now move to concur with Senate Amendment #1 in that it increases the penalty for teasing, striking, or tampering with a police dog from a Class C to a Class B misdemeanor. Further, it increases the penalty for injuring or killing a police dog from a Class B to a Class A misdemeanor. If there are any questions, I'd be happy to answer them. Otherwise, I'd like to grab this Bill by the handle and send it to the Governor."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1548, and on that question the Gentleman from Champaign, Representative Johnson."

Johnson: "Well, since we're on the serious merits of this issue, now, let me reiterate a couple of questions I asked the other day and address the Bill. In order for this to be a crime to kill or maim... kill or injure a police dog, does the... does the killing or injury have to occur while the police dog is in the line of duty? I didn't read the Bill that way."

Leverenz: "The Bill is silent there but... and I'm just guessing that it might be that like a police officer, they are on duty 24 hours a day."

Johnson: "Well, I can understand if we wanted to say that something would become a higher degree of misdemeanor or a

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Class A misdemeanor to injure or kill, I guess a Class 4 Felony, police dog while actively engaged in pursuing somebody whose... who kills somebody else later on. But to simply say that injuring a police dog is a Class A misdemeanor, up to a year in the penitentiary, and that killing a police dog, even if you did it in the kennel or somewhere, is a Class 4 Felony that subjects you to, I don't know what the term is, one to three years in the penitentiary... Here we go again. I just don't know where we stop. You know, I don't want to see police dogs killed. I don't want to see my dog killed. He provides, hopefully, the two dogs I have, provide some protection for my family at home. And we have criminal laws regulating mistreatment of animals. We have other laws regulating burglary, if somebody broke into my house to do it. But to make a Class 4 Felony and a Class A misdemeanor, depending upon what's done, it's killing a police dog in a kennel, I... you know, I guess I just don't understand that thought. We've expanded our criminal laws so broadly already that it's ridiculous, Representative Goforth, to think about closing the prison in your district. We ought to be opening another 10 or 15 around the state because when we're done with this Session, the prison impact of what we do is going to be measurable. Now everybody can joke and say, you know, this is just one Bill. Something else that adds to the aggravated battery statutes is another Bill. Something else that requires a double penalty for senior citizens is something else. Park employees is another thing. And each one of those things has some impact. But I'll tell you, when they're all put together, and you look and see what it does to our penitentiaries and costs and what it does to diminish the significance of alternatives to incarceration, probation services, and the various other counseling,

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diversion and so forth, we really have got a polyglot criminal justice system that doesn't really serve to deter serious crime. When we put this on the same level that we do, and in fact some cases greater penalties than injuring a person, depending upon the gravity of the offense, I think we've just got our distortion of priorities. I think Representative Leverenz, if he narrowly crafted this Bill so that it became a Class 4 Felony or a Class A Misdemeanor, to kill a dog while it's in the course of pursuing a dangerous felon who is going to kill the policeman otherwise, it's probably a pretty good idea. But to provide for this sort of penalties for simply killing a dog is just, I think, overkill. Forgive the pun."

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

Preston: "Thank you, Madam Speaker. Would the Gentleman yield for a question?"

Speaker Breslin: "He will."

Preston: "Representative Leverenz, is Alan Greiman going to start crying over these police dogs again?"

Leverenz: "If we move this real quick, nothing will happen of that nature."

Preston: "Okay. Thank you."

Speaker Breslin: "Representative Leverenz."

Leverenz: "To close?"

Speaker Breslin: "No. I'm sorry. I thought you were answering a question. The Gentleman from Macon, Representative Dunn."

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

Speaker Breslin: "He will."

Dunn: "I don't have the Bill or the Amendment in front of me. All I have is the analysis. It doesn't seem to provide for intent or any kind of extenuating circumstances or is there language in the Bill or the Amendment that outlines some

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circumstances when these penalties would not apply if a dog is injured?"

Leverenz: "No. Let me try to explain that and maybe address Representative Johnson at the same time. Let me give you a visual picture of what happens. These dogs cannot be moved day to day. They are with a police officer around the clock, either on duty, so to speak, in the car, or in the kennel at their home. Generally, what happens is they are identified and they follow them and they do the dirty deed while the dog is locked or caged in a kennel, generally with strychnine and a sponge does the job. I've seen some of these dogs go and it isn't a pretty sight. But that is why there isn't anything limiting to when the crime can be committed."

Dunn: "Well, my question is, what if I'm driving down the street and a police dog runs out in front of my car and I, unfortunately, happen to hit it and kill it. Have I committed a crime?"

Leverenz: "Being a certified non-attorney, I don't know that I have an answer for you."

Dunn: "Well, I think that's important. If we're going to put penalties into the law, Class A misdemeanor, Class B misdemeanor, felonies, what happens if maybe let's say that the dog is in pursuit of a criminal, runs out in front of my car, nothing I can do. I hit... hit the dog and kill it. Have I committed a crime?"

Leverenz: "I think that that would not be the case. That is negligence rather than willfully, as stated in the Bill."

Dunn: "I don't think it's even negligence. Let's say that it's not my fault at all, but I do hit and kill the dog with my car. Where... I now have the Bill and the Amendment, where does it... where does it... "

Leverenz: "The same... the same rules would apply, my attorney

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states."

Dunn: "The what?"

Leverenz: "I think the same rules, as a person, applies in this case, my attorney states. The Gentleman two rows behind you, same seat."

Dunn: "Alright."

Leverenz: "It does say 'willfully'."

Dunn: "Alright. Okay, I see that. Alright. Thank you."

Leverenz: "Thank you."

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

Cullerton: "Right. Thank you, Madam Speaker. First of all, Madam Speaker, for the record and to clarify the record. I think at this time it would be appropriate for me to withdraw my previous request, when this Bill was first called, questioning the germaneness of Senate Amendment #1."

Speaker Breslin: "It is withdrawn."

Cullerton: "Okay. Now, to the Bill. I have a question of the House Sponsor. The Bill was originally introduced, of course, in the House by Representative Leverenz, and it created two new categories of penalty, teasing or striking a police dog is prohibited, and injuring or killing a police dog is prohibited. And the original penalty that was imposed was a Class B misdemeanor for teasing or striking the dog and a Class 4 felony for disabling or killing a police dog. Now then, Representative Leverenz, you introduced Amendment #1 in the House that reduced the penalty in the first instance from a Class B down to a Class C and in the case of killing a police dog, from a Class 4 felony down to a Class B misdemeanor. The Senate added an Amendment, and all that Senate Amendment did, and all we're really voting on here, is whether or not we want

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to kick up those penalties again in apparent contradiction to what your Senate Amendment... House Amendment #1 did. And so I'm just wondering why we couldn't nonconcur and ask the Senate to recede from that Amendment just so there's no felony here. I think that when you get into the area of a felony for disabling a police dog, that you get into some problems. I would say that there is a mental state that it must be done willfully. I would also say that it appears from the language that it must be in the... the dog must be in the performance of the functions or duties of such department, or if it's in a kennel, off duty. So I think that's covered, but I just don't understand, maybe you can comment on this, why you're accepting the Senate's attempt to kick it back up to a Class 4 felony after you, by your own Amendment, reduced it to a Class B misdemeanor."

Leverenz: "Yes. Let me... let me comment on that. One, we tried to do what you feel should be done, and then the following relates to why the Senate changed it. Theft over 300... \$300.00 is a felony. In this case we're talking about a dog that has generally twice that amount plowed into it. And then on top of that, maybe another \$10,000.00 in the training of that dog and the dog's capabilities. So we're talking about thousands of dollars of investment to any police agency that employs a dog's skills, and that is why we returned it and I understand the State Police concurs."

Cullerton: "Well, if I could just then ask you, what was the motivation for Amendment #1 in the House?"

Leverenz: "I was just trying to make it more palatable to the people that had an interest or objection to it."

Cullerton: "Get it out of Committee, maybe?"

Leverenz: "I think that may have been the case."

Cullerton: "What Committee are we talking about, here?"

Leverenz: "Good Bowsers and Bad Bowsers, I think."

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Cullerton: "Okay. No more questions. I think we've beaten this to death."

Leverenz: "Thanks."

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

McCracken: "I think, you know, we joked about this, and let's not confuse the... the surprise for Representative Greiman with the merits of this Bill. I think Representative Leverenz makes a good point. Theft of... theft in excess of \$300.00 is a Class 3 felony, criminal damage to property in excess of \$300.00 is, I believe, a Class 4 felony, it might even be a Class 3 felony. There is... the limitation that the dog has to be killed either while being kept as a police dog or in the course of being a police dog, limits this substantially so that it does not render this such an open-ended, difficult measure to enforce, and I do think that these dogs are worthy of this protection. They are a substantial aid to law enforcement. You know, again, we all made jokes about this, but these dogs are important to law enforcement, they have a place in law enforcement, and to recognize that is only to recognize that which we recognize about policemen, firemen, and the value of property. The value of property over \$300.00 creates a Class 3 felony for theft. You know, you would treat inanimate objects of theft in the amount of \$300.00 more leniently than you would treat a person who willfully and maliciously kills an animal. You know, we don't want people going around killing these animals, so I don't think it's inappropriate to consider this status in determining these penalties. And I don't think they're out of line."

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

Barger: "Thank you, Madam Speaker. Would the Gentleman from

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Maywood yield for a question?"

Speaker Breslin: "Surely."

Barger: "Thank you. Mr. Leverenz..."

Leverenz: "Yes."

Barger: "These animals are trained guard dogs, for the most part."

Leverenz: "That's correct."

Barger: "They are as dangerous as a pit bull or anything else."

Leverenz: "That is incorrect."

Barger: "If they attack a juvenile, would it be permissible for a person who is observing the attack to kill the dog because of its dangerous nature?"

Leverenz: "I would think so."

Barger: "And if a person is being attacked by the dog themselves, would it then be permissible for that person to kill the dog who is attacking?"

Leverenz: "I would definitely think so. I've been in the business of raising Dobermans for that purpose."

Barger: "Okay. Thank you very much."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1548?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Representative Greiman, one minute to explain your vote."

Greiman: "Yes, I just wanted to note that some Bills are easily voted upon one way or the other and quickly forgotten. I will remember this Bill all the rest of my life. And the most embarrassing thing about it was that by the time I finished that ruling, I thought it was correct."

Speaker Breslin: "Representative Leverenz, did you wish to explain your vote, Sir?"

Leverenz: "Well now that he rose to speak, I thought he may have killed it, and I didn't want that to happen, either."

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Speaker Breslin: "No. No."

Leverenz: "Thank you very much."

Speaker Breslin: "Take the record, Mr. Clerk. On this question there are 85 voting 'aye', 22 voting 'no', and 3 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 1548, and this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we are going to the Agreed Concurrences. Read the Bills on that Order, Mr. Clerk. Representative Cullerton, for what reason do you seek recognition?"

Cullerton: "Did I hear you say that the Clerk should read these Bills?"

Speaker Breslin: "Yes, Sir."

Cullerton: "Well, now, Madam Speaker, earlier this morning, when I suggested that it would be important for the Clerk to read these Bills, I was told that that was totally unnecessary, and I thought that I was correct and now the Clerk is running up here to talk to me."

Speaker Breslin: "It just shows you that you and I think alike, Representative Cullerton."

Cullerton: "Yes, well now, I want you to know that it was Mark O'Brien's idea, but I was the one that everybody laughed at, so I get to correct the Chair, while giving him credit."

Speaker Breslin: "Very good. Mr. Clerk, proceed."

Clerk Leone: "House Bill 478, a Bill for an Act to amend the Illinois Public Aid Code, together with Senate Amendments #1 and 2; House Bill 708, a Bill for an Act in relationship to the purchase or contract to purchase food by state agencies, together with Senate Amendment #1; House Bill 709, a Bill for an Act to amend the Illinois Forestry Development Act, together with Senate Amendment #1; House Bill 730, a Bill for an Act to amend the Vital Records Act,

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together with Senate Amendments #1 and 2; House Bill 842, a Bill for an Act in relationship to the powers of attorney governing personal and health care matters, together with Senate Amendment #1; House Bill 881, a Bill for an Act to amend the Illinois Act on Aging, together with Senate Amendment #1; House Bill 934, a Bill for an Act in relationship to Public Health, together with Senate Amendment #1; House Bill 939, a Bill for an Act to amend the Vital Records Act, together with Senate Amendment #1; House Bill 976, a Bill for an Act to amend the State Occupation and Use Tax Act, together with Senate Amendment #2; House Bill 978, a Bill for an Act to amend the Minority and Female Business Enterprise Act, together with Senate Amendment #1; House Bill 1068, a Bill for an Act to amend an Act relating to the disaster relief, together with Senate Amendment #1; House Bill 1113, a Bill for an Act to amend certain Acts in relationship to jurors, together with Senate Amendments #1 and 2; House Bill 1135, a Bill for an Act to amend the Environmental Protection Act, together with Senate Amendment #1; House Bill 1288, a Bill for an Act to amend the Illinois Vehicle Code, together with Senate Amendments #1 and 2; House Bill 1295, a Bill for an Act to amend an Act in relationship to public libraries, together with Senate Amendment #2; House Bill 1306, a Bill for an Act to amend the State Comptroller Act, together with Senate Amendment #1; House Bill 1370, a Bill for an Act to amend the Vietnam Veterans' Act, together with Senate Amendment #1; House Bill 1429, a Bill for an Act to amend the Physician's Assistants Practice Act, together with Senate Amendment #1; House Bill 1433, a Bill for an Act to amend the Nursing Home Administrator's Licensing Act, together with Senate Amendments #1 and 3; House Bill 1461, a Bill for an Act to amend the Liquor Control Act,

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together with Senate Amendment #2; House Bill 1509, a Bill for an Act to amend the Sanitary District Act, together with Senate Amendment #1; House Bill 1546, a Bill for an Act to amend an Act in relationship to the employer discrimination against child care workers, together with Senate Amendment #1; House Bill 1563, a Bill for an Act to amend the Beer Industry Fair Dealing Act, together with Senate Amendment #1; House Bill 1603, a Bill for an Act to amend the Criminal Code, together with Senate Amendment #1; House Bill 1605, a Bill for an Act to amend an Act in relationship to state moneys, together with Senate Amendment #1; House Bill 1632, a Bill for an Act to amend the Criminal Code, together with Senate Amendment #1; House Bill 1646, a Bill for an Act to amend the Civil Administrative Code of Illinois, together with Senate Amendment #1; House Bill 1737, a Bill for an Act in relationship to the Illinois Veterans Home in Quincy, Illinois, together with Senate Amendment #1; House Bill 1758, a Bill for an Act to amend the Illinois Highway Code, together with Senate Amendment #1; House Bill 1760, a Bill for an Act to amend the Illinois Vehicle Code, together with Senate Amendment #1; House Bill 1786, a Bill for an Act to amend the Criminal Code, together with Senate Amendments #1 and 2; House Bill 1811, a Bill for an Act to facilitate the establishment of an integrated service system, together with Senate Amendment #1; House Bill 1812, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code, together with Senate Amendment #1; House Bill 1841, a Bill for an Act in relationship to services for certain veterans, together with Senate Amendment #1; House Bill 1902, a Bill for an Act to amend the Illinois Living Will Act, together with Senate Amendments #1 and 2; House Bill 1953, a Bill for an

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Act to amend the Illinois Vehicle Code, together with Senate Amendment #1; House Bill 1955, a Bill for an Act in relationship to rural health day care, together with Senate Amendments #1, 2, 3, and 4; House Bill 1959, a Bill for an Act to amend the Illinois Vehicle Code, together with Senate Amendment #1; House Bill 1966, a Bill for an Act to amend the Illinois Enterprise Zone Act, together with Senate Amendment #1; House Bill 1992, a Bill for an Act to amend an Act in relationship to the Department of Mental Health and Developmental Disabilities, together with Senate Amendment #1; House Bill 202012... House Bill 2012, a Bill for an Act to amend the Illinois Public Aid Code, together with Senate Amendment #2; House Bill 2022, a Bill for an Act to amend the Illinois Public Aid Code, together with Senate Amendment #1; House Bill 2046, a Bill for an Act in relationship to the conveyance of certain state land, together with Senate Amendment #1; House Bill 2060, a Bill for an Act to amend the Illinois Vehicle Code, together with Senate Amendment #1; House Bill 2084, a Bill for an Act to amend the Illinois Public Aid Code, together with Senate Amendment #1; House Bill 2162, a Bill for an Act to amend the Child Care Act, together with Senate Amendment #1; House Bill 2183, a Bill for an Act to amend the Illinois Public Aid Code, together with Senate Amendment #1; House Bill 2206, a Bill for an Act to amend the Illinois Human Rights Act, together with Senate Amendment #1; House Bill 2227, a Bill for an Act to remove obsolete references to the Illinois Veterans' Commission, together with Senate Amendments #1 and 2; House Bill 2236, a Bill for an Act to amend the Illinois Natural Areas Preservation Act, together with Senate Amendment #1 and 2; House Bill 2256, a Bill for an Act to amend an Act to repeal various provisions relating to the inactive committee and boards,

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together with Senate Amendment #1; House Bill 2322, a Bill for an Act to release easements and restore access rights to certain described lands in the State of Illinois, together with Senate Amendment #1; House Bill 2326, a Bill for an Act to amend an Act in relationship to vital records, together with Senate Amendment #1; House Bill 2327, a Bill for an Act to amend the Illinois Vehicle Code, together with Senate Amendment #1; House Bill 2360, a Bill for an Act to amend the Illinois Health and Hazardous Substances Registry Act, together with Senate Amendment #1; House Bill 2370, a Bill for an Act in relationship to rehabilitation of disabled persons, together with Senate Amendment #1; House Bill 2414, a Bill for an Act to amend an Act in relationship to rehabilitation of disabled persons, together with Senate Amendment #1; House Bill 2437, a Bill for an Act to amend the Illinois Insurance Code, together with Senate Amendments #1 and 2; House Bill 2577, a Bill for an Act to amend the Criminal Code, together with Senate Amendment #2; House Bill 2580, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act, together with Senate Amendment #1; House Bill 2583, a Bill for an Act to amend the Code of Criminal Procedure, together with Senate Amendment #1; House Bill 2606, a Bill for an Act in relationship to recycling pilot projects, together with Senate Amendment #1; House Bill 2630, a Bill for an Act to amend the Illinois Human Rights Act, together with Senate Amendment #2; House Bill 2636, a Bill for an Act to amend the Illinois Vehicle Code, together with Senate Amendment #2; House Bill 2740, a Bill for an Act to amend the Unified Code of Corrections, together with Senate Amendment #1; House Bill 2758, a Bill for an Act to amend the School Code, together with Senate Amendment #1; House Bill 2766, a Bill for an Act to amend

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the Illinois Pre-Need Cemetery Sales Act, together with Senate Amendments #1, 2, and 3; House Bill 2802, a Bill for an Act to amend an Act relating to disaster relief, together with Senate Amendment #1; House Bill 2808, a Bill for an Act in relationship to the Department of Mental Health, together with Senate Amendments #1 and 2; House Bill 2821, a Bill for an Act to amend the Illinois Clinical Laboratory Act, together with Senate Amendments #1 and 2; House Bill 2842, a Bill for an Act in relationship to certain developmentally disabled persons and their families, together with Senate Amendment #1; House Bill 2843, a Bill for an Act to amend the Community Services Act, together with Senate Amendment #1 and 2; House Bill 2844, a Bill for an Act to amend an Act codifying the powers and duties of the Department of Mental Health and Developmental Disabilities, together with Senate Amendment #1; House Bill 2850, a Bill for an Act to amend the Illinois Human Rights Act, together with Senate Amendment #1; House Bill 26... correction, House Bill 2868, a Bill for an Act to amend the Illinois Savings and Loan Act, together with Senate Amendment #1; and House Bill 2872, a Bill for an Act to amend the Abused and Neglected Child Reporting Act, together with Senate Amendment #1."

Speaker Breslin: "Okay, Ladies and Gentlemen, we are ready to entertain a Motion to adopt all of the Bills on the Consent Calendar. You should know that these Bills that have been written are... read, rather, are all of the Bills that appear on Supplemental No. 1, Agreed Concurrences minus all of the Bills that appear on Supplemental #3, which has already been distributed to you. The Bills on Supplemental #3 are the Bills that were on the original list, Agreed Concurrences List, and they have been taken off of that list and will be voted on separately, right after we finish

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this business. These Bills that have been taken off, thus, will not appear on the program that will be distributed to allow you to vote 'no' on individual Bills. That's because you will not... we will not have voted on them on the Agreed Concurrences List. With that understanding, the... Representative Cullerton."

Cullerton: "Yes. Thank you, Madam Speaker, and Ladies and Gentlemen of the House. Madam Speaker, a lot of Members have had trouble during the course of the Session in getting their Bills called once. But in the case of House Bill 1786, Representative O'Connell has managed to have this Bill called twice. He's already passed it once, I don't think it's right for him to have the opportunity to try to pass it again."

Speaker Breslin: "Would the Clerk please note that House Bill 1786, according to Representative Cullerton, has already passed this House. And if that is the case, Ladies and Gentlemen, I would urge you to look over your sheets as well, and not vote on that issue, unless you can confirm that you are voting the same way you voted the first time. Indeed, Representative Cullerton, through Mark O'Brien, is correct again. Senate (sic - House) Bill 1786, on this Order, has already passed this House. With that understanding, the question is, 'Shall these Bills pass and shall the House concur in the Senate Amendments that were filed on these Bills on the Agreed Concurrence List?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action on these Bills on the Agreed Bill List. Have all voted who wish? Is everyone recorded? The Clerk will take the record. On this question there are 116 voting 'aye', none voting 'no', and none voting 'present', and the House does concur in the Senate Amendments filed to these Bills, and these Bills,

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having received the Constitutional ... well, I won't declare them passed yet. Right, Mr. Clerk. We'll not declare them passed yet. We have passed out the forms for you to determine if you wish to vote 'no' on any of these Bills. So go through your sheets and get them back... mark them up, write your name at the top of the sheet, get them back to the Clerk within one hour. We will call for the sheets on the Agreed Bill List for those who wish to vote 'no' or 'present' in one hour's time. Thank you. Ladies and Gentlemen, in an effort to get Conference Committees started on Bills, we are going to go to the Order of Nonconcurrency and entertain those Bills which we have not yet referenced. The first Bill on page 8 on your Calendar under the Order of Nonconcurrency is Senate Bill 12, Representative Flinn. Clerk, read the Bill. Or excuse me, Representative Flinn, you're recognized for a Motion. Mr. Clerk, we're on the Order of Nonconcurrency, Senate Bill 12. Representative Flinn. What is your pleasure, Sir?"

Flinn: "I'd like to take that out of the record for a while and come back to it, if you don't mind?"

Speaker Breslin: "Okay. I just remind you that it takes time to get Conference Committees appointed so if you all... "

Flinn: "Well, I understand. But I have a little problem with it. I may change my mind and nonconcur."

Speaker Breslin: "Very good. Remember, Ladies and Gentlemen,... Again, Ladies and Gentlemen, we are on the Order of Nonconcurrency. If you wish to put your Bill into a Conference Committee, you are going to have to do so quickly so that the work can be done to continue and then get that Bill back to this Assembly before we adjourn. So I would urge you to make your decision now as to what you are going to do on these Bills. The next Bill on this

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Order is Senate Bill 80, Representative Steczko. What is your pleasure, Sir? The Bill need not be read. Representative Steczko."

Steczko: "Madam Speaker, a question of the Chair. On this Order of Business, are Bills being called specifically so Members can refuse to recede..." "

Speaker Breslin: "That is correct."

Steczko: "... or is a Motion to Recede in order at this time?"

Speaker Breslin: "A Motion to Refuse to Recede is in order."

Steczko: "Then I will take the Bill out of the record."

Speaker Breslin: "So you wish to recede?"

Steczko: "I wish to recede."

Speaker Breslin: "We'll entertain that Motion since we're on the Bill. On Senate Bill 80 Representative Steczko moves to recede from Senate Amendment #1 to Senate Bill 80, and on that question, is there any discussion? Hearing none... on House Amendment #1, excuse me, and on that question the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. As I understood the original Amendment, it was a technical correction to add the word 'or arresting authority' to the provision for reimbursement for medical care, and that we thought that was the original intent of the Bill."

Steczko: "Representative Cullerton, was that... that was a question? The... it was our understanding, as well, that that was a technical Amendment, however, when Representatives of the Local Governments looked at the language, we, in fact, found out that it was not technical and, in fact, changed the entire thrust of the Bill. So we all agreed that House Amendment #1 was one that should not remain on the Bill and we should recede."

Cullerton: "Well, what... what is the intent of the Bill, then. If someone's hospitalized or receiving medical services

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when they're held in custody, who shall be entitled to obtain the reimbursement for the costs of such services?"

Steczo: "Presently it's the counties. We would allow that the arresting authority, which would be the local governments, would also be able to receive those benefits should that person not have insurance or what have you."

Speaker Breslin: "The question is, 'Shall the House recede from House Amendment #1 to Senate Bill 80?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This again, Ladies and Gentlemen, is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record? On this question there are 115 voting 'aye', none voting 'no', and 1 voting 'present', and the House recedes from House Amendment #1 to Senate Bill 80, and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Greiman in the Chair."

Speaker Greiman: "On this Order appears Senate Bill 123. Mr. Homer, do you wish to proceed on that Bill? Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 123, a Bill for an Act in relationship to the testimony of children in criminal proceedings, together with House Amendment #1 on the Order of Nonconcurrency."

Speaker Greiman: "The Gentleman... "

Homer: "Thank you, Mr... "

Speaker Greiman: "Proceed, Sir."

Homer: "Mr. Speaker. At this time I move that the House refuse to recede from House Amendment #1 and I would respectfully ask that a Conference Committee be appointed."

Speaker Greiman: "The Gentleman moves the House refuse to recede from House Amendment #1 to Senate Bill 123, and on that, is there discussion? There being none, the question is,

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'Shall the House refuse to recede from Senate (sic - House) Amendment #1?' All in favor 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House refuses to recede from Senate Amendment #1 ... House Amendment #1 to Senate Bill 123 and requests a Conference Committee be appointed. On the Order of Nonconcurrency appears Senate Bill 147. Mr. Daley?"

Daley: "Thank you, Mr. Speaker, and Members of the... "

Speaker Greiman: "Proceed... "

Daley: "Thank you, Mr. Speaker, and Members of the House. I move that we recede from House Amendment #1 on Senate Bill 147."

Speaker Greiman: "The Gentleman from Cook, Mr. Daley, moves that the House refuse to recede... The Gentleman from Cook moves to recede from House Amendment #1 to Senate Bill 147, and on that is there any discussion? There being none, the question is... Yes, Mr. Cullerton."

Cullerton: "Yes. Will the Sponsor yield?"

Speaker Greiman: "Indicates he will yield for questions."

Cullerton: "Okay. This is just really a procedural question. We had a House Bill amending the Nursing Home Care Reform Act requiring 12 hours of training for nurses' aids, orderlies and nurse technicians in the care of alzheimers patients. Representative Olson, who is not here now, filed an Amendment which became the Bill that provided that each new skilled nursing and intermediate care facility nurse's aid, orderly and nurse technician in daily contact with Alzheimers patients to have the 12 hour training course. Now, as I understand your Motion that you want to go back to the original Bill which required this training for a broader group of people. Is that the intent?"

Daley: "That is correct."

Cullerton: "Thank you."

Speaker Greiman: "The question is, 'Shall the House recede from

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Flinn: "Well, Mr. Speaker, I just took Senate Bill 12 out of the record a few moments ago, and it seems we can't resolve our differences. If we could go back to that I would like to move to not recede from House Amendment #1."

Speaker Greiman: "Alright. Mr. Clerk, read the Motion."

Clerk Leone: "Senate Bill 12, a Bill for an Act to amend the Illinois Notary Public Act. The Senate has nonconcurred with House Amendment #1."

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

Flinn: "Mr. Speaker, I move that the House not recede from House Amendment #1 to Senate Bill 12."

Speaker Greiman: "The Gentleman moves that the House refuse to recede from Senate Amendment #1... House Amendment #1 to Senate Bill 12? Is there discussion? There being none, the question is, 'Shall the House refuse to recede?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the House refuses... the Motion carries and the House refuses to recede from Amendment #1... and asks for the appointment of a Conference Committee. Is there... Mr. McPike on 484? Is the Gentleman in the chamber? On this Order appears Senate Bill 856. Mr. Bowman. Mr.

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Clerk, read the Motion."

Clerk Leone: "Senate Bill 856, a Bill for an Act to amend the School Code. The Senate has nonconcurrred with House Amendment #2."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #2 was a Bill that had been defeated as one other point in the process that the Sponsor of that Bill wanted me to tack it on to this Bill and I said, 'Well, I would be happy to do so, but if the proposal ran into trouble in the Senate, then I would move to recede.' And that's exactly what happened. So I now move that the House recede from House Amendment #2. It deals... the Amendment deals with setting tax rates in new community college districts."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman, moves that the House recede from Senate Amendment... House Amendment #2 to Senate Bill 856, and on that, is there any discussion? There being none, the question is, 'Shall the House recede from House Amendment 2 to Senate Bill 856?' All in favor signify by voting 'aye', those opposed '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. Mr. Peterson, the Gentleman from Lake, votes 'aye'. On this question there are 115 voting 'aye', none voting 'no', 1 voting 'present', and the House does recede from House Amendment 2 to Senate Bill 856, and this Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 1014. Mr. Dunn. Is Mr. Dunn in the chamber? Alright. Take that out of the record. On the Order of House Calendar Supplemental Calendar #3 appears Concurrences, and on that appears House Bill 192. Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 192, a Bill for an Act to amend the Code of Criminal Procedure, together with Senate Amendment #1."

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

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move that we concur with Senate Amendment #1. What the Senate Amendment does is it puts the Bill in the same shape that the Senate Bill which we passed is. It made technical changes and also the hearing that is provided for in this Bill becomes a hearing instead of a exparty hearing. And I would move for its adoption."

Speaker Greiman: "The Gentleman from Cook, Mr. Young, moves for the... moves that the House concur in Senate Amendment #1 to House Bill 192. On that is there discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 192?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Supplemental Calendar announcement."

Clerk Leone: "Supplemental #4 to the House Calendar is now being distributed."

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 83 'aye', 32 'no', 1 voting 'present', and the House does concur in Senate Amendment #1 to House Bill 192, and this Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House Bill 857. Mr. Ropp in the chamber? Mr. Ropp. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 857, a Bill for an Act in relationship to the establishment of maintenance of counties, together with Senate Amendment #1."

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

Ropp: "Thank you, Mr. Speaker, Members of the House. Senate

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Amendment #1 provided that a front door referendum be included in that provision. It previously had a backdoor in it, and I move to concur with Senate Amendment 1."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp, moves that the House concur in Senate Amendment #1 to House Bill 857, and on that the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes. Will the Sponsor yield? First of all, Mr. Speaker..."

Speaker Greiman: "Indicates he will yield. Yes. Mr. Cullerton."

Cullerton: "The Board... is the Board in concurrence with the Senate Amendment #1?"

Speaker Greiman: "What? I'm sorry."

Cullerton: "The Board... the Board should be..."

Ropp: "We're going to concur with it."

Cullerton: "Okay."

Speaker Greiman: "Yes. In concurrence with Senate #1. Proceed."

Cullerton: "Was it a Senate Floor Amendment or a Senate Committee Amendment? Representative Ropp?"

Ropp: "I don't know. What does your analysis say?"

Cullerton: "The Board says a Floor Amendment, so that's probably right."

Ropp: "Then that's probably what it was."

Cullerton: "This has something to do with a tax. I just didn't understand what your explanation was."

Ropp: "What the original Bill did, accordingly, in the statute right now, for counties of population of 300,000 or more, counties that have county health departments may establish through this tax funds to expand their mental health program within their particular county. The Bill that I offered was to lower that 300,000 population down to 100,000, still retaining the backdoor Amendment... backdoor referendum, and the Amendment from the Senate now changes that backdoor to a front door, which is a little bit

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different than it has been, but it will be acceptable, and I'd welcome your support."

Cullerton: "Fine. Thank you."

Speaker Greiman: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 857?' 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. Mr. Dunn votes 'aye', Mr. Dunn, 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this question there are 108 voting 'aye', 8 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, and the House having concurred in Senate Amendment #1, this Bill is hereby declared passed. Ms. Hasara, for what purpose do you seek recognition?"

Hasara: "Thank you, Mr. Speaker. I'd like to be recorded as 'no' on this Bill."

Speaker Greiman: "Alright. Let the transcript show that the Lady would have voted 'no'. On this Order appears House Bill 871. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 871, a Bill for an Act in relation to flag theft and defacement, together with Senate Amendment #1."

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

DeLeo: "I want it to go to Conference. Excuse me, Speaker..."

Speaker Greiman: "On this Order appears House Bill 873. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 873, a Bill for an Act to amend the County Home Act, together with Senate Amendments #1 and 2."

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

Peterson: "Thank you, Mr. Speaker. I move to concur with Senate Amendments 1 and 2 on House Bill 873. The two Amendments

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are basically technical Amendments. The original Bill had to do with a front door referendum for raising the maximum tax rate by which a county home may impose for sheltered care for nursing home."

Speaker Greiman: "The Gentleman from Lake, Mr. Peterson, moves that the House concur in Senate Amendments #1 and 2 to House Bill 873. There being no discussion, the question is, 'Shall the House so concur?' 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 108 voting 'aye', 7 voting 'no', none voting 'present', and the House does concur in Senate Amendments #1 and 2 to House Bill 873. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House Bill 1034. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1034, a Bill for an Act to provide jobs in the public sector, together with Senate Amendments #1 and 2. The Lady from St. Clair, Ms. Younge."

Younge: "Thank you, Mr. Speaker. I move to concur with Senate Amendments 1 and 2 to House Bill 1034. Senate Amendment #1 takes out... or deletes the provision that the Auditor General shall have access to all the documents and they have this power already, so they wanted to take it out because it is unnecessary. Senate Amendment #2 calls for the establishment of a pilot project during the first year of this agency, and so I move to concur in these two Amendments."

Speaker Greiman: "The Lady from St. Clair moves that the House 'do concur' in Senate Amendments #1 and 2 to House Bill 1034. There being no discussion, the question is, 'Shall the House so concur?' All those in favor signify by voting

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'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 90 voting 'aye', 25 voting 'no', none voting 'present', and the House does concur in Senate Amendments #... Mr. Mulcahey, for what purpose do you seek recognition?"

Mulcahey: "Mr. Speaker, would the... let the Journal show that on Senate Bill 873, I would have preferred to vote 'no'. I made an error."

Speaker Greiman: "Alright. Let the transcript so show that. On this question there are 90 voting 'aye', 25 voting 'no', none voting 'present', and the House concurs in Senate Amendments #1 and 2 to House Bill 1034, and this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Mr. Parke."

Parke: "Thank you, Mr. Speaker. Will the record reflect that I would have voted 'no' on House Bill 1034."

Speaker Greiman: "Let the transcript so reflect. On this Order appears House Bill 1040. Mr. Speaker... Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1040, a Bill for an Act to amend the Criminal Code, together with Senate Amendment #1."

Speaker Greiman: "The Gentleman from Vermilion, Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Senate Amendment #1 simply changed the original intent of the Bill. It... the original Bill created the offense of aggravated assault with a firearm. Senate Amendment #1 deleted that offense and made it aggravated assault if, in committing an assault, the defendant discharged a firearm. I would move concurrence with Senate Amendment #1."

Speaker Greiman: "The Gentleman from Vermilion moves that the

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House concur in Senate Amendment #1 to House Bill 1040. There being no discussion, the question is, 'Shall the House so concur?' 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? Mr. Clerk, take the record. On this question, there are 115 'ayes', no 'nos', no voting 'present', and the House does concur in Senate Amendment #1 to House Bill 1040, and this Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House Bill 1473. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1473, a Bill for an Act to amend the Senior Citizens and Disabled Persons Property Tax Relief Act, together with Senate Amendment #1."

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

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill... I move to concur with Senate Amendment #1 to House Bill 1473. This Bill amends the Pharmaceutical Assistance Act. The Bill originally did two things. One of which was to raise the professional pharmacy dispensing fee from 3.60 to 3.85, and the Senate Amendment removed that fee increase, and I concur with that Amendment. The Bill now would allow for the Department to allow all pharmacies licensed under the Pharmacy Practice Act to participate as authorized pharmacies, unless they have been removed from that status for cause pursuant to the terms of the Section in which it is located. So I would move for the concurrence in the Senate Amendment #1."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves that the House concur in Senate Amendment #1 to House Bill 1473, and on that is there discussion? There being none, the question is, 'Shall the House so concur?' All those in favor signify by voting 'aye', those opposed vote 'no'."

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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 112 voting 'aye', none voting 'no', 2 voting 'present', and the House concurs in Senate Amendment #1 to House Bill 1473, and this Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House Bill 1681, Mr. Mautino. Mr. Mautino. Out of the record. On this Order appears House Bill 2167. Mr. Flinn, do you wish to proceed, 2167?"

Flinn: "Yes, Mr. Speaker."

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

Clerk O'Brien: "House Bill 2167, a Bill for an Act to amend the Liquor Control Act, together with Senate Amendment #2."

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

Flinn: "Yes, Mr. Speaker, I move that we concur in Amendment #2... Senate Amendment #2 to House Bill 2167."

Speaker Greiman: "Gentleman from St. Clair, Mr. Flinn, moves that the House do concur in Senate Amendment #1 to House Bill 1681 (sic - 2167). There being no... I'm sorry, Senate Amendment #2... yes... to House Bill 2167. There being no discussion, the question is, 'Shall the House so concur?' 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 110 voting 'aye', none voting... 1 voting 'no', none voting 'present', and the House does concur in Senate Amendment #2 to House Bill 2167. And this Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears House Bill 2476. Mr. Kubik. Out of the record. Mr. Mautino, do you wish to proceed with 1681? Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 1681, a Bill for an Act to amend the Civil Administrative Code of Illinois, together with Senate Amendment #1."

Speaker Greiman: "Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. I move to nonconcur with Senate Amendment #1 to House Bill 1681. It needs additional language which was brought to our attention by the United Jewish Foundation, the University of Illinois, Department of Conservation. We'd like to make those corrections to provide that. Therefore, I move to nonconcur in Senate Amendment #1."

Speaker Greiman: "Gentleman from Bureau, Mr. Mautino, moves that the House nonconcur in Senate Amendment #1 to House Bill 1681. There being no discussion, the question is, 'Shall the House nonconcur?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does nonconcur in Senate Amendment #1 to House Bill 1473... I'm sorry, to 1681. On this Order appears House Bill 2576, Mr. O'Connell. Out of the record. On this Order appears House Bill 2852, Ms. Frederick. 2852? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2852, a Bill for an Act to amend the Illinois Act on the Aging, together with Senate Amendment #1."

Speaker Greiman: "The Lady from Lake, Ms. Frederick."

Frederick: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to nonconcur with Senate Amendment #1 on House Bill 2852."

Speaker Greiman: "The Lady from Lake, Ms. Frederick, moves that the House nonconcur in Senate Amendment #1 to House Bill 25... 2852. Is there discussion? There being none, the question is, 'Shall the House nonconcur?' All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the

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'ayes' have it, and the House does nonconcur in Senate Amendment #1 to House Bill 2852. Now, on this Order appears House Bill 871. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 871, a Bill for an Act in relation to flag theft and defacement, together with Senate Amendment #1."

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

DeLeo: "Thank you, Mr. Speaker, Members of the House. I move to nonconcur on House Bill 871, Senate Amendment #1."

Speaker Greiman: "Gentleman from Cook, Mr. DeLeo, moves to nonconcur in Senate Amendment #1 to House Bill 871. Is there discussion? There being none, the question is, 'Shall the House concur?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does nonconcur in Senate Amendment #1 to House Bill 871. For what purpose does the Gentleman from Rock Island, Mr. Brunsvold, seek recognition?"

Brunsvold: "Mr. Speaker, on Supplemental Calendar 2, Senate Bill 1376, I would move not to recede from House Amendment #1 and ask that a Conference Committee be appointed."

Speaker Greiman: "When we get to that Order of Business. On the Order of Nonconcurrency in the Regular Calendar on page eight appears Senate Bill 1014. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1014, a Bill for an Act to amend the Illinois Job Training Coordination Council Act, together with House Amendments #1, 2, 3 and 4."

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

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I move to recede from House Amendments 1, 2, 3 and 4 to Senate Bill 1014."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn, moves that the House recede from Senate ... from House Amendments #1, 2, 3 and 4 to Senate Bill 1014. And on that, the Gentleman

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from Lake, Mr. Churchill."

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

Speaker Greiman: "Indicates he'll yield for questions."

Churchill: "Representative, could you explain what those Amendments do and what the effect of it is when you recede from that?"

Dunn: "Yes, want to move right along here. What the Amendments do is gut the Bill, and what I'd like to do is place this Bill in the form in which it came over from the Senate and see if we can pass it."

Churchill: "Okay, and these were House Amendments that had been placed on by Representative Didrickson and I guess there was one on that had been placed on by yourself?"

Dunn: "One of them was placed on by me, yes, and I move to recede from that one, as well."

Churchill: "Okay. And then, what are the Amendments that are on there that Representative Didrickson put on that you're moving to recede from? What do they do?"

Dunn: "I think she's the Sponsor of Amendment #1, Amendment #2 and Amendment #3."

Churchill: "Right. And what do they do that you're asking to recede from them?"

Dunn: "Well, I... they gut the Bill is what they do. They convert this from... The substance of these Amendments is to convert this from an active council to a study, and so, the Bill really does nothing in its present form."

Churchill: "Okay. I'm not sure that that's something we should do. It seems that these Amendments were placed on here for whatever reason by the... by the Members of this Body to make this a better Bill, what the Members of this Body felt was a better Bill, and I'm not sure that we should recede from this point. And I would rise in opposition."

Dunn: "Well, you know, as well as I do, that Amendments are not

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always put on to make a Bill better, and I think, in this set of circumstances, these Amendments were put on just for the opposite reason. And so, I don't want to prolong the debate. That's, in fact, what it is. This... If I succeed in this Motion, this Bill will return to the form in which it came over from the Senate; and, in that form, this Bill provides for a Job Training Coordinating Council which will coordinate the various job training functions in the State of Illinois, which seems like a reasonable thing to do, in view of our tight money situation, to coordinate, to streamline and also to get all these job functions under one roof. Good idea."

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

Didrickson: "Well, I oppose the Gentleman's Motion, and I would like to just refresh everybody's memories here on the three Amendments that were adopted - and there was no real significant discussion to the contrary. Amendment #1 was put on because what exists in there right now is contrary to federal law. So, it would be out of consistency and conformity with federal law if we were to do this. Number 2, the second Amendment that we put on, this sets up a whole new agency without this Amendment, and I don't think that is the way this General Assembly wants to go right now, specifically given what has occurred during this morning's press conferences. You're setting up a whole new agency without Amendment #2 that we put on in the House. And the third Amendment is the fact that right now we are doing just this - we have a state-wide job training information inventory that is available, but if you use what is in this Bill, you're going to require the Department of Employment Security to not be able to use their existing computer data base. So, again, you're talking big bucks to do what is already done in a different

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format. I oppose the Gentleman's Motion on those three basis. What we did in this House was correct, was right, and I think if the Gentleman reassesses what I have just reiterated here with regards to those three Amendments, he would agree in his heart."

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

McCracken: "Thank you, Mr. Speaker. I also rise in opposition to the Gentleman's Motion. Our analysis indicates that all four of these Amendments were put on by voice vote; that Representative Dunn was the Sponsor of Amendment 34 and, according to that Amendment, that is required in order to coordinate state and federal law. The Amendment was requested by the Department of Public Aid. If, in fact, the Motion to recede is successful, it will not be in conformity with federal law. It will jeopardize some of the programs that depend on that for funding. And I'm unable to see how these Amendments gut the Bill. These Amendments are very important to the Bill. I understand it's the Gentleman's Bill, but the fact is that these were put on by voice vote, which implies agreement. One of them was his Amendment. I'm not sure why the House... or the Senate chose not to concur, but I think receding is the wrong thing to do. I think if the Gentleman wants to work with the Senate, the better Motion would be to refuse to recede and try to work this out in a Conference Committee."

Speaker Greiman: "Mr. Ropp."

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

Speaker Greiman: "Indicates he'll yield for questions."

Ropp: "In these Amendments dealing with the study, is that a study to do what the basic Bill was attempting to do by law?"

Dunn: "No, the basic Bill is a course of action, not a study, and that's... therein lies the problem. You're either for this

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streamlined program or you're not. And it won't require additional employees. It won't require additional funds. If I recall correctly, the Fiscal Note, I believe, showed... I'm not sure there was a Fiscal Note on this Bill. I'm sorry, I better... I don't really remember. It doesn't require additional employees that I know, because the function can accommodate people who are doing some of these jobs now and move them from under one roof to under another roof."

Ropp: "Well, if, in fact, under the JTPA federal law, how do we feel that we can, in fact, change what the federal statute has directed us to do under the JTPA program here in Illinois?"

Dunn: "Well, the thrust of this legislation is to, as I indicated earlier, is to coordinate the job coordinating functions under a single, new roof, and it's an important function. You know, we used to have a Department of Labor and we segregated the Department of Labor into two divisions because we felt that there was reason to do that because of the importance of the functions. Now we have a lot of job training programs going in this state, and they crop up here and they crop up there, and they should be coordinated under the... under the egis of one council and that's what this Bill does. That's what it will do if these Amendments are taken off."

Ropp: "Well, I think, since the House put those Amendments on with such strong voice approval, that we should not recede from that action and not support your action in this effort."

Dunn: "Maybe we could play the tapes back and see how strong the voice of approval was."

Ropp: "Well, I'm sure..."

Dunn: "I know what... I know what you mean."

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Ropp: "I'm sure they were very strong, because I always here the Speaker always say in almost every instance that he very clearly hears the 'ayes' that are stronger than the 'nays' on these voice votes. And so, it undoubtedly had to be very strong and vocal."

Dunn: "Well, I don't want to... We need to move a lot of Bills today. And I think the fact of the matter is the Amendments gut the Bill and you're either for taking the Amendments off or you're not. And I'm ready to proceed, unless there are other..."

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

Currie: "Thank you, Mr. Speaker and Members of the House. I rise in support of the Gentleman's Motion. One of the values of two chambers and the opportunity to check out what's happened as a Bill makes it way from one to the other is the opportunity for reconsideration. I think the Gentleman's Motion reflects his understanding the reconsideration is in order about those House Amendments. The Bill, as it came to us, would enable the state, for the first time, to have a careful look, to create a careful evaluation system of job training programs across the borders from one state agency to another. Unfortunately, the Amendments that seemed sensible when we first considered them in the House do not help us do that job. We've all seen the recent report from the Intergovernmental Cooperation Commission, a Commission that belongs to this General Assembly. That report detailed overlap, duplication, misspending of dollars if the effect of those dollars was to encourage real training opportunities. I think Senate Bill 1014, in its initial state, is the only way we could address the concerns of that report. I urge an 'aye' vote on this very sound Motion with respect to Senate Bill 1014."

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Speaker Greiman: "Gentleman from Macon, Mr. Dunn, to close."

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

In closing, I simply want to remind the Membership that what we are about in this state is putting people to work. The way to put the people to work is not to waste money but to coordinate the functions, the tools, the equipment which we have in this state to provide job training; and to do that coordinating, we need this Bill to separate out and to concentrate our effort in the area of job training. To do that, we need to recede from House Amendments 1, 2, 3 and 4 to Senate Bill 1014. And I so move."

Speaker Greiman: "Question is, 'Shall the House recede from House Amendments 1, 2, 3 and 4 to Senate Bill 1014?' All those in favor signify by voting 'aye', those opposed vote 'no'. This... 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 41 voting 'aye', 63 voting 'no', 5 voting 'present', and the Motion fails. And on this Order appears Senate Bill 480... Yes, Mr. Dunn, did you wish to... Mr. Dunn?"

Dunn: "I would like to move for a Conference Committee at the appropriate moment here."

Speaker Greiman: "You have found the appropriate moment."

Dunn: "Have you announced the Roll Call?"

Speaker Greiman: "Yes."

Dunn: "Okay. May I move now?"

Speaker Greiman: "Yes."

Dunn: "I would now move that the House refuse to recede and request the appointment of a Conference Committee on Senate Bill 1014."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn, moves that the House refuse to recede from House Amendments 1, 2, 3

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and 4 to Senate Bill 1014. There being no discussion, the question is, 'Shall the House refuse to recede?' All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendments 1, 2, 3 and 4 to Senate Bill 1014 and requests the appointment of a Conference Committee. Message from the Senate."

Clerk O'Brien: "A Message from the Senate, by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their Amendments to the following Bills, to wit; Senate Bills 239, 115, 187, 226, 233 and 370, action taken by the Senate June 29, 1987. Linda Hawker, Secretary.'" "

Speaker Greiman: "On this Order appears Senate Bill 484. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 484, a Bill for an Act to amend the Unemployment Insurance Act, together with House Amendment #1."

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

McPike: "Thank you, Mr. Speaker. I move the House refuse to recede from House Amendment #1 and request a Conference Committee."

Speaker Greiman: "Gentleman moves that the House refuse to recede from House Amendment #1 to Senate Bill 484. There being no discussion, the question is, 'Shall the House refuse to recede?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede from House Amendment 1 to Senate Bill 484 and requests a Conference Committee. On this Order appears Senate Bill 496. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 496, a Bill for an Act to amend certain Acts in relation to mass transit, together with

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House Amendment #1."

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

McPike: "Thank you, Mr. Speaker. I move the House refuse to recede from House Amendment #1 to Senate Bill 496 and request a Conference Committee."

Speaker Greiman: "The Gentleman from Madison moves that the House refuse to recede from Sen... House Amendment #1 to Senate Bill 496. There being no discussion, the question is, 'Shall the House so refuse to recede?' All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The House refuses to recede from House Amendment 1 to Senate Bill 496 and requests a Conference Committee. On the Order of Nonconcurrency appears Senate Bill 696. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 696, a Bill for an Act to amend the School Code, together with House Amendment #1."

Speaker Greiman: "The Gentleman from Jefferson, Mr. Hicks."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to nonconcur with Senate Bill... refuse to recede from House Amendment #1 to Senate Bill 696 and request a Conference Committee."

Speaker Greiman: "Gentleman moves to... the House do refuse to recede from Senate Amendment... House Amendment #1 to Senate Bill 696. There being no discussion, the question is, 'Shall the House refuse to recede?' All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede from House Amendment #1 to Senate Bill 696 and requests a Conference Committee. And now, Ladies and Gentlemen, turning to Supplemental Calendar #2, Supplemental Calendar #2, on page two, nonappropriations only, appears Senate Bill 126. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 126, a Bill for an Act to amend the

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Unified Code of Corrections, together with House Amendments
#1, 3, 4, 5, and 7."

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

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen
of the House, I refuse to recede from the House Amendments
that the Clerk just read."

Clerk O'Brien: "1, 3, 4, 5, and 7."

Cullerton: "1, 3, 4, 5 and 7. Those were Amendments that we put
on in the House at the request of some Members, and they
must be in the Bill. The Senator refused to concur with
them only because there was a technical error in adopting
two of the Amendments at the same time; and, as a result,
we just have to go to a Conference Committee and get that
straightened out."

Speaker Greiman: "Gentleman from Cook moves that the House refuse
to recede from House Amendments 1, 3, 4, 5 and 7 to Senate
Bill 126. There being no discussion, question is, 'Shall
the House refuse to recede?' All in favor say 'aye', those
opposed 'no'. In the opinion of the Chair, the 'ayes' have
it, and the House does so refuse to recede from House
Amendments #1, 3, 4, 5 and 7 to Senate Bill 126 and
requests a Conference Committee. On this Order appears
Senate Bill 225. Mr. Clerk... Mr., excuse me, Mr.
Leverenz. Mr. Leverenz in the chamber? Out of the record.
On this Order appears Senate Bill 236, Mr. Capparelli. Mr.
Capparelli in the chamber? Out of the record. On this
Order appears Senate Bill 377. Mr. Clerk, read the Bill.
Mr. Hannig, do you wish to proceed? Mr. Clerk, read the
Bill."

Clerk O'Brien: "Senate Bill 377, a Bill for an Act to amend the
Illinois Farm Development Act, together with House
Amendment #1."

Speaker Greiman: "Gentleman from Macoupin, Mr. Hannig."

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Hannig: "Thank you, Mr. Speaker and Members of the House. I would move that the House... that the House not recede from the Senate to our House Amendments and that a Conference Committee be created."

Speaker Greiman: "Gentleman from Macoupin moves that the House refuse to recede from House Amendment #1 to Senate Bill 377. And on that, is there discussion? There being none, the question is, 'Shall the House refuse to recede?' All in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House refuses to recede from House Amendment #1 to Senate Bill 377 and requests a Conference Committee. On this Order 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, together with House Amendments #1, 4 and 5."

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

Keane: "Thank you, Mr. Speaker. I refuse to recede from House Amendments 1, 4 and 5 and ask that a Conference Committee be appointed."

Speaker Greiman: "Gentleman moves that the House refuse to recede from House Amendments 1, 4 and 5 to Senate Bill 378. There being no discussion... Mr. Hultgren, did you wish to be recognized on this Bill? Question is, 'Shall the House refuse to recede?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The House refuses to recede from House Amendments 1, 4 and 5 to Senate Bill 378 and requests a Conference Committee. On this Order appears Senate Bill 553. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 553, a Bill for an Act to amend the School Code, together with House Amendment #1."

Speaker Greiman: "Gentleman from Saline, Mr. Phelps."

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Phelps: "Thank you, Mr. Speaker. I recede to Senate Bill 553."

Speaker Greiman: "Gentleman moves that the House recede from House Amendment #1 to Senate Bill 553. And on that, is there discussion? This will be final action. Gentleman from Cook, Mr. Cullerton."

Cullerton: "I know you don't want... I just have a question about what the Senate told you about why they didn't like Amendment #1. Is that already the law or something? The jury duty."

Phelps: "I can't remember. John, I don't remember what... I don't have it in front of me."

Cullerton: "I think that the reason why you don't need #1 is I think that's already... it's already the law."

Phelps: "I think it was non..."

Cullerton: "The nondiscriminating."

Phelps: "Noncertified personnel to be treated as certified was the issue there, to bring them to the same status."

Cullerton: "Right. Okay, I agree with your Motion. Thank you."

Speaker Greiman: "Question is, 'Shall the House recede from House Amendment #1 to Senate Bill 553?' Those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? The Gentleman from Saline, Mr. Phelps."

Phelps: "Mr. Speaker, that was for Amendments 1 and 2. No? Okay, 2 wasn't adopted. Just 1, I'm sorry."

Speaker Greiman: "The Calendar indicates only 1. Alright."

Phelps: "Thank you."

Speaker Greiman: "Calendar indicated only 1. Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 'ayes', none voting 'no', none voting 'present', and the House does recede from House Amendment #1 to Senate Bill 553. And this Bill, having received a Constitutional Majority, is hereby declared passed. On this Order appears

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Senate Bill 782, Mr. Giorgi. Mr. Giorgi. Out of the record until he comes in. On this Order appears Senate Bill 929. Mr. Ryder, do you wish to proceed? Out of the record. On this Order appears Senate Bill 942. Mr. Rice, do you wish to proceed? 942. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 942, a Bill for an Act to amend the Funeral Directors and Embalmers Licensing Act, together with House Amendments #1 and 2."

Speaker Greiman: "Gentleman from Cook, Mr. Rice."

Rice: "At this point, not concur. We'd like to go back and request a Conference Committee, please."

Speaker Greiman: "The Gentleman from Cook, Mr. Rice, moves that the House refuse to recede from House Amendments #1 and 2 to Senate Bill 942. And on that, is there any discussion? There being none, the question is, 'Shall the House refuse to recede?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The House refuses to recede from House Amendments 1 and 2 to Senate Bill 942 and requests a Conference Committee. Returning to Senate Bill 782. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 782, a Bill for an Act to amend an Act to establish Regional Service Agency Fellowship Act, together with House Amendment #1."

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

Giorgi: "Mr. Speaker, I move to refuse to recede from Amendment #1 to Senate Bill 782 because that is the thrust of the Bill, and I refuse to recede."

Speaker Greiman: "Gentleman moves that the House do refuse to recede from House Amendment #1 to Senate Bill 782. There being no discussion, the question is, 'Shall the House refuse to recede?' Those in favor 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The House does refuse to recede from House Amendment #1 to

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Senate Bill 782 and requests a Conference Committee. Still on Supplemental Calendar #2 on page four appears Senate Bill 943, Mr. McPike. Out of the record. On this Order appears Senate Bill 961, Mr. Hoffman. Out of the record. On this Order appears Senate Bill 1025, Mr. McNamara. Out of the record. On this Order appears House Bill 1263 (sic - Senate Bill), Mr. Curran. Out of the record. Mr. Curran, do you wish to proceed? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1263, a Bill for an Act to amend Sections of the School Code, together with House Amendments #1 and 2."

Speaker Greiman: "Gentleman from Sangamon, Mr. Curran."

Curran: "Wish to refuse to recede from House Amendments 1 and 2 and request that a Conference Committee be established."

Speaker Greiman: "Gentleman from Sangamon moves that the House refuse to recede from House Amendments 1 and 2 to Senate Bill 1263. All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede from House Amendments 1 and 2 to Senate Bill 1263 and requests a Conference Committee. On this Order appears Senate Bill 1376, Mr. Brunsvold. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1376, a Bill for an Act to amend the Criminal Code, together with House Amendment #1."

Speaker Greiman: "The Gentleman from Rock Island, Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I would move not to recede from House Amendment #1 and ask that a Conference Committee be appointed."

Speaker Greiman: "Gentleman moves that the House refuse to recede from House Amendment 1 to Senate Bill 1376. There being no discussion, the question is, 'Shall the House refuse to recede?' All in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to

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recede from House Amendment #1 to Senate Bill 1376 and requests a Conference Committee. 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, together with House Amendments #1 and 2."

Speaker Greiman: "Gentleman from Cook, Mr. Panayotovich."

Panayotovich: "Thank you, Mr. Speaker. I move to refuse to recede from the Senate... from the House Amendments and ask for a Conference Committee to be appointed."

Speaker Greiman: "Gentleman from Cook, Mr. Panayotovich, moves that the House refuse to recede from House Amendments 1 and 2 to Senate Bill 1400. All in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede from Senate ... House Amendments #1 and 2 to Senate Bill 1400 and requests a Conference Committee. On this Order appears Senate Bill 1416, Mr. Capparelli. Do you wish to proceed? Out of the record? Alright, out of the record. I believe you had another Bill on this Order, Mr. Capparelli. If I can find it. ...36, Mr. Capparelli. Do you wish to proceed on 1416? On 236. Mr. Clerk, call the Bill. Senate Bill 236."

Clerk O'Brien: "Senate Bill 236, a Bill for an Act in relation to pensions, together with House Amendment #1."

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

Capparelli: "I would refuse to recede and ask for a Conference Committee."

Speaker Greiman: "Gentleman moves that the House refuse to recede from House Amendment #1 to Senate Bill 236. Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede from House Amendment #1 to Senate Bill 236 and requests a

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Conference Committee. Still on the Order of Nonconcurrence, on Calendar... Supplemental Calendar #4, appears Senate Bill 929. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 929, a Bill for an Act to amend the Illinois Public Aid Code, together with House Amendment #1."

Speaker Greiman: "Gentleman from Morgan, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I would move not to recede from the Amendment and ask for a Conference Committee."

Speaker Greiman: "Gentleman from Morgan moves the House refuse to recede from House Amendment #1 to Senate Bill 929. There being no discussion, the question is, 'Shall the House refuse to recede?' All in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede to House Amendment 1 to Senate Bill 929 and requests a Conference Committee. Supplemental Calendar #4, on the Order of Concurrence, appears House Bill 1434. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1434, a Bill for an Act to amend the Psychologists Registration Act, together with Senate Amendment #1."

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

Krska: "I move to concur with Senate Amendment 1 to House Bill 1434."

Speaker Greiman: "Gentleman from Cook, Mr. Krska, moves that the House concur to Senate Amendment #1 to House Bill 1434. And on that, is there any discussion? The Gentleman from DuPage, Mr. McCracken."

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

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

McCracken: "What does the underlying Bill do and what does the Amendment do?"

Krska: "Mr. Speaker, can we take this out of the record a

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minute?"

Speaker Greiman: "Alright, this will be out of the record. On this Order appears House Bill 2359, Mr. Ryder. Mr. Ryder. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2359, a Bill for an Act to amend the Nursing Home Care Reform Act, together with Senate Amendments #1, 2 and 3."

Speaker Greiman: "The Gentleman from Morgan, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I do not wish to concur. I wish to nonconcur on the three Amendments."

Speaker Greiman: "Gentleman wishes to nonconcur in Senate Amendments #1, 2 and 3. All those in favor signify by voting 'aye'... by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does nonconcur in Senate Amendments #1, 2, 3 to House Bill 2359. And on this Order appears House Bill 2785. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2785, a Bill for an Act in relation to destruction of records by circuit clerks, together with Senate Amendment #1."

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

McCracken: "Thank you, Mr. Speaker. Senate Amendment #1 becomes the Bill. When this Bill was considered by the House, a question was asked whether this was the same as or different from Circuit Court rule adopted by the Circuit Court of Cook County for the retention and destruction of court records. Amendment #1 mirrors that Circuit Court of Cook County rule and becomes the Bill. So, I move that we concur in Senate Amendment #1 to this Bill."

Speaker Greiman: "Gentleman moves that the House concur in Senate Amendment 1 to House Bill 2785. And on that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

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Speaker Greiman: "Indicates he'll yield for question."

Cullerton: "Representative, was there a Senate Bill that dealt with this issue?"

McCracken: "Yes, and that came over here and, for some reason, was not acted upon. It's tabled. Senate Bill 485, maybe, or something like that."

Cullerton: "Okay. So the... You say that the Senate Amendment offered by Senator Fawell mirrors the Cook County..."

McCracken: "That's right."

Cullerton: "The Cook County what? The Cook County ordinance?"

McCracken: "No, the rule adopted by the Circuit Court."

Cullerton: "Okay. And so, you want that to apply to the rest of the state."

McCracken: "Right. When this Bill was considered, you asked about that. We were using a California model. You suggested we look at the Circuit Court rule. In fact, Senator Fawell had already introduced the Bill identical to the Circuit Court rule. So, when this Bill came over, she put that Amendment on."

Cullerton: "Well now, I'm just... this deals with the destruction of court records in all counties, or just in the counties of... In other words, does it include Cook County in the Senate Amendment?"

McCracken: "I don't think it does. I think it's just downstate."

Cullerton: "So, we're in the interesting position of you supporting a Bill that theoretically only applies to all the counties other than Cook."

McCracken: "Politics is ironic."

Cullerton: "Okay. Now, I'm wondering if there might not be a reason for a distinction..."

McCracken: "Well, really it's the same as your Circuit Court rule. I suppose if your Circuit Court rule were later amended, then there'd be a difference between the two."

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Cullerton: "Right, no. I'm going to the merits of the issue now, and I'm wondering whether or not, if you take a county like Saline County or the smallest county, which I think is Putnam, which has, by all measure, many fewer court cases, that maybe they may not need to have such a rule which does, in some cases, provide for destruction of records without them being copied. Whereas, a county such as Cook or possibly DuPage, which has so much more litigation, they may have the need for this legislation. Could you tell me... In other words, I'm saying that in a county that has a lot of court records, there might be more of a need for this than a county that's smaller and doesn't have as many court records. Could you just point out in which Sections of this Amendment where records can be destroyed without them being microfilmed?"

McCracken: "I don't have the Amendment in front of me. You're looking at it. I would defer to you."

Cullerton: "Well, alright, and I'm having a problem because it's a couple of pages long. I just remember that staff indicated that there were certain Sections where things could be destroyed without having to have any copies made. And since this is going to apply to all counties, I just wanted to know what they were."

Speaker Greiman: "Have you concluded your remarks, Hr. Cullerton."

Cullerton: "Actually, what I need is a little more time to read the Amendments since he doesn't have a copy of it."

Speaker Greiman: "Alright."

McCracken: "No, I do now, and page three, Subsections capital (A) through capital (M) allows for the destruction of records without court order in those specified cases. Doesn't require the destruction of them."

Cullerton: "Allows for the destruction? So... and let's take

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letter (F), 'Cases in Tort.' So that, as I understand it, if I read this correctly, 'The following court records may be destroyed without the retention of microfilm, microfiche or electronic copies.' That includes 'Cases in Tort.' And they can be... they can be destroyed three years after judgement whenever the record has been preserved on photographic, microphotographic or electronic process. Okay, so (E) through (I) must be kept... must be reproduced. Is that correct?"

McCracken: "Yes."

Cullerton: "And then... so then, (A) through (D) can be destroyed without copies."

McCracken: "Yes, you're right."

Cullerton: "Alright. So, that means Justice of the Peace and police magistrate records prior to January '64, no problem there - traffic and ordinance violation cases, parking tickets may be destroyed three years after final judgement without having kept a copy. Forceable entry and detainer, three years without a copy. And nonrecord materials five years or older may be destroyed without a copy. Okay. What about (J), (K) and (L), (M) and (N)? Do they need to be reproduced? It doesn't appear that way."

McCracken: "No, I don't think so."

Cullerton: "Okay. So, felony records are sixty years or five years after a not guilty. Okay, alright, thank you. I apologize for taking the time of the House, Mr. Speaker. It's just that this is... this is a more significant Bill than I think we originally noticed. I would say that I'm not in opposition to it at this time. It just may have some ramifications, and I want to take the time of the House, at least, to go through it. It may be that it would have been wiser to have this Bill, although I would say apply only to counties over a certain population, including

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Cook County, for that matter, so as to codify their rules and also because in the smaller counties, they may not have had the need that the larger counties had. But I think, at this point, we can send the Bill on to the Governor."

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

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

Speaker Greiman: "Indicates he will."

Hasara: "Representative McCracken, I have a lot of concerns about the destruction of court records. How does this... I feel that we now have in place a very good policy provision for destruction of records, and I'm very concerned that we're possibly going to water this down. How does this Bill change the current procedure that we have?"

McCracken: "I'm sorry, I don't know."

Hasara: "Okay. Obviously, I respect your Sponsorship of this Bill, but, having been in the court system and seen how important it is that we be very, very careful about the destruction of these, I'm going to have to vote 'no' on this unless someone can tell me exactly what we're doing here. As it now stands, all clerks of the court must submit to the Administrative Office of the Courts a request to destroy and they look over that request very carefully. The local records commission has a say in what's going to be destroyed and the clerks then receive the permission of the Administrative Office to go ahead and destroy. So, without knowing how that is going to change, I'm going to vote 'no' on this."

McCracken: "I would say, in response to that, that..."

Speaker Greiman: "Was that... I'm not sure that was a question, was it? That's still a question? Well, you'll have an opportunity to close. Was that a question?"

Hasara: "It was a question, yes, and he didn't know the answer."

Speaker Greiman: "Oh, alright. Well, alright. Mr. McCracken, to

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close."

McCracken: "Alright. As I read this, this still requires notification and specifies that in counties they may be destroyed in accordance with provisions of this Subsection (C). Under this Subsection (C), the Clerk still has to give notice to the Director of the Administrative Office of the Illinois Courts of an intent to destroy records. And no record shall be destroyed until after notice has been given to the local records commission. That is retained in this Bill on page two, lines 18 and 19. Only after that, do the provisions of this apply to allow this. This doesn't require the destruction of any records and still retains the scenario of reference to the office... or the Administrative Office of the Courts and just sets forth what I think is a very conservative approach to the retention and destruction of these records. So, I don't think this should be controversial, and I move that we concur."

Speaker Greiman: "Question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2785?' 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 96 'aye', 13 'no', 1 voting 'present', and the House does concur in Senate Amendment #1 to House Bill 2785. And this Bill, having received the Constitutional Amendment... Constitutional Majority, is hereby declared passed. Representative Giglio in the Chair."

Speaker Giglio: "On the Order of Concurrence, on Supplemental Calendar #4, appears House Bill 2795. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2795, a Bill for an Act in relation to

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banking, together with Senate Amendment #1."

Speaker Giglio: "The Lady from Cook, Representative Parcels."

Parcels: "Thank you, Mr. Speaker. The original Bill that we sent to the Senate was somewhat technical in nature. It alphabetized definitions, changed the cross-references, took out obsolete language, et cetera. In the Senate, Senate Amendment #1 replaces the word 'facility' with the term 'branch' throughout. In negotiations nationally and internationally, as well as court cases, banks are usually referred to as branches instead of their various facilities being called facilities. It has caused some problem for us here in the state to refer to them as facilities; therefore, that reference is now being changed throughout the law to make them referred to as branches. It defines general obligation and merged banks and I think the most important thing for everyone to know is that the Amendment does not expand the numerical or geographic restrictions, nor the functions performed at the facilities or now called branches. And I move for concurring with Senate Amendment #1 to House Bill 2795."

Speaker Giglio: "The Lady moves that the House concur with Senate Amendment #1 to House Bill 2795. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, Representative Parcels, at first glance, of course, this Amendment in the Senate appears to be a very dramatic and maybe traumatic Amendment. As a matter of fact, the Senate ruled that it required Three-Fifths Majority vote for the passage. Are you aware of that?"

Parcels: "Yes, I am."

Cullerton: "But the way you present it, it appears to be only a minor, technical cleanup, which it may, indeed, be. But I wondered if you could explain why there might appear to some to be an apparent dramatic difference in this Bill

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from current law. Now, does it delete the prohibition on branch banking?"

Parcells: "Yes, it does repeal that Section; therefore, it would appear that branch banking is going to be rampant. But, as you are aware, we sent out of here House Bill 475, which, in fact, did expand the numbers of facilities and so on that we could have. That is the Bill that could be considered, quote, 'branch banking'. This is the technical part of it which is changing the word 'facility' to 'branch' but, in fact, does not expand, in any way, upon those branches. Constitutionally, to do anything different with branch banking, we would have to refer back to the Constitution and this will just take out that statutory reference to branch banking so that where we refer in the statutes to branches, we will be covered here, because we're changing all of the facilities to branches."

Cullerton: "Okay. By the way, why are we doing that? What's the need for changing that?"

Parcells: "Oh, I thought... You, perhaps, didn't hear me. The Department of Financial Institutions has said in their negotiations, both nationally and internationally, branches... I mean, banks... what we call facilities are always referred to as branches. It has caused us some trouble in our communications with them because they think, when we refer to facilities, we're talking about the ladies and gentlemen's rooms in the banks when, in fact, we're referring to the facility itself."

Cullerton: "Okay. So, all prohibitions currently applicable to what are in the statute now called facilities would be retained for branches, right?"

Parcells: "Yes, all of those various..."

Cullerton: "So, there's no more than five branches outside of the approximate area of the main bank and all of the other

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prohibitions."

Parcells: "Right."

Cullerton: "Okay. Thank you."

Speaker Giglio: "Further discussion? The Lady moves that the House do concur with Senate Amendment #1 to House Bill 2795. And this, Ladies and Gentlemen, amends Section... Article XIII, Section 8... and, because of Article XIII, Section 8 of the State Constitution, three-fifths of the Members voting on the question, or a Majority of the Members elected, whichever is greater. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 96 voting 'yes', 2 voting 'no', 16 voting 'present', and the House does concur with Senate Amendment #1 to House Bill 2795. And this Bill, having received the Constitutional Majority... Extraordinary Constitutional Majority, is hereby declared passed. On Supplemental Calendar #4, on Nonconcurrences, appears Senate Bill 39, Representative Panayotovich. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 39, a Bill for an Act to amend the Law Enforcement Officers, Civil Defense Workers, Civil Air Patrol Members, Paramedics and Firemen's Compensation Act, together with House Amendment #1."

Speaker Giglio: "Gentleman from Cook, Representative Panayotovich."

Panayotovich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to recede from House Amendment #1. After discussion with Representative Stange, we realize that the Amendment deleted some language we didn't want deleted, and I move we recede from House Amendment #1."

Speaker Giglio: "Gentleman moves that the House recede from House

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Amendment #1 to Senate Bill 39. And on that question, hearing none, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Peterson. Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no', 1 voting 'present', and this Bill... On this question, the House recedes from House Amendment #1 to Senate Bill 39, and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 115, Representative Homer. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 115, a Bill for an Act to amend the Criminal Code, together with House Amendments #1 and 2."

Speaker Giglio: "Representative Homer."

Homer: "Thank you, Mr. Speaker. I would move that the House recede from House Amendments #1 and 2. House Amendment #1 merely delayed the effective date. House Amendment #2 expanded the offense of sexual relations within families to include any sexual conduct; whereas, current law defines it only as sexual penetration. So, at this time, Mr. Speaker, I would move that we recede from House Amendments #1 and 2."

Speaker Giglio: "Gentleman moves that the House recede from Amendments #1 and 2 to Senate Bill 115. And on that question, the Gentleman from Cook, Representative Young. Anthony Young."

Young: "Thank you, Mr. Speaker. Tom, when you... when we remove the Amendments, what will the effective date be?"

Homer: "The Bill now has no immediate effective date, so it would be January 1 of 1988."

Young: "Thank you."

Speaker Giglio: "Further discussion? The question is, 'Shall the

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House recede from Amendments #1 and 2 to Senate Bill 115?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 115 voting 'yes', 1 voting 'no', none voting 'present'. And the House recesses from Senate (sic - House) Amendment #1 and 2, and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mulcahey in the chamber? Representative Mulcahey, on Senate Amendment... or Senate Bill 187. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 187, a Bill for an Act to amend Sections of the School Code, together with House Amendment #1."

Speaker Giglio: "Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Speaker, I move that we nonconcur with Senate Bill 115 (sic - 187) and that a Conference Committee be appointed."

Speaker Giglio: "Gentleman moves to refuse to recede from House Amendment #1 to Senate Bill 187 and a Conference Committee be appointed. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and a Conference Committee will be... and a Conference Committee requested. On Supplemental #4 appears Senate Bill 226, Representative Keane. Representative Keane. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 226, a Bill for an Act to amend the Revenue Act, together with House Amendments #5 and 8."

Speaker Giglio: "The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker. I refuse to recede from... I ask the House to refuse to recede from House Amendments 5 and 8 and ask that a Conference Committee be appointed."

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Speaker Giglio: "Gentleman moves that the House refuse to recede from House Amendments #5 and 8 and that a Conference Committee be requested. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and a Conference Committee is requested. On the same Order of Business, Supplemental #4, appears House Bill 1434. Representative Krska. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1434, a Bill for an Act to amend the Psychologist Registration Act, together with Senate Amendment #1."

Speaker Giglio: "The Gentleman from Cook, Representative Krska."

Krska: "I move to concur with Senate Amendment #1 to House Bill 1434. Senate Amendment #1 creates the Psychologist Registration Act of 1987 and amends the Regulatory Agency Sunset Act. Provides for the repeal of this Act December 31, 1997. Provides that clinical psychologists who serve persons who need mental treatment or are mentally ill shall, as appropriate, initiate genuine collaboration with a physician licensed in Illinois to practice medicine in all of its branches. This is an Amendment between the Illinois Psychiatric Society and the Illinois Psychology Association to ensure that psychologists do not intrude on the turf of psychiatrists."

Speaker Giglio: "Gentleman moves that the House concur with Senate Amendment #1 to House Bill 1434. And on that question, the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. I'd like to ask the Sponsor of the Bill if I can ask him some questions about the Amendment #1."

Speaker Giglio: "He indicates he will."

Parke: "Yes, Representative, in Amendment #1, does that, in fact, say that any township who provides counseling services must

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have on their staff a Ph.D. psychiatrist to supervise these counseling services?"

Krska: "Yes, it would."

Parke: "Do you know how much money that's going to cost most of our townships to provide a psychologist on staff, a Ph.D. psychologist? I think... To the Bill, Mr. Speaker. I happen to think that this is the wrong kind of an Amendment to put on a Bill. It's going to be so costly to our townships to hire a Ph.D. to supervise. We hardly have enough money to provide counseling services to... to the people that need it in the first place, let alone hiring somebody that we don't need. I ask that this Assembly nonconcur on Amendment #1. I think this is the wrong approach. I think it should go into Conference Committee Report and work this out. I am shocked that this kind of an Amendment would be put on a Bill. I ask for a nonconcurrency of this Amendment. I vote... ask for 'no'."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I rise in support of the concurrence Motion in the Senate Amendments to House Bill 1434. As the House Sponsor of the corresponding Senate Bill, these questions were addressed as that Bill was progressing through this House. Discussions took place between all the various factions that were interested in this language and the agreement was made that those specific ideas would be addressed in the appropriate rules that would be made pursuant to the passage of this Bill. So, I think that those groups that may have been concerned about that item that was just recently asked about will have that laid to rest once the rules are promulgated. And so I would urge that the House concur in the Senate Amendments."

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Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker. I also rise and support the Gentleman in his Motion. The Senate Amendment #1 has been debated before in the House. It does reflect an agreement with Medical Society, AFSCME, all the nec... interested parties; and, as has been explained by the Sponsor, it is an agreed Amendment, and I would urge your support of the Motion."

Speaker Giglio: "The Lady from Lake, Representative Frederick."

Frederick: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield for a question, please?"

Speaker Giglio: "Yes, he will."

Frederick: "Mr. Krska, can you tell me how this Bill, with its Amendment, would differ from 809, Senate Bill 809, that we passed out of the House and Senate?"

Krska: "Not at all. It's identical."

Frederick: "Is it identical?"

Krska: "Identical."

Frederick: "Okay. Thank you."

Speaker Giglio: "Further discussion? Question is, 'Shall the House concur with Senate Amendment #1 to House Bill 1434?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 60 voting 'yes', 47 voting 'no', 3 voting 'present', and the House does concur in Senate Amendment #1 to House Bill 1434. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair would like to announce that at four o'clock we're going to stop taking the vote changes on the Agreed Bill List. Those of you that want to change your vote on the

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Agreed Bill List please come up with your slips to the Clerk's Well. Supplemental Calendar #2 appears Senate Bill 1025, Representative McNamara. Representative McNamara in the chamber? Senate Bill 1025. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1025, a Bill for an Act to amend the Criminal Code, together with Amendment... House Amendment #1 and 4."

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

McNamara: "Thank you, Mr. Speaker. I refuse to recede on 1025. The Amendment is technically not correct. We're going to send it to a Conference Committee in order to make the corrections."

Speaker Giglio: "The Gentleman moves that the House refuse to recede on House Amendments #1 and 4 to Senate Bill 1025. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and Gentleman moves that a Conference Committee be requested. On page five of the Supplemental Calendar #2 appears Senate Bill 1416, Representative Capparelli. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1416, a Bill for an Act to amend the Illinois Banking Act, together with House Amendment #1."

Speaker Giglio: "Gentleman from Cook, Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. I refuse to recede on House Amendment #1 and ask for a Conference Committee."

Speaker Giglio: "Gentleman moves that the House refuse to recede from Amendment #1 to Senate Bill 1416. And on that question, hearing none, the House refuses to recede and a Conference Committee be requested. Messages from the Senate."

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

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House of Representatives that the Senate has refused to concur with the House in the adoption of their Amendments to the following Bills, to wit; Senate Bills #483, 652, 653, 688, 897 and 912, action taken by the Senate June 29, 1987. Linda Hawker, Secretary."

Speaker Giglio: "The Chair now will return to the Regular Calendar on those Bills that were called earlier that were taken out of the record. So, we'll return to page three of the Calendar on Concurrences. Representative Cullerton. Mr. Clerk, House Bill 16. Read the Bill."

Clerk O'Brien: "House Bill 16, a Bill for an Act in relation to airport authorities, together with Senate Amendment #1."

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

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is sponsored by myself, Representative Deuchler, Representative Hensel. The Bill was overwhelmingly..."

Speaker Giglio: "Excuse me, Representative Cullerton. Representative McCracken, are you seeking recognition, Sir?"

McCracken: "Yes, thank you. I don't mind this Bill being heard, but this Bill was passed in the record and has had a chance to be called once already. Why don't we pick up on the Regular Calendar where we left off?"

Speaker Giglio: "Representative Cullerton."

Cullerton: "Mr. Speaker, I'd be happy to take the Bill out of the record and call the Bill when Representative Daniels can be on the floor. That's fine with me."

Speaker Giglio: "Gentleman from DuPage, Representative McCracken."

McCracken: "I can't keep up with his wit. Just let me say I don't care about this Bill. I just want to go back to where we left off so everybody gets a chance to be called."

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The last Bill, I believe, was 2044 on page six."

Speaker Giglio: "Well, the Chair always like to accommodate its Members, Representative McCracken. So, with your request, the Chair will go back to page six of the Calendar. On that Order on page six of the Calendar appears House Bill 2065, Representative Van Duyne. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2065, a Bill for an Act relating to the conducting of certain games of chance, together with Senate Amendments #1 and 2."

Speaker Giglio: "Gentleman from Will, Representative Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. Senate Amendment #1 and Senate Amendment #2 were put on in the Senate to satisfy some objections by the Department of Revenue. They have accomplished that and everybody is happy, and I move to concur with Senate Amendment #1 and 2."

Speaker Giglio: "Gentleman moves that the House concur with Senate Amendments #1 and 2 to House Bill 2065. And on that question, the Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker. A question of the Sponsor."

Speaker Giglio: "He indicates he will."

Keane: "Have... on the pull jars games and, what is it - pull jars and... or pull tab and jar games, did the Senate Amendments remove the daily limit?"

Van Duyne: "The... One of the Amendments removes the daily limit from having anything to do with bingo games. In other words, the maximum given away now is 22.50, except in two counties, and the pull tabs and the jar games will have no reference to that."

Keane: "So, in other words, you could bet any amount of money on the pull tabs and jar games."

Van Duyne: "Representative Keane..."

Keane: "There's no limit to the amount of money that you can bet."

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Van Duyne: "I really can't answer that."

Keane: "Well, my reading of the Amendment... Perhaps if the Sponsor could take the Bill out of the record for a minute we could... Okay, leave it on there. If..."

Speaker Giglio: "Proceed with the..."

Keane: "I think that... Well, to the Bill as amended. To the Bill as amended. It's my understanding that the way the Bill presently exists is that there's no limit on the money that can be bet, there's no limit on the game, and what you've got is you've got a... this would provide a open jar game, a numbers game would be legitimized, and I would... I don't think any of us want to have wide open numbers rackets going in the State of Illinois. And I'd ask you to oppose Senate Amendments 1 and 2."

Speaker Giglio: "Further discussion? Gentleman from Cook, Representative Piel. Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Gentleman yield for some questions, please?"

Speaker Giglio: "He indicates he will."

Piel: "Representative, I notice that you have to provide an effective method of ensuring that organized crime does not infiltrate the operation of pull tabs and jar games. Could you explain to us exactly how you're going to ensure this?"

Van Duyne: "Well, I think that's the idea of Senator Rock's Amendment #1 where he says that the standards shall include the name of..."

Piel: "No, this is in Senate Amendment #2. Senate Amendment #2 basically says they have to provide an effective method of ensuring that organized crime does not infiltrate the operation of pull tab and jar games. And I was just wondering exactly how they were going to make sure that this is an effective method of ensuring that it won't be done."

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Van Duyne: "It can be... these games can only be played on licensed premises, a very restricted area. It only applies to people who are in the category of veterans and bingos, churches, that variety. It's a very strict location. It only can be done on the premises of the licensee. Plus the fact that there's a three percent tax on the... on the gross purchase of these tickets, and this goes to the enforcement part of the Department of Revenue. And, besides, I might add that the Department of Revenue has no objections to this Bill as it's been amended."

Piel: "Okay. Another question. I notice that it says here that you have to have the prize information and the amount of the prizes on the tabs. Does this mean that they're going to have to start manufacturing tabs three times the size of what they are right now? It says, 'inserts a provision requiring that the name of the manufacturer be printed on the face of each game ticket, other information, including the name of the game, the selling price of the ticket, the amount of the prize, the serial number of the ticket shall also be printed on the ticket'. Do you realize that these things... there's about, as I recall, in a jar category, there's anywhere from five to ten different types of prizes. And I don't know if you've ever seen one of those jar tabs..."

Van Duyne: "That's right, Representative Piel, and it also states... specifies that the manufacturer of the tag must have his logo, it must be plainly visible, and these people have to be licensed by the Department of Revenue. So, we've taken every precaution that we can possibly do that between the Catholic Council of Churches, Mr. Leggo, the people who have supplied these and the Department of Revenue."

Piel: "What is the license fee according to the Bill?"

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Van Duyne: "I think it's 200 dollars."

Piel: "Two hundred dollars per establishment or per jar?"

Van Duyne: "No, they pay three percent on the contents of the jar, but the license for a year is..."

Piel: "That wasn't my question. Is it 200 dollars per establishment or per jar?"

Van Duyne: "Yes, per establishment."

Piel: "What does the... What's the average income per jar?"

Van Duyne: "Well..."

Piel: "Let's say if it was a dollar a ticket."

Van Duyne: "It... We'd rather go with the percentage. It's usually about a 50/50 deal."

Piel: "No, no, no, no. What's the average take on a jar? In other words, if you're charging a dollar a ticket..."

Van Duyne: "A hundred dollars, if you get... if there's a hundred dollars worth of tickets, you get a hundred dollars."

Piel: "No, no. Leroy, what I'm saying is... Alright. I'll put it a little bit plainer. How many jars... or how many tickets are in a jar? They come in a bag. It comes in a sealed jar."

Van Duyne: "Mr... Representative Piel, every manufacturer... you can make the jar whatever size you want. That's up to the manufacturer. And, of course, they would be priced accordingly."

Piel: "No, I don't know if you ever see them, but all the bags are a uniform size, all the jars are a uniform size. Okay, one final question. Why did you... Why do you agree... alright, we were sitting here getting a five percent tax on this and you have agreed to change that to three percent tax on that. Why?"

Van Duyne: "Because that was at the request of the Department of Revenue. They wanted their rates to be uniform. He started this out where we were going to give them ten

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percent. Then we amended it down to make it five percent and, at the request of the Department of Revenue, we made it uniform three. Of the gross by the way... of the gross, by the way, not of the net."

Speaker Giglio: "Representative Piel."

Piel: "No, I'm sorry. If you'll notice, it changes it... You said from the gross. It was changed from five percent of the net to three percent of the gross. That was the way it was changed."

Van Duynes: "Yes. And I reiterate, Representative Piel..."

Piel: "No. That's fine. You've already answered my questions. Thank you. No further questions, Mr. Speaker."

Speaker Giglio: "The Gentleman from Cook, Representative McGann."

McGann: "Yes, Mr. Speaker and Members of the Assembly, I would hope that we would nonconcur in this Senate Amendment #1 and 2. What we're doing is we are beginning a program of wide open gambling here in the State of Illinois. When we let this Senate or House Bill left the House, the requirement was only for one day a week..."

Speaker Giglio: "Would you give the Gentleman your attention, please?"

McGann: "Now the games have no limit. They can play them every day of the week. I can appreciate the veterans' organizations. I can appreciate other fraternal organizations wanting this type of revenue. But I don't think it's good for the State of Illinois. And I think that we should nonconcur and go back, if we have to go, which would I would be objecting entirely to, but we have to satisfy for one day a week. This is not the way to raise funds in the state for any organizations. It's too dangerous. And once we open this, there will be no limit to it. Thank you."

Speaker Giglio: "The Lady from Lake, Representative Frederick."

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

Speaker Giglio: "He indicates he will."

Frederick: "Mr. Van Duyne, could you tell me why you eliminated the cap on the prize money for this gambling device?"

Van Duyne: "Well, originally the Bill had 4000 tabs per given day. And everyone that was involved in it said that that's just sort of silly. If the VFW has a jar game and they're having a Saturday night and there's a good crowd there and they want to engage in that type, or if they have a bingo where they have three or four hundred people and they want to engage in that, that we really shouldn't have a cap on that, because maybe that might be the only night that they will have any surplus business, so to speak, and the rest of the week it would be more or less poor to moderate. And so that was... it was agreed that there shouldn't be any limit on it, so it was taken off."

Frederick: "Well then, would it be conceivable that the prize money might go as high as 10,000 dollars?"

Van Duyne: "Well, Representative, it isn't done that way. You don't sell a chance on 10,000 dollars. These things are just nothing but little papers in a jar and people buy two, they buy one, they buy three, they buy five. It's, well, I... It's an accumulative thing, rather than selling chances on 10,000 dollars. This is going to be an ongoing thing every week at... at these establishments. And by the way, as I said before, this is a very, very restricted area. The churches can do it at their bingos. They can sell these things. The VFWs and American Legions can do it at their own lodge. They can't walk around the street peddling these things. They do it to the people that come in the lodge."

Frederick: "Well now, also, how many jars would be in a lodge,

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for example, at one time?"

Van Duyne: "I don't think that we have addressed that, truly, at least technically in the Bill. But usually there's one."

Frederick: "Just one?"

Van Duyne: "They usually bring out one, and when that's empty, they bring out another one, naturally."

Frederick: "Oh, I see. Well, to the Bill."

Van Duyne: "At least in my... at least in my VFW, that's what they do. They have one and the people go over there and they buy the tickets, and they go back and sit down. Or, the guy will pick up the jar and take them and sluff them out to them like, you know, whatever they want."

Frederick: "To the Bill, Mr. Speaker. I am concerned about this. I really think the limit that they had on the prize money was a safeguard, and I feel that we've opened it up to all kinds of abuses. And I would like to suggest that a 'no' vote is a correct vote on this."

Speaker Greiman: "The Gentleman from Fulton, Representative Homer."

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

Speaker Giglio: "He indicates he will."

Homer: "My question is along a little different line, Representative Van Duyne. First of all, these pull tab games, is that the same thing as a so called 'tip board'? Is that another name for a 'tip board'?"

Van Duyne: "Well, yes, Representative Homer, they are in the same category. Although, if you have ever been to any of our clubs, you know that the 'tote board', they have a number at the top, which is your tip. And, then you pull them off, they are stuck on, with a little staple. Whereas, the jar games are different, in the sense that they are all in a jar, and you reach in and pull them out, they are laying in there loose."

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Homer: "Alright. But the pull tab game is another name for a tip board? Is that the same game?"

Van Duyne: "In the essence... in the terminology of this Bill, yes, it would be the same thing."

Homer: "Well, in my area, not that I want to make any incriminating statements, but, when you go to benefits, like somebody raising money for a liver transplant or... It's even been known for some political fundraisers, where I've seen a tip board or two circulate. But, your Bill would require that, first of all, that organization meet the requirements of the Bill and be a not-for-profit. And, also would require licensure by the Department of Revenue, correct?"

Van Duyne: "That's correct."

Homer: "Do you have concern that by doing this, that you will be putting into effect and enforcement mechanism, in these circumstances, that does not now exist?"

Van Duyne: "That's right."

Homer: "Well, in other words, right now these things are going on for benefits and the like. And, nobody seems to be bothering these people if it is for a good cause. I don't know of any arrest or bust or anything out there, that interferes with this practice. But, if you attempt to legalize it under certain circumstances and put the burden for enforcement with the Department of Revenue, haven't you really, in a sense, created a situation where now you have an enforcer, the Department of Revenue, coming in and stopping these practices. Whereas, now you don't have anyone doing that."

Van Duyne: "Representative Homer, you are right on target. They are... This stuff, this type of stuff is going on right now. And, the Department of Revenue has always opposed these things, because there was never any money putting

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into the enforcement of it. And, within the Body of this Bill, there is a three percent tax, which goes to the Law Enforcement part of the Department of Revenue."

Homer: "Alright. But what about this, what if it is somebody that wants the benefit for, say a young child in the community has to have a liver transplant. So, the community puts on a fundraiser and a pork barbecue and everybody comes out, then they circulate the tip boards. There is no way that those people could qualify into your Bill, could they?"

Van Duyne: "If you are talking about, in Peoria or Joliet, where they have a common town, like a lazy day or a waterway days or a festival. No."

Homer: "Alright, so..."

Van Duyne: "The only one that can have these are the people prescribed within the Bill."

Homer: "Right, so... But, that's... that practice is going on right now, and no one is enforcing it. But if you pass your Bill, won't you have revenue agents out at these functions, wanting to know... prosecuting these cases or trying to enforce these kind of practices?"

Van Duyne: "Presumably, yes."

Homer: "So, what you may accomplish by your legislation is not what you intend. It may turn out that what you are doing is actually curtailing these activities, instead of legalizing them."

Van Duyne: "Representative Homer, you probably put it better than I could."

Homer: "Well, why are you... if that's so, why are you supporting the Bill?"

Van Duyne: "Well, because we will now have control. It will not be running amuck or people be doing it promiscuously, you will have direct control under the Department of Revenue."

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Homer: "Okay. Thank you."

Speaker Giglio: "The Gentleman from Grundy, Representative Christensen."

Christensen: "Mr. Speaker, I move the previous question."

Speaker Giglio: "The Gentleman moves the previous question. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The main question is put. Representative Van Duyne, to close."

Van Duyne: "Yes, thank you, Mr. Speaker. I just want to inform everybody that this Bill has already passed this House. It has already passed the Senate. We have only just added two accommodating Amendments to satisfy the Department of Revenue and anyone else that was interested. And I move for their concurrence."

Speaker Giglio: "The Gentleman moves that the House concur with Senate Amendments #1 and 2 to House Bill 2065. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. 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 43 voting 'yes', 56 voting 'no', 11 voting 'present'. The Motion fails. House Bill 2104, Representative... Representative Van Duyne."

Van Duyne: "Yes, I would like to have a parliamentary inquiry. Do I have a opportunity to call this at a later date?"

Speaker Giglio: "Yes."

Van Duyne: "Thank you very much."

Speaker Giglio: "Representative McCracken. Representative McCracken."

McCracken: "Yeah. Speaker, the Motion lost. He doesn't have a right to re-raise the Motion. He can nonconcur, but there is no postponed consideration or anything like that."

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Speaker Giglio: "Representative Piel. For what purpose do you rise, Sir?"

Piel: "Since we haven't gone on, I would make that Motion to nonconcur on House Bill 2065. If the Sponsor doesn't want to, somebody else can make that Motion."

Speaker Giglio: "The Gentleman moves that the House nonconcur in Senate Amendments #1 and 2 to House Bill 2065. The Motion on the floor is to nonconcur with Senate Amendments #1 and 2 to House Bill 2065. And on that Motion, the Gentleman from Cook, Representative Piel."

Piel: "Yes, I made the Motion to nonconcur on Senate Amendments 1 and 2."

Speaker Giglio: "The Gentleman from Will, Representative Van Dwyne."

Van Dwyne: "Yes, I will agree with that Motion and request a Conference Committee."

Speaker Giglio: "All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes', have it. And the House nonconcur with Senate Amendments #1 and 2 to House Bill 2065. On page 6 of the Calendar appears House Bill 2104, Representative Granberg. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2104, a Bill for an Act to amend the Public Community College Act. Together with Senate Amendments #2 and 3."

Speaker Giglio: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Members of the House. I would move now that we concur with Senate Amendments 2 and 3 to House Bill 2104. Senate Amendment 2 puts effective date language in the legislation. Senate Amendment 3 was added on by Senators Watson and Newhouse at the request of the City College of Chicago. It provides that the City College, can by resolution of the Board of Trustees, pay

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for the rental of buildings, property for community colleges purposes, payment of premiums for insurance and other such items out of the operations fund instead of the education fund."

Speaker Giglio: "The Gentleman moves that the House concur with Senate Amendments #2 and 3 to House Bill 2104. And on that question, hearing none. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 111 voting 'yes', none voting 'no', 3 voting 'present'. And the House does concur with Senate Amendments #2 and 3 to House Bill 2104. And this Bill having received the Constitutional Majority is hereby declared passed. House Bill 2193, Representative Braun. Representative Braun in the chamber? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2193, a Bill for an Act to amend the Illinois Human Rights Act. Together with Senate Amendment #1."

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

Braun: "Thank you, Mr. Speaker. Senate Amendment 1 was simply a grammatical and a technical correction. And I move to concur in it."

Speaker Giglio: "The Lady moves that the House concur with Senate Amendment #1 to House Bill 2193. And on that question, hearing none. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 84 voting 'yes', 30 voting 'no', 1 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2193, and this Bill having received a Constitutional

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Majority is hereby declared passed. House Bill 2248, Representative Cowlshaw. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2248, a Bill for an Act to amend an Act creating the Board of Higher Education. Together with Senate Amendments #1 and 2."

Speaker Giglio: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. House Bill 2248 was clearly a shell Bill to begin with. Amendments 1 and 2 of the Senate therefore become the Bill. I would like to point out that, in fact, what this Bill now is, is very nearly the exact equivalent of House Bill 1098 which was sponsored by Representative O'Connell and which was tabled. It simply makes provisions for state employees who are in default of guaranteed student loans for more than six months and in an amount greater than \$600. And provides that they must establish a satisfactory loan repayment schedule, if they wish to continue to be employed by the state. Amendment #2 simply provides that the Illinois State Scholarship Commission may file lawsuits on defaulted student loans, and that the venue is in Cook County. That's all the two Amendments do, and they become the Bill. They are, in fact, in accord with what Representative O'Connell's Bill was, and I move to concur in Senate Amendments 1 and 2 to House Bill 2248."

Speaker Giglio: "The Lady moves that the House concur with Senate Amendments #1 and 2 to House Bill 2248. And on that question, all those in favor signify by voting... the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. One question if I might of the Sponsor, if she would yield?"

Speaker Giglio: "She indicates she will."

Black: "Representative, excuse me but in the den of the House, I'm not sure I heard you correctly. This does provide for

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a garnishee of wages, in order to affect that repayment if it's necessary?"

Cowlshaw: "I am not sure that I know precisely what the answer to your question is."

Black: "And I ask the question, simply because it has been asked of me by some constituents. I don't particularly have any problem with that. But, I have been asked that question, and I would like an answer, if we could find a staff person to tell us if that... the way it has gotten back to some state employees, is that it does provide for garnishment... garnishee of wages and perhaps without notice. And again I don't have any particular problems with it, but if they do raise the question then I think we should answer it."

Cowlshaw: "Representative, I'm told by the people who represent the Illinois State Scholarship Commission in affairs of the Legislature that this doesn't change anything. It does not provide for the garnishing of wages of state employees any differently than what has already been provided for a good long while under the statutes for State Government employees who are in default on student loans. It does provide, however, that if... as I mentioned and I realize it is awfully noisy in here, but at any rate, as I mentioned when I began the explanation of Amendment 1, it does provide that any state employee who is in default for more than six months and in an amount greater than \$600, either establishes some kind of satisfactory repayment plan or the result is that that employee loses his or her job. So there is a pretty good motivation for establishing a repayment schedule."

Black: "I would agree. I would think that might even be a better motivation than garnishment. I appreciate your answer. Thank you."

Cowlshaw: "You are very welcome, thank you."

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Speaker Giglio: "Further discussion? The Lady from Cook, Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker and Members of the House. Would the Sponsor yield?"

Speaker Giglio: "She indicates she will."

Wojcik: "Representative, Senate Amendment #2 provides that the State Scholarship Commission shall file lawsuits on delinquent and defaulted student loans in Cook County. Could you tell me..."

Cowlshaw: "That is correct."

Wojcik: "... why is Cook County singled out?"

Cowlshaw: "It is my understanding, Representative, that the legal staff of the Illinois State Scholarship Commission has its housing, that is its office space in the City of Chicago. In the State of Illinois Building, in the City of Chicago, and because the legal staff has its business offices there, it is simply more convenient for the State Scholarship Commission, if the venue for those cases is Cook County. It doesn't mean they can't file something that relates to a person in any other county in the state. It just says it's in that county that the suits are filed."

Wojcik: "I understand, so if it is anyplace else in another county they would have to come up to Cook County to hear the cases."

Cowlshaw: "That's right."

Wojcik: "Thank you."

Speaker Giglio: "Further discussion? The Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Giglio: "She indicates she will."

Countryman: "So what you just said is all cases should be filed in Cook County where all the backlog is?"

Cowlshaw: "They are now in addition to which, I believe, that

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when the student signs these papers for this thing, it already says that and they've agreed to that when they sign up for the loan."

Countryman: "Yeah, but we've got a shortage of Judges in Cook County, not enough courtrooms. We've got plenty of space downstate."

Cowlshaw: "Well, Representative, I'm told that it is simply is less costly for the State Government since all of the Attorneys for the Illinois State Scholarship Commission have offices in the State of Illinois Center in Chicago. It simply saves money, if we file these cases in Cook County, because then those Attorneys do not have to travel all over Illinois, all 102 counties."

Countryman: "Yeah, but some poor person in 'Polldock' County has to drive all the way to Chicago then to appear in court."

Cowlshaw: "And the only reason that he or she has to do that, is because he or she is in default on a student loan. If you are in default on a student loan, I don't think it is up to us to try to be... do whatever is convenient for them, but rather what is convenient for us, having granted that loan in the first place."

Countryman: "Well, Mr. Speaker, to the Amendment and to the concurrence Motion."

Speaker Giglio: "Proceed."

Countryman: "I think that, you know, you can presume everybody's, you know, a do-gooder around here. And all due respect to the Sponsor, people have legitimate disputes. People fall into financial difficulties, and, you know, the courts in Cook County are clogged up, they take months and years. I don't think this is going to save the taxpayers one dime. Matter of fact, I think it is going to costs them millions to do it there. Frankly, they ought to have people all across the state do it. Then you ought to be in the county

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where the defendant resides, and this is exactly what this Code of Civil Procedure says. I urge a 'no' vote."

Speaker Giglio: "The question is 'Shall the House concur with Senate Amendments #1 and 2 to House Bill 2248?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all... The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Mr. Speaker. I think this is something that downstaters at least ought to be aware of or those Members here that don't reside in Cook County. The Lady's Bill would establish artificially mandatory venue in Cook County for Illinois State Scholarship Loan default lawsuits. Why should somebody downstate, who lives in downstate, never been to Cook County, borrow or take a Illinois State Scholarship Loan, that originated from someplace other than Cook County have to go to Cook County to defend an action that's filed by the Illinois State Scholarship Commission for the sole reason, as the Lady said, that their office is located in the State of Illinois Center? I think we ought to extend a courtesy to defendants to not have to go to Cook County to defend these matters. Particularly where they have a bonafide dispute. It's not a black and white case, where there is a honest to goodness dispute as to whether payments have been made. And I think the right vote is a 'no' vote."

Speaker Giglio: "One minute to explain his vote. The Gentleman from Champaign, Representative Johnson."

Johnson: "Alert to all downstate Legislators. If you think we had an issue before with respect to parking tickets, you ought to look real carefully at this Bill. If you want to have everyone of your constituents who is ever in this situation at any state university be dragged into the Cook

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County Judicial System because we pass this Bill, rather than a more convenient and appropriate form in downstate Illinois or wherever the person resides, the cause of action accrued. This is an important vote and it's one that you ought to look very, very carefully at, because, I think, the ramifications from dragging people all around for a whole lot more money than parking tickets could be very negative from a standpoint of the Judicial System as well as politically. I really think a 'no' or a 'present' vote is absolutely appropriate here, and it is at least equivalent to what the issue was with parking tickets for all downstate Legislators."

Speaker Giglio: "The Lady from Champaign, Representative Satterthwaite. One minute to explain your vote."

Satterthwaite: "Mr. Speaker and Members of the House, the ISSC has a very good reputation for accommodating the needs of people who are having difficulty in repaying their obligations to the state. They are not seeking to take people to court. They are only seeking to have those who are employed fulfill their obligations to the state by repaying the amount owed to the state. This is not going to result in a large number of court cases. It is simply going to give them some authority, so that they can make arrangements with the person to collect the debt that is owed. And I think we should give them this authority, so that they can continue with their good reputation of collecting on unpaid debts."

Speaker Giglio: "The Gentleman from Warren, Representative Hultgren."

Hultgren: "Yes, I... this was a good Bill when it left the House, but I'm not sure it is now. I don't think that just because the State Scholarship Commission Attorneys have their offices at the State of Illinois Building, that

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that's any reason for venue for all cases from all over the State of Illinois to lie in Chicago. And I just want you to know in the Ninth Judicial Circuit, we have office space available for those same Attorneys and in those offices the air conditioning actually works."

Speaker Giglio: "The Gentleman from Cook, Representative O'Connell. One minute to explain your vote."

O'Connell: "Thank you, Mr. Speaker. Several points. First of all, remember that these people that we are subjecting to venue in Cook County, are people that have had numerous requests to pay a debt. A debt that is owed to the State of Illinois to fund education. These are debts that are years in arrears, and when they sign their loan agreement, on that loan agreement, they agree that if there is a court action to collect this debt, that the venue will be in Cook County. This is nothing new. We're talking about people that have welshed on a debt to the State of Illinois. People that can well afford to pay their debts. Other portions of the Bill provides that there will be an opportunity to create an installment payment to accommodate an individual that may be under financial hardship. There is no reason why this Bill should not be signed by law ... by the Governor, if it passes this House. It is a good Bill, there's no hardship being imposed on anyone, except the State of Illinois, if we cannot pass this Bill. It's a good Bill, it should be passed."

Speaker Giglio: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Well, Mr. Speaker, in explaining my vote. Just let me say briefly that first of all, all this does is put into law what is already the practice. We already use Cook County as the venue for these cases. But the other thing that you need to realize is the State Scholarship Commission goes to the length... I mean above and beyond

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the call to be as helpful to these people who owe these repayments as possible. Consequently, very few of these cases ever end up as a lawsuit. There is an absolutely minimal amount of that that happens at all. It is highly unlikely that in any one legislative district there'd ever be more than one of those suits in five years. Consequently, I think that Senate Amendment #2 has been blown all out of proportion."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there's 69 voting 'yes', 29 voting 'no', 18 voting 'present'. And the House does concur with Senate Amendments #1 and 2 to House Bill 2248. And this Bill having received a Constitutional Majority is hereby declared passed. May I remind the Members that the time has passed for those that wanted to come up and sign the necessary paper to remove themselves from the Consent Calendar on some of the Bills, that we are going to vote on later on in the day. The Gentleman from Jackson, Representative Richmond. House Bill 2269? Mr. Clerk, read the Bill. Page six of the Calendar."

Clerk Leone: "House Bill 2269, a Bill for an Act to amend the Illinois Farm Development Act. Together with Senate Amendment #1."

Speaker Giglio: "The Gentleman from Jackson, Representative Richmond."

Richmond: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1 to House Bill 2269. It was a technical Amendment."

Speaker Giglio: "The Gentleman moves that the House concur with Senate Amendment #1 to House Bill 2269. And on that question, all those in favor signify by voting 'aye', those opposed 'no'. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish?
Mr. Clerk, take the record. On this question there are 112
voting 'yes', none voting 'no', 3 voting 'present'. And
the House does concur with Senate Amendment #1 to House
Bill 2269. This Bill having received a Constitutional
Majority is hereby declared passed. Representative Younge.
Wyvetter Younge. Mr. Clerk, House Bill 2276, read the
Bill."

Clerk Leone: "House Bill 2276, a Bill for an Act to amend the
Civil Administrative Code of Illinois. Together with
Senate Amendment #1."

Speaker Giglio: "The Lady from Sinclair (sic - St. Clair),
Representative Younge."

Younge: "Mr. Speaker, I wanted to move to nonconcur."

Speaker Giglio: "The Lady moves that the House nonconcur with
Senate Amendment #1 to House Bill 2276. And on that
question, hearing none. The House nonconcur. All those
in favor signify by saying 'aye', those opposed 'nay'. In
the opinion of the Chair, the 'ayes' have it. And the
House nonconcur with Senate Amendment #1 to House Bill
2276. Represent... 2298. Out of the record. 2350,
Representative Currie. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2350, a Bill for an Act to amend the
Illinois Marriage and Dissolution of Marriage Act.
Together with Senate Amendments #1 and 2."

Speaker Giglio: "The Lady from Cook, Representative Currie."

Currie: "Thank you very much, Mr. Speaker and Members of the
House. The underlying Bill deals with the proposal from
the Illinois Task Force on Child Support. The two
Amendments are technical, the first, a clean-up of this
Bill recommended by the Illinois State Bar Association.
The second is a corrective to a measure, Representative
Kirkland has already passed this House and our sister

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chamber across the rotunda. The problem in his Bill, which would be cleaned up by Senate Amendment 2 is that without Senate Amendment 2, the Department of Public Aid might find itself paying costs, lawyers' fees for defendants in a variety of actions. I would be happy to answer questions. And I'd appreciate your support for this concurrence Motion."

Speaker Giglio: "The Lady moves that the House concur with Senate Amendments #1 and 2 on House Bill 2350. And on that question, the Gentleman from Champaign, Representative Johnson."

Johnson: "Well, the underlying Bill last time passed this chamber with only one vote to spare at 60 votes. I want to tell you the reason that it came that close and it ought to be defeated this time. A few years ago, we passed a Bill that was fairly controversial, but it's now in force for all new and ongoing child support orders. And that is you set a certain guideline, certain percentage of somebody's income to be paid for child support. Twenty percent if there's one child, twenty-five percent if there's two, and then it varies according to other children and maintenance and so forth. And however you feel about that, you can say it's worked well or it hasn't, the fact is at least people that are entering into decrees or entering into divorces or agreements or whatever, voluntarily or involuntarily, know about those guidelines, and that was the purpose of them. And when we passed those guidelines, everybody said, was absolutely clear, that that would apply only prospectively. Only to decrees after... entered after that, but the underlining Bill in this case, does something dramatically different, and something that the Members of this House almost unanimously said when we passed that Bill several years ago, that we didn't want to do and that is to

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retroactively go back to all decrees entered before that and make them comply with the guidelines. And I want to tell you the reason why that's so incredibly unfair to do that. I don't remember the exact year we passed the Bill, but let's say it was 1984. And you had a 1976 or a 1975 divorce in which child support was entered... or an order entered at 15% rather than 20 or 10% rather than 25 or whatever it might be. First of all, there's some question about whether it was or it wasn't fair. Well, you know, that was taken into account at the time the decree was entered. But, most important is this, at the time the decree was entered, the reason in most cases that parties agreed or a court order entered an order for 10% rather than fift... rather than 20 or 15% rather than 25 or whatever it might be, because there are all sorts of other considerations entered in that original divorce decree. Namely, that the marital house was given to the wife with the obligation of the husband to pay off all the debts. That ninety percent of the marital property was divided and given to the wife. That the husband was ordered to pay all the debts off. Various things went into the entry of that decree that caused that to be different. Because there wasn't a minimum guideline Bill in effect at that time. And other factors entered into it. Now we have this new minimum guideline statute and that's, okay. You know, maybe it working and maybe it isn't, but the fact is, to go back and retroactively, go back and take all those previous decrees in and all those various circumstances that weren't taken into...that were taken into account then, to guide this decree now, is just unfair. The whole concept of American Constitutional Law is an ex post facto idea. And that is you don't go back and make a law retroactive to conditions that existed a long time ago. That's like

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passing a law now that says that, you know, you can't drive without a seatbelt. And you go back and prosecute somebody in 1977 for driving without a seatbelt. Now I realize that's a simplistic analogy, but the fact of the matter is, to do this and to allow everybody to go into court under modified circumstances to do something that was never the rules of the game when they were enacted, is just ridiculous. In addition to that, you talk about something to open up the Judicial System, cost clients money, cost our system... time and energy and cause a court backlog when we already have a backlog in many counties around the state, this would be unbelievable. It would be absolutely unbelievable, apparently we are not going to enact a tax increase, and I assume the cutbacks include the Judicial System as well. And to do this and the cost to the social and economic and judicial costs of doing this, in addition to the absolute unfairness of it, would be just catastrophic. And I urge an absolute resounding 'no' vote on the underlying Bill."

Speaker Giglio: "Further discussion? The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, to put a perspective. Everything that the last speaker said, just takes two sentences. Current law provides for the award of attorney's fees and costs. And Amendment #2 provides no such award of attorney's fees. All that jibberish was for those two sentences."

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

McCracken: "Thank you, Mr. Speaker. You know... the statute uses the term, 'guidelines'. Guidelines implies something that are to be constructive. To shape ones exercise of discretion. But rather than being a guideline, this is a mandate and not only is it a mandate, but it seeks to

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become by this Bill a retroactive mandate. You don't have to show a change in circumstance warranting a change in the support order. Something which would be relevant and bearing on the issue of whether the children are receiving enough support, whether the custodial parent is receiving enough money to support the children. All you have to do is go in and say, 'Judge, even though I agreed to 10 percent ten years ago, I want it raised now because that what the law calls a guideline.' It's not a guideline. It's really a misleading term. It was never intended to be retroactive. One of the reasons it passed was because it was said it would not be retroactive. One of the other reasons it passed was because it was said it would be only guidelines. Now, the Lady would have us go back and dig out all of the old cases, some of which were resolved by agreement, the great majority of which were resolved by agreement. And if these quote, 'guidelines' were not followed back in 1974, then the person can have a change in support consistent with the quote, 'guidelines'. They're not guidelines. This is ex post facto legislation. It's substantive in nature. And if anybody says it's not, that is not correct. This is a very bad Bill and it should be defeated."

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

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. You know, I remember when the Governor gave his speech at the beginning of the year. He talked about the year of the child. And the most significant thing, I think, that we've done so far in the year of the child was to make it more difficult to sue doctors for malpractice on behalf of children who have been injured. Now what we are talking about here is a situation, and I would point out

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that the Bill that you're debating perhaps is different than the Bill that you have before you, because the Bill has been changed. This would provide for a one time only attempt to go back in front of a Judge and have that Judge apply. You make your pitch to the Judge, and have that Judge look at the guidelines that have been set up. If you win, the Judge rules in your favor. If you lose, there is no change in the child support. We are talking about child support. I'm always amazed at people that jump up in defense of people who perhaps are not paying a full and adequate amount of money to support children. Now, this has the support, of course, of the women's project. I believe it has the support of the State's Attorney office. It certainly has been worked on with the cooperation of the State's Attorney. And I really don't think that the opponents are giving a fair consideration to the Bill. And I would urge your support for concurring in the Senate Amendments."

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

McAuliffe: "Well, Mr Speaker and Ladies and Gentlemen of the House. I would rise in opposition to this Bill. Let me give you an example. Let's say in 1975 you got divorced, your wife got the house and you had three kids. And the settlement was based on the fact that you were giving her the house and the child support was based on that. Then you go out and get married again and maybe you have three or four more kids. You figured you could afford those three or four kids because you knew what you had to pay before. Now they want to go back to 1975 or 1970 divorce and change all that. It's simply not fair. A lot of times the husband pays all the bills, gives the house to the wife and makes a settlement on the child support. Now we're

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going to go back and change all of that. Ruin somebody's life, who has since become married, has three or four children of his own now and simply can't afford it. He has planned his life on the basis of what the original divorce decree was, now they want to go back and change all that. And it's just not fair."

Speaker Giglio: "Further discussion? The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Minority Spokesman on the House Judiciary I Committee, through which this legislation passed, rose in opposition to this legislation and as Chairman of the House Judiciary I Committee in which this legislation was considered, I also rise in opposition to this legislation. For most of the reasons that have been articulated earlier, that is to say that we don't know all the circumstances and factors which went into a previous court order effecting child support. Quite often the determination of child support, a lot of other factors are taken into consideration, some of which include who gets the house, who gets other assets of the parties, how many children are placed with one spouse and how many are placed with the other. A lot of these arguments are... a lot of these issues are determined in an atmosphere of intense friction after long and difficult court hearings. And now to go back and say simply because this General Assembly and what could be called... I guess, its wisdom has enacted guidelines, that now we must go back and just because of that, open up every child support case which has been pending... or which is on the books at the present time, is mind boggling. It will just make an excruciating volume of business for the courts. It will create all kinds of unfair situations and unfair consequences and I don't think

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it will serve justice. If there are people out there now who feel that child support is too low, there are laws on the books which permit them to come back and raise that child support. That's what should be done, come back into court, come back into court now, present the issue under the circumstances of the present law and the circumstances... and not go back and unwind every court order. This Bill was opposed in Committee, as one of the previous Speakers said earlier, it barely squeaked out, and as a matter of fact, there were remarks made about attorneys' fees which were kind of a cheap shot, lowbrow remarks, by one of the majority leaders on this side. And as the analysis indicates that the attorney's fee section, if the analysis is correct, indicates that attorney's fees were to be granted only in connection with Public Aid Department and Child Support Enforcement Program. And I just resent the fact that someone who ought to know better gets up and indicates that carte blanche attorneys are insincere with regard to this matter. The Committee... the Chairman of the Committee and the Minority Spokesman of the Committeemen... of the Committee, I know, take this matter very seriously. They're both in opposition of this Bill. And I would certainly urge a 'no' vote in defeat of this legislation."

Speaker Giglio: "The Gentleman from St. Clair, Representative Flinn."

Flinn: "Mr. Speaker, I move the previous question."

Speaker Giglio: "The Gentleman moves the previous question. All those in favor signify by saying 'aye, those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Gentleman from... or the Lady... excuse me, the Lady from Cook, Representative Currie, to close."

Currie: "Thank you, Mr. Speaker and Members of the House. You'd

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think from the discussion that this Bill never got out of House Committee, which it did. You'd think from this discussion that this Bill never passed this House, which it did. Let me remind you that all this Bill says is that if the amount of child support, pre-1985 child support, was unconscionably low then and individual the custodial parent may go to court one time only not to get automatically an increase in child support but to ask the court whether an increase is justified. The court, in making that decision, will take into account the full settlement at the time of dissolution. So if the custodial parent got the house, the car, the yacht, the diamonds and the garnets, that will be taken into account by the court in determining whether additional child support is required. We passed guidelines in 1984, because we knew as a General Assembly representing the people of this state, that our children were not getting a fair break. The average child support award was under \$2,000 a year. We passed guidelines because we said, 'That will not do. It is not good enough.' We passed guidelines to help our children. We passed guidelines to prevent their mothers from going on the public dole. All this Bill says is that the children whose child support orders preceded those guidelines, that their custodians have a chance to go to court, not for an automatic increase, a chance to go to court to make the case. We presently allow modifications in child support. This Bill merely adds a one time only ground that can only help the children of the State of Illinois. If you're concerned about our children who fare poorly, then this is a concurrence Motion you must support. In addition the Senate Amendments, one is technical and the other will see to it that the Department of Public Aid is not charged lawyers' fees for defendant's lawyer costs in suits brought

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by the Department. I encourage your 'aye' votes on this Motion to concur in Senate Amendments 1 and 2 to House Bill 2350."

Speaker Giglio: "The question is, 'Shall the House concur with Senate Amendments #1 and 2 to House Bill 2350?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. The Lady from LaSalle, one minute to explain her vote, Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, I rise in support of this Bill. If you are concerned about the increase in Public Aid over the past years, you should be voting in favor of this Bill. One of the reasons for the gigantic increases in Public Aid is the fact that people are not paying child support. This Bill allows that a child support order may be modified to increase support payments to the statutory guideline amounts. There is a provision, all necessary provision, to take into consideration the fact that it might not be an equit... might not be equitable to increase it to the statutory amount. But it at least raises it where it would be equitable. And to you and me, the taxpayer who are caring for our own children and find our present tax burden heavy, we should be supporting this Bill."

Speaker Giglio: "Supplemental Calendar #5 is now being distributed. 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... the Lady from Cook, Representative Barnes."

Barnes: "Well, it seems like a lost cause, Mr. Speaker. I would like some people to reconsider their votes on this Bill. If they could just think of the little children that need the money, I'm sure they will put up some more 'aye' votes. Barbara and I are both members of the Child Support Task

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Force for the State of Illinois. And we listen to many of the lawyers come and plead their cases and tell us how desperate the children are. I wish we could see some more 'aye' votes up there."

Speaker Giglio: "The Gentleman from Cook, Representative Morrow. Morrow votes 'aye'. On this question, there are 35 voting 'yes', 66 voting 'no', 14 voting 'present'. And the Motion fails. The Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker. Then I'll move that the House nonconcur in Senate Amendments 1 and 2."

Speaker Giglio: "The Lady moves that the House nonconcur with Senate Amendments #1 and 2 to House Bill 2350. All those in favor signify by saying 'aye', those opposed 'nay'. And the House non... all those... in the opinion of the Chair, the 'ayes' have it. And the House nonconcur with Senate Amendments #1 and 2 to House Bill 2350. House Bill 2364, Representative Doederlein. Is the Lady in the chamber? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2364, a Bill for an Act to amend an Act requiring immunization screening in post-secondary educational institutions. Together with Senate Amendment #1."

Speaker Giglio: "The Lady from Kane, Representative Doederlein."

Doederlein: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 to House Bill 2364. The Senate Amendment sets an effective date of July 1, 1988, instead of being effective immediately. And House Bill 2364 requires students of post-secondary education institutions to present proof of immunization against disease designed or designated by the Department of Public Health. I would request an 'aye' vote."

Speaker Giglio: "The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2364?' And on that

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question, hearing none, all those in favor signify by voting 'aye', those opposed 'nay'. And the voting is 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 109 voting 'yes', 2 voting 'no', 1 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2364. And this Bill having received the Constitutional Majority is hereby declared passed. Representative Black. House Bill 2367. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2367, a Bill for an Act to amend the School Code. Together with Senate Amendment #1."

Speaker Giglio: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House. The underlying Bill, House Bill 2367, provided that the Department of Transportation need not annually review a request for reimbursement of transportation costs on the basis of a safety hazard. That is currently the current law. We thought we could save a little money by saying that the Department of Transportation did not have to use their people to do that on an annual basis. Unfortunately, we couldn't come to any agreement on who would so inspect. So Senate Amendment #1 simply says that the Department of Transportation must review those requests for transportation reimbursement at least once every four years. I would move that we concur with Senate Amendment #1."

Speaker Giglio: "The Gentleman moves that the House concur with Senate Amendment #1 to House Bill 2367. And on that question, hearing none. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Mr. Clerk, take the record. On this question 112 voting 'yes', none voting 'no', none voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2367. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 2378, Representative Olson. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2378, a Bill for an Act to amend the law in relation to grain dealers. Together with Senate Amendment #2."

Speaker Giglio: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. Members of the chamber, I'm taking care of this Bill for Representative Olson. The original Bill amends the Illinois Grain Dealer's Act. And the Senate Amendment #2, which was approved, establishes and brings into conformity some requirements that the accounting system complies with the public... Public Accounting Act that was established a year ago and we put forth a Public Grain Warehouse and Warehouse Receipts Act. And it also removes a provision which we cannot do by law, but deals with allowing the dealer and the accountant to make agreements for performing the accountant services within a particular warehouse or warehouse receipt provision. I move to accept Senate Amendment #1... 2 number 2."

Speaker Giglio: "The question is 'Shall the House concur with Senate Amendment #2 to House Bill 2378?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 114 voting 'yes', none voting 'no', none voting 'present'. And the House does concur with Senate Amendment #2 to 2378

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(sic - House Bill 2378). And this Bill having received a Constitutional Majority is hereby declared passed. Representative DeJaegher. House Bill 2406. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2406, a Bill for an Act to create the Quad Cities Development Authority. Together with Senate Amendments #1 and 3."

Speaker Giglio: "The Gentleman from Rock Island, Representative DeJaegher."

DeJaegher: "Thank you, Mr. Speaker and Members of the General Assembly. I move to concur with Senate Amendments to House Bill 2406. And ask for a green vote."

Speaker Giglio: "The Gentleman moves that the House does concur with Senate Amendments #1 and 3 to House Bill 2406. And on that question, hearing none. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 88 voting 'yes', 26 voting 'no', 1 voting 'present'. And this... And the House does concur with Senate Amendments #1 and 3 to House Bill 2406. And this Bill having received a Constitutional Majority is hereby declared passed. Representative Churchill. Representative Churchill. House Bill 2425. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2425, a Bill for an Act to amend the School Code. Together with Senate Amendment #1."

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

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The original Bill provided a time period during which a area in a school district could not de-annex after disaster occurred to a school. That time period was 15

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years. The Senate Amendment #1 reduces the time period to a period that would be 30 days after the second regular election of the Board Members. I would move to concur in Senate Amendment #1 to House Bill 2425."

Speaker Giglio: "The question is 'Shall the House concur with Senate Amendment #1 to House Bill 2425?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 113 voting 'yes', none voting 'no', 1 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2425. And this Bill having received a Constitutional Majority is hereby declared passed. Representative Curran. House Bill 2493. Representative Mike Curran. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2493, a Bill for an Act to amend an Act creating the Illinois Department on Veteran Affairs. Together with Senate Amendment #1."

Speaker Giglio: "The Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I wish to concur with Senate Amendment #1 to House Bill 2493. Senate Amendment #1 simply establishes that the US Veterans Administration standards for patient care will be those of the State of Illinois."

Speaker Giglio: "The Gentleman moves that the House do concur with Senate Amendment #1 to House Bill 2493. And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 99 voting 'yes', 8 voting 'no', 6 voting 'present'. And this

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House does concur with Senate Amendment #1 to House Bill 2493. And this Bill having received the Constitutional Majority is hereby declared passed. Representative Hasara. On House Bill 2514. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2514, a Bill for an Act to amend an Act to revise the law in relationship to coroners. Together with Senate Amendments #1 and 2."

Speaker Giglio: "The Lady from Sangamon, Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I move to concur in Senate Amendment #1 and #2, which simply makes a few... two changes in the fact that the coroner must now notify the family and all known eyewitnesses about the inquest. I move for the adoption."

Speaker Giglio: "The Lady moves that the House do adopt Senate Amendments #1 and 2 to House Bill 2514. And on that question, hearing none, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 116 voting 'yes', none voting 'no', none voting 'present'. And the House does adopt Senate Amendments #1 and 2 to House Bill 2514. This Bill having received a Constitutional Majority is hereby declared passed. Representative Pullen. Is Representative Pullen in this chamber? House Bill 2682. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2682, a Bill for an Act in relationship to Hemophilia Advisory Committee. Together with Senate Amendments #1 and 2."

Speaker Giglio: "The Lady from Cook, Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Despite what the Board says, it's been a long time since this Bill related to the Hemophilia Advisory Committee or anything of that sort. This is a Bill that

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the House passed previously by well over 80 votes to provide... to require the Department of Public Health to trace the sexual contacts of persons who are found to be infected with AIDS. The Senate Amendments put back in some language that had been taken out when we drafted the House Amendment that became this Bill. Which I had intended not to take out. They exempted the... any records with respect to contact tracing for AIDS from the Freedom of Information Act, which I think is an important thing to do for confidentiality purposes. They exempted the persons who provide names of sexual contacts from Civil Liability, unless the revelation is made falsely or with reckless disregard for the truth. It removes the Section that Representative Homer objected to previously concerning local health authorities, and instead replaces that Section with the requirement that the Department of Public Health review quarterly the performance of the local health authorities to which it is delegated its contact tracing duties. And then if the Department determines that any local health authority is not carrying out the legislative intent, the Department shall immediately take back those duties for that particular local. Amendment #1 put in an AIDS registry which Amendment #2 has taken out. So that is not a factor in the Bill at this time. It does require the Department to seek records which can be obtained from the U. S. Armed Forces, from Federal Agencies and other states and jurisdictions on Illinois residents who have been found to be infected with HIV for purposes of contact tracing. So that Illinois citizens who are not infected can be protected from those who have gone across the borders or who have had tests done in other places and found to be positive. It requires reporting of persons who are infected to the Department or local health authority, so

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that contact tracing can be effected. This Bill has very heavy penalties for violating confidentiality of information gathered under the Act. A person who knowingly violates the confidentiality of information gathered or maintained under this Section commits a Class 4 felony. And upon conviction in addition to other penalty provided by Law shall be fined in an amount up to \$10,000 for each record illegally disclosed. And in no event shall the total fine be less than \$10,000. The Sponsors of this have taken very seriously from the start, the concerns of many persons which we share about confidentiality for persons who are infected with this virus. But we do not believe that that concern should override the right of the uninfected public from being protected. And so we have provided for confidentiality and provided the heaviest penalties of any legislation concerning AIDS in this Bill. It is very carefully drawn. It is a necessary public health measure and I urge and move concurrence with Senate Amendments 1 and 2 to House Bill 2682."

Speaker Giglio: "The question is 'Shall the House concur with Senate Amendments #1 and 2 to House Bill 2682?' And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, Representative Pullen, you may not believe me but I'm being very sincere. I want you to look at a possible technical error in the Senate Amendment #2. If you look at page 2 of your Bill, lines 7 through 11."

Pullen: "The Bill or the Amendment, Sir?"

Cullerton: "The Bill. Start with the Bill and I'll tell you how it reads as amended. Section D, subsection d, the way it reads with the Senate Amendment is 'The Department may delegate its duties under this Section to local health authorities unless the local authorities either refuses or

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neglects to conduct this contract tracing program in a manner deemed to be effective by the Authority.* So what happened was, there was an error in Senate Amendment #1 on page 2 of the Amendment, where they put the word 'authority' in. I think it's pretty clear that you want the ultimate determination to be up to the Department, not the authority. So, I would urge you to perhaps take it out of the record. Look at that Section, because it's an important Section of the Bill. I know you'll have enough votes to pass it. I just think you might want to pass it in the manner in which, so as to avoid a... What do they call those? Amendatory Vetoes by the Governor. And I'm not trying... I'm against the Bill. Don't get me wrong, but I am also telling you that you have a technical problem with it."

Pullen: "I appreciate that. I do not have here a copy of the Bill as engrossed in the Senate, which I assume is what you are referring to."

Cullerton: "Let Me help you. Do you have a copy of Senate Amendment #1? By Senator Watson."

Pullen: "Yes."

Cullerton: "Okay. If you look on page two of the Amendment. It refers to line... on line 9 of page 2 of the Amendment, it reads 'in line 8 by deleting Departments and inserting in lieu thereof authorities. And in line 11 by deleting Department and inserting in lieu thereof authority'. So that's where the error is."

Pullen: "My problems is I can't relate that to the Bill, because I don't have the Bill as it passed the House. All I have is the original Bill that was the Hemophilia Advisory Council. So, Mr. Speaker, if I may return to this Bill in a few minutes, I will be happy to look at what the Gentleman is pointing out to me, so that I can understand

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whether I need to nonconcur."

Speaker Giglio: "Mr. Clerk, take the Bill out of the record."

Pullen: "Thank you."

Speaker Giglio: "On page 7 of the Calendar appears House Bill 27 (sic - House Bill 2700). Representative McCracken. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2700, a Bill for an Act to amend the Illinois Vehicle Code. Together with Senate Amendments #1 and 2."

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

McCracken: "Thank you, Mr. Speaker. House Bill 2700 has been amended to reduce the revocation periods for second and third revocations for DUI convictions respectively to three and six years, specifies to be a repeat offender you must have been convicted within a twenty year period, and that becomes the Bill. And I move the House concur with Senate Amendments 1 and 2."

Speaker Giglio: "The Gentleman moves that the House do concur with Senate Amendments #1 and 2 to House Bill 2700. And on that question, the Gentleman from Bureau, Representative Mautino."

Mautino: "Can you... will the Gentleman yield for a question?"

Speaker Giglio: "He indicates he will."

Mautino: "Representative McCracken, can you give me some rationale for providing a twenty year statute for the second... to be considered within purview of two offenses?"

McCracken: "Well, as the Bill came out there was no limitation on the period. It could have been in a lifetime. This was the product of negotiations and it was felt that twenty years was an appropriate period."

Mautino: "You mean if someone got a DUI in 1969 and one in 1987, they would fall under this provision?"

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McCracken: "Well, no, it isn't going... I don't believe this could be used to create a repeat offender status, if you had a conviction prior to the enactment of this Bill. But, assuming that no problem with that, the answer is yes, twenty years is the period."

Speaker Giglio: "Further discussion? Further discussion? Hearing none, the question is, 'Shall this House adopt Senate Amendments #1 and 2 to House Bill 2700?' All those in favor signify by voting 'aye', those opposed 'no'. The voting is 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 111 voting 'yes', 1 voting 'no', and 1 voting 'present'. And the House does concur with Senate Amendments #1 and 2 to House Bill 2700. And this Bill having received a Constitutional Majority is hereby declared passed. All those... The Chair wants to announce that all those Amendments that were on the Bills of the Agreed list today, were concurred and passed on the agreed concurrence list today, were passed. And therefore, all those Bills having received a Constitutional Majority are hereby declared passed. The Gentleman from Lake, Representative Matijevich, moves that the House request a Conference in Room 114 immediately for... until 6:50... at 5:50."

Matijevich: "That's Democrats, we don't want the Republicans in that room."

Speaker Giglio: "Democrats, in Room 114 until 5:50. All Democrats go to 114. Representative McCracken asks that the Republicans..."

McCracken: "118 till 5:50."

Speaker Giglio: "Go to Room 118 immediately..."

McCracken: "Thank you."

Speaker Giglio: "... until 5:50. This House stands in recess

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until 5:50 p.m. Mr. Clerk, Messages."

Clerk Leone: "A Message from the Senate by Ms. Hawker, Secretary. Mr. Speaker, I am directed to inform the House of Representative that the Senate has refused to concur with the House in the adoption of their Amendments of the following Bills to wit; Senate Bills 1080, 1155 and 1273, action taken by the Senate June 29, 1987. Linda Hawker, Secretary."

Speaker Giglio: "The House will come to Order. Members will be in their Chairs. On page 7 of the Calendar, on concurrences, appears House Bill 2717. Representative Cowlshaw. Representative Cowlshaw in the chamber? Representative Peterson. Representative Peterson in the chambers? Representative Flinn. Representative Peterson. House Bill 2727. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2727, a Bill for an Act to amend the School Code. Together with Senate Amendment #1."

Speaker Giglio: "Representative Peterson, House Bill 2727."

Peterson: "Thank you, Mr. Speaker. I move to concur with Senate Amendment 1 to House Bill 2727. The original Bill provided for the election of a vice-president to the Board of Education in the absence of the Board President. The Amendment provides each course offered for high school graduation credit during summer school shall provide no fewer than sixty hours of classroom instructions for the equivalent of one semester of high school credit. I move for concurrence."

Speaker Giglio: "The Gentleman moves that the House concur with Senate Amendment #1 to House Bill 2727. And on that question? Hearing none. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this

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question, there are 109 voting 'yes', none voting 'no', and none voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2727, and this Bill having received the Constitutional Majority is hereby declared passed. On Supplemental Calendar #5 appears Senate Bill 370. Representative Matijevich."

Matijevich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I would move to refuse to recede from House Amendments 1 and 3 on Senate Bill 370 and ask for the appointment of a Conference Committee."

Speaker Giglio: "The Gentleman moves that the House refuse to recede from House Amendments #1 and 3 to Senate Bill 370. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendments #1 and 3 to Senate Bill 370 and a Conference Committee be appointed. On page 7 of the Calendar appears House Bill 2749, Representative Flinn. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2749, a Bill for an Act to amend an Act to revise the law in relationship to counties. Together with Senate Amendment #1."

Speaker Giglio: "Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker, I move that we concur with Senate Amendment #1 to House Bill 2749. What the Amendment did was wipe out House Amendment to the same Bill. And that Amendment dealt with multi-county jail. I've talked to the Sponsor and as far as I know of the House Amendment, he has not objection. So, I move for the adoption of my Motion."

Speaker Giglio: "The Gentleman moves that the House concur with Senate Amendment #1 to House Bill 2749. On that question, the Gentleman from Warren, Representative Hultgren."

Hultgren: "Mr. Speaker, I couldn't hear an explanation of the

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Amendment and I'm wondering if the Sponsor would repeat it again and perhaps the sound technician could turn up the microphones, so we can hear over here."

Flinn: "Well, I'll try to mumble a little lower. What the Senate Amendment does is do away with the House Amendment we had on the same Bill. This Bill was put on by Representative McCracken, which added on to the Bill the provision for a multi-county jail. The Senate saw fit to knock it off the Bill, and all the Bill itself does, is take care of a sheriff problem of indemnification from \$50,000 to \$100,000. So I'm suggesting that we leave the Bill alone and move on, not do anything controversial. That's why I moved... I talked to Representative McCracken and he doesn't seem to have a problem with it."

Speaker Giglio: "Further discussion? Hearing none, the question is 'Shall the House concur with Senate Amendment #1 to House Bill 2749?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. And the voting is 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... On this question, there are 84 voting 'yes', 31 voting 'no' and none voting 'present', and the House does concur with Senate Amendment #1 to House Bill 2749. And this Bill having received a Constitutional Majority is hereby declared passed. Representative Weaver. House Bill 2789. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2789, a Bill for an Act to amend the Insurance Code. Together with Senate Amendment #1."

Speaker Giglio: "The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. The Senate Amendment #1 simply deals with the part

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of the Bill that required notice... mail notice of insurance nonrenewal and it simply adds that the nonrenewal mailing be in a form acceptable to the U.S. Post Office. I move that we concur in Senate Amendment #1 to 2789 (sic - House Bill 2789)."

Speaker Giglio: "The Gentleman moves that the House concur with Senate Amendment #1 to House Bill 2789. And on that question. Hearing none. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 116 voting 'yes', none voting 'no', none voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2789, and this Bill having received a Constitutional Majority is hereby declared passed. House Bill 2790, Representative Piel. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2790, a Bill for an Act to amend the Illinois Banking Act. Together with Senate Amendment #1."

Piel: "Excuse me. Thank you, Mr. Speaker. Ladies and Gentlemen of the House. Basically, Senate Bill... House Bill 2790, which passed out of the House 117 to nothing, now with the Senate Amendment, it removes from the requirement that banks... banks' subsidiaries be solely owned by the bank and requires a sixty day prior notice of such acquisition or formation. It also gives to the Commissioner, the authority to specify the form and notice to promulgate the rules to administer the appropriate Sections of the Illinois State Banking Act."

Speaker Giglio: "The question is 'Shall the House concur with Senate Amendment #1 to House Bill 2790?' And on that question. Hearing none. All those in favor signify by voting 'aye', those opposed 'no'. The voting is open."

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 111 voting 'yes', none voting 'no', 5 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2790, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Churchill. House Bill 2791. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2791, a Bill for an Act to amend the Radiation Protection Act. Together with Senate Amendment #1."

Speaker Giglio: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendment #1 adds veterinarian offices to the same fee structure as dentists and podiatrists. I would ask for the concurrence of Senate Amendment #1 to House Bill 2791."

Speaker Giglio: "The question is 'Shall the House concur with Senate Amendment #1 to House Bill 2791?' And on that question. Hearing none. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 108 voting 'yes', 3 voting 'no', none voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2791, and this Bill having received a Constitutional Majority is hereby declared passed. Representative Churchill, 2810. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2810, a Bill for an Act in relation to the powers of the Capital Development Board. Together with Senate Amendment #1."

Speaker Giglio: "Gentleman..."

Churchill: "Mr. Speaker... Mr. Speaker, I believe you did skip

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over a Bill in between there. I'll be happy to go ahead with this, if you'd like and you can come back to Representative Sieben's Bill, if that's what you care to do."

Speaker Giglio: "Alright, proceed, we'll go back. House Bill 2810."

Churchill: "Thank you. Amendment #1 to 2810 requires that the CDB get the approval of Central Management Services before they can begin any condemnation. It takes any funds that are received from losses against contractors' sureties and architects and puts them in the CDB Contributory Trust Fund. And it eliminates the quick take provisions that were found in the original Bill. And I would ask for concurrence on Senate Amendment #1 to House Bill 2810."

Speaker Giglio: "Gentleman moves that the House concur to Senate Amendment #1 to House Bill 2810. On that question, hearing none. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 113 voting 'yes', none voting 'no' and none voting 'present'. The House does concur with Senate Amendment #1 to House Bill 2810. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 2806, Representative Sieben. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2806, a Bill for an Act to amend the Illinois Banking Act, together with Senate Amendments #2 and 3."

Speaker Giglio: "Representative Sieben."

Sieben: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We've had some discussion on these Amendments today and based on that discussion, I'm going to move that we nonconcur, that we nonconcur with Senate Amendments #2 and

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3."

Speaker Giglio: "Gentleman moves that the House nonconcur with Senate Amendments #2 and 3 on House Bill 2806. On that question, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House nonconcur with Senate Amendment #2 and 3 to House Bill 2806. Ladies and Gentlemen, if I can have your attention, the intent of the Chair this evening is to work for a minimum, at least two hours. We want to finish up as much as we can. Would advise those that want to nonconcur or refuse to recede to notify us so we can get the Conference Committees set up so staff could do their work that they have to. Also, we intend to come in early tomorrow and work with the budget so that the budget is passed, and we'll be able to adjourn by 5:00 tomorrow evening. It's the Speaker's goal to adjourn by 5:00 p.m. tomorrow. So, Members should get all their Bills in order and in the form that they wish to have them presented and so the staff can have adequate time to proceed with the paperwork, and so all necessary Bills could be in the proper position for passage or for Conference Committees. Representative Churchill, 2813. House Bill 2813. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2813, a Bill for an Act relating to emergency management, together with Senate Amendment #1."

Speaker Giglio: "Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Mr. Speaker. I was wondering - my bet in the adjournment pool is for a later time than five o'clock tomorrow. Should I spend a lot of time talking on these or not?"

Speaker Giglio: "Representative Churchill, you have the mike."

Churchill: "Thank you, Mr. Speaker."

Speaker Giglio: "The question is, 'Shall you continue?'"

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Churchill: "Yes. Let's go ahead with the Amendment. What this Amendment does is for the Emergency Services and Disaster Agency. It provides that Chicago may maintain its own ESDA and that, when it maintains its own ESDA, that it does not have to follow the dictates of the state ESDA. It renumbers the paragraphs, and this is done on the request of the City of Chicago. I would ask... move for concurrence in this Amendment."

Speaker Giglio: "Gentleman moves that the House concur with Senate Amendment #1 to House Bill 2813. And on that question, hearing none, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 113 voting 'yes', none voting 'no', none voting 'present', and the House does concur with Senate Amendment #1 to... Representative Sutker 'aye'. There are 114 voting 'yes', none voting 'no', none voting 'present', and this Bill... the House does concur with Senate Amendment #1 to House Bill 2813. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Peterson, House Bill 2826. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2826, a Bill for an Act to amend the Illinois Vehicle Code, together with Senate Amendment #1."

Speaker Giglio: "The..."

Peterson: "Thank you, Mr. Speaker. I move for concurrence to Senate Amendment 1 to House Bill 2826. The Bill, without the Amendment, provided for the replacement of the five percent sales tax with a graduated flat tax based on the age of the vehicle. There were several concerns raised in the House regarding luxury cars and antique cars and how we would take care of those particular vehicles. In the

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Senate, that Amendment addressed that problem, and we now have brackets up to and over 30,000 dollars for those people with luxury cars. I think everything has been addressed. It's an agreed Amendment, and I move for concurrence to Senate Amendment 1 to House Bill 2826."

Speaker Giglio: "Gentleman moves that the House do concur with Senate Amendment #1 to House Bill 2826. And on that question, hearing none, all those in favor signify by voting 'aye', those opposed 'no'. The voting is 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 104 voting 'yes', 9 voting 'no', 2 voting 'present', and the House does concur with Senate Amendment #1 to House Bill 2826. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mays. Representative McCracken."

McCracken: "Representative Mays and Leverenz are working on the budgets. I wonder if I could have leave to..."

Speaker Giglio: "Representative Cullerton, are you seeking recognition?"

Mays: "Oh, that's fine. That's fine. I think Representative Homer..."

Cullerton: "We have a hyphenated Cosponsor here that... from the right side of the aisle, that would like to do this one. I mean the left side of the aisle as you look at it from the rear. Right side, as you look at it from the podium."

Speaker Giglio: "House Bill 2834. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2834, a Bill for an Act to amend an Act in relation to state employees' group insurance, together with Senate Amendments #1 and 2."

Speaker Giglio: "The Gentleman from southern Illinois, Representative Homer."

Homer: "Thank you, Mr. Speaker, Ladies and Gentlemen. I move, at

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this time, to concur with Senate Amendments #1 and 2 to House Bill 2834. Senate Amendment #1 deletes the provision in the original Bill which removed the premium exemption for certain University of Illinois employees. About 3000 University of Illinois employees, employed by the University's service auxiliary enterprise, are not currently required to pay premiums for state provided health and life insurance coverage. These employees are primarily the cafeteria, maintenance and other service workers. The cost of insurance company for these employees is about 3.3 million dollars annually and is paid out of GRF. A provision in the Bill, as introduced, repealed by this Amendment, would provide that the cost of these employees' insurance is to be paid by means of University contributions. Amendment #2 would add an immediate effective date to the Bill. I would move concurrence of both Amendments."

Speaker Giglio: "Representative Homer, have you concluded?"

Homer: "Yes, Mr. Speaker. I move for the concurrence of Senate Amendments 1 and 2."

Speaker Giglio: "Gentleman moves that the House concur to Senate Amendments #1 and 2 to House Bill 2834. And on that question, hearing none, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 114 voting 'yes', none voting 'no', none voting 'present', and the House does concur to Senate Amendments #1 and 2 to House Bill 2834. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2837, Representative Hasara. House Bill 2837. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2837, a Bill for an Act to amend the

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Civil Administrative Code of Illinois, together with Senate Amendment #1."

Speaker Giglio: "The Lady from Sangamon, Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I move we concur in Senate Amendment #1. It changes the appointment of the representative of agribusiness to the Technological Innovation and Commercialization Grants and Aid Congress from the Governor to the Director of the Department of Agriculture. This evidently was a drafting error and was requested by the Governor's Rural Affairs Council."

Speaker Giglio: "The Lady moves that the House concur with Senate Amendment #1 to House Bill 2837. And on that question, hearing none, all those in favor signify by voting 'aye', those opposed 'nay', and the voting is 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 114 voting 'yes', none voting 'no' and none voting 'present', and the House does concur with Senate Amendment #1 to House Bill 2837. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Churchill. Mr. Clerk, House Bill 2849, read the Bill."

Clerk O'Brien: "House Bill 2849, a Bill for an Act to amend the Illinois Low-Level Radioactive Waste Management Act, together with Senate Amendment #1."

Speaker Giglio: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment reduces the fee on the nuclear generators from 600,000 to 408,000. It limits the payment period to three years and it requires that any disposal fees that are paid for this are taken into account when the contributions for the facility are required. I would move for the concurrence of Senate Amendment #1 to House Bill

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2849."

Speaker Giglio: "Gentleman moves that the House concur with Senate Amendment #1 to House Bill 2849. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Giglio: "Indicates he will."

Cullerton: "I understand this was an agreement with the Governor's Office and Commonwealth Edison, is that correct?"

Churchill: "I believe that's correct."

Cullerton: "Anybody else agree to this?"

Churchill: "Illinois Power, I'm told."

Cullerton: "Illinois Power. Now, the original Bill called for a 600,000 dollar fee to be paid and assessed against the owner of the nuclear reactor, is that correct?"

Churchill: "Originally, the amount was 90,000. The original Bill took it from 90,000 to..."

Cullerton: "Ninety thousand is current law."

Churchill: "Right. And it went... took it to 600,000. And this lowers that figure to 480, which is still an increase over the 90,000."

Cullerton: "Okay. Now, so the negotiations with the Governor's Office reduced that amount by almost 200,000 dollars per reactor."

Churchill: "Apparently, that's correct."

Cullerton: "Okay. Now, under the original Bill, your Bill, where was the 600,000 dollars to go? It was to go to the General Revenue Fund?"

Churchill: "Eighty percent of it went into operations and 20 percent of it went into the Long-Term Care Fund."

Cullerton: "Operations of what?"

Churchill: "The Low-Level Waste and Operations Developmental

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Fund."

Cullerton: "Which, I assume, is some agency that deals with the disposal of low-level radioactive waste?"

Churchill: "It's a part of the Department of Nuclear Safety for the State of Illinois."

Cullerton: "Okay. And now, the thing I really want to find out about is this new deal under which the money is paid. It looks to me that it's more like a loan than a fee. Could you explain to me how this... the fee system would work? The funds go into this Fund and those funds are expended subject to appropriation, I would assume."

Churchill: "I'm not... Yes, I guess that's true. What happens... what happens..."

Cullerton: "But then there's something about including credits for fees paid by..."

Churchill: "Right. Whatever... whatever the final cost of the site is, when that's divided out to the nuclear power plants, and if that amount exceeds the amount of the cost of the plant, then they are given a credit for the amount of the excess."

Cullerton: "Okay."

Churchill: "John, I think... let me just explain it to you one other way and see if this makes it easier. The power plants have to pay for the disposal site, okay? The question is, is how are they going to pay for it? What we're proposing here is that they pay for it over a three year period at 408,000 dollars per site. If there... if that's more than the cost of putting in the site, then they get a credit back. If it's less than the cost, then they owe money, because they're the users of the facility. They're the users of the site. So, they're the... payers in any respect."

Cullerton: "Alright. Where did this number of 408,000 dollars

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come from when your original Bill called for 600,000?"

Churchill: "That's the amount that was originally going into the operations portion of the site."

Cullerton: "Okay, thank you."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Huff. Huff. Representative Huff."

Huff: "Speaker... Okay. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield for a question or two?"

Speaker Giglio: "Indicates he will."

Huff: "Yeah, Representative Churchill, can you tell me when Illinois Power, I think that's who we're talking about, intends to start disposing of this waste, and what is the method for disposal?"

Churchill: "First of all, this is all power plants that use nuclear power. You have to have a space... You have to have a place to put that waste."

Huff: "Well, that's what I'm asking you. What is the method for disposal?"

Churchill: "We have...currently, that waste is shipped out of the state. There is a federal requirement that we develop a site within the State of Illinois by 1993."

Huff: "Where do we ship it to?"

Churchill: "South Carolina, Washington and Nevada."

Huff: "Not to Kentucky?"

Churchill: "No."

Huff: "Didn't we have a Midwest Compact that required us to start burying our own waste this year in Illinois?"

Churchill: "Yes, that starts in 1993."

Huff: "In 1993. To the Bill, Mr. Speaker. I'd like to take this opportunity, again, Ladies and Gentlemen, to explain that there's no such thing as low-level radiation. The number of rams, which is the measure of gamma radiation, this is

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what we are talking about, Ladies and Gentlemen - let me point out once again that gamma radiation is the strongest radiation known to man, and it has a half life of about 5000 years. That's the lifetime of about ten generations. The method of disposal is to bury it in lead lined burial sites, which offer only temporary containment of this radiation. And, come 1993, according to the Sponsor's statement, we're going to start burying this very pernicious, and very powerful radiation here in Illinois. And I submit that by the time we discover the pernicious effect of this radiation, our underground water tables will be contaminated, our cash crops will be absolutely worthless, and it will be left to our mutilated youth to tell Comm-Ed and the ICC that you have, indeed, left us in a happy state. I think this is a terrible Bill and the burial fees should be a billion dollars. I suggest, Ladies and Gentlemen, that we realize that we are dealing with a technology that we are hardly in control of, and I suggest we find a better way of disposing of this very harmful and pernicious substance, perhaps putting it on a missile and shooting it into the sun."

Speaker Giglio: "Further discussion? The Gentleman from Bureau, Representative Mautino."

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

Speaker Giglio: "Indicates he will."

Mautino: "Representative Churchill, I have a very unique synopsis of the Amendment. Let me read you my synopsis. It adds a reference to Chapter 111 1/2, paragraph 241-14. It provides for a different manner of calculating the fees and credits. Will you walk me through the formula of the fees and credits and how it's derived under this Senate Amendment #1?"

Churchill: "As soon as the liaison from the Department explains

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it to me, I will explain it to you over the microphone. It's my understanding that the fees are set here by us to determine what the cost of the site will be and that, as the nuclear power plants dispose of their waste, they will also be charged a disposal fee which we will set here in approximately 1993. If they have overpaid for the preparation and construction of the site, then they will be given a credit against those fees which we set."

Mautino: "Let me, then, give you this example. Let us assume that a facility was established at a 200 million dollar facility. It now costs a billion dollars, 800 million over initial estimation. How, then, do you apply to the formula that increased cost of that facility and how do they get a credit, and how is that credit applied?"

Churchill: "The users of the disposal site have to pay for the site. If we get to 1993 and they have not deposited a sufficient sum to pay for the cost of that site, they will then be responsible for the payment of the remainder of the cost, which we will set those fees and I guess we have to assume today that if we know that there's a deficit balance, we will include in the fees a sufficient structure to pay for the deficit."

Mautino: "How does the utility company receive a credit, is my question?"

Churchill: "I'm sorry."

Mautino: "How does a utility company receive a credit based upon initial construction?"

Churchill: "If they pay more than their fair share, then they will pay slightly lower disposal fees."

Mautino: "And you're lowering that initial disposal fee from 600,000 to 480 (sic - 408,000) right now, is that what you're doing?"

Churchill: "Yeah, 408,000 as the payments today to be put into

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the fund to prepare for the site. They're paying today for a site that we have to have in 1993."

Mautino: "Now, if, in fact, we get to 1993, they've paid that money in, you are providing for a credit to that money that's already been paid in. Why would you do that?"

Churchill: "For example, if the site cost a billion dollars to build, and we've collected a billion two, we owe them two back. And so, therefore, that two would be used to reduce their disposal fees until they had been credited back. There will be other users of this system. But the majority, I think, the nuclear power plants are... use about 98 percent of the capacity of the system. And so, their fees will be reduced if they've put in an excess amount of money over the cost of construction."

Mautino: "Thank you."

Speaker Giglio: "Further discussion? Gentleman from Cook, McNamara, are you seeking recognition, Sir? Proceed. Representative McNamara."

McNamara: "Thank you. Again, I have to try to get it clear in my mind. Let's take the... the example of Braidwood I and II. The original estimated cost of those two facilities was 900 million dollars. The present projected cost is 5.5 billion dollars. What we are saying, if I understand what you said correctly, is that we are going to give a credit towards the dumping fees of 4.6 billion dollars according to some formula. Is that correct?"

Churchill: "No, that is not correct. This is a separate fee for the construction and engineering and architecture of this site, which we're going to put in in 1993. We are asking them to pay these fees in advance of the construction of the site, to build up the Fund so when the site is actually put under construction, we have some cash to start paying for the contractors and everybody, to get this site in

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operation. In the end analysis, the people who use the site have to pay for it, regardless of what that cost is. If they have paid less than the cost of the site, then they will have to make that up with their disposal fees at the time the site opens. But if they have paid more, the question is, what happens if we've paid more than the cost of the site? And all we're saying is, if you've paid more, you can have that back by crediting it against your disposal fees, so that you only pay what the cost of the site is."

McNamara: "So, the 13 or 14 sites, nuclear sites that are around the State of Illinois right now, according to some formula, probably capacity output, something on that order, are going to contribute to a waste disposal site."

Churchill: "That's correct."

McNamara: "Okay. And they're going to contribute that this year."

Churchill: "Over a three year period, starting this year, Fiscal Year '88."

McNamara: "Okay. And then what you're saying is, is if that disposal site costs more, all of those 14 plants will contribute in the more in order to pay for that disposal."

Churchill: "That is absolutely correct."

McNamara: "And if the...if there is an overage of that disposal dollars, but then they will get a rebate."

Churchill: "They will get a credit against their disposal fees to absorb the excess they've paid."

McNamara: "Then why is the reduction of fees as by the Senate Amendment? Why do we now have a lower start up cost fee than was before, based on what I heard before of the agreement between the Governor and Commonwealth Edison?"

Churchill: "They requested that they only pay at this time the amount that was going to be used for the operations aspect."

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Whether they pay less today and more later, or more today and less later, they have to pay. They use 98 percent of the facility, they've got to pay it. So, it's a question to them. I mean, their industry pays for this. And the question is, you know, we want to get some money to come in; we want to make sure we have money for the beginning of the construction, the engineering, the architecture and all that, and we want to have some dollars built up. And they've come back to us and said, 'Look, the amount that you're using for the operations portion is 408,000. That's the amount that we would like to pay to start out this Fund.'

McNamara: "Has that disposal site been located?"

Churchill: "No, the site has not been located."

McNamara: "So, we have no idea as to the cost of that site."

Churchill: "Absolutely correct. Part of the fee, from the beginning of the site till it's actually being used, we have expenses. We've got to find a site. We have to... I'm sure they have to do hydrological testing and geological testing and all those different kinds of things. Part of the costs of that whole site are coming out of the dollars that are being deposited here, which is why we need some of that money up front so that we can go out and actually begin the work to get the site. I mean, it's not just the final construction of the site. It's actually all of the location of the site and the preliminary studies that are going to go into determining whether a site is feasible."

McNamara: "Thank you. And to the Bill. I think that this is probably a bad Amendment, and I would like to see a nonconcurrency on this, because what it really does is it lowers the amount of dollars available in order to do the research, the building, the acquisition of a site. That's

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very important at this point, and I don't think it's the time to take a look and start reducing fees on the outset. If we reduce those fees, somebody still has to come up with the money for... for the investment of that waste disposal site and I would encourage a nonconcurrency on this."

Speaker Giglio: "Representative Churchill, to close."

Churchill: "Mr. Speaker, in discussions with Representative Cullerton, I think that there is still some confusion on this Bill, and I would like to take it out of the order at this point and get back to it, as soon as the discussions have dissolved the anguish that some of the Members seem to have about this."

Speaker Giglio: "Mr. Clerk, take the Bill out of the record. My intention now is to go back to this same Order of Business and pick up those Bills where Members were not here and they were doing other legislative business while we passed over their Bills. So, we're going to return to page three of the Calendar on Concurrences. And on that Order appears House Bill 16, Representative Cullerton. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 16, a Bill for an Act in relation to airport authorities, together with Senate Amendment #1."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move to concur with Senate Amendment #1 to House Bill 16. The Amendment is merely a technical Amendment. I would remind you that the Bill deals with the DuPage County Airport. What the Bill would do is to reconstitute the Board of the DuPage County Airport Authority so that DuPage would still maintain a 5 to 4 advantage over Kane County, but it would no longer be 8 to 1, as it currently is now, with that one member of Kane County, under current law, being appointed by the DuPage County Chairman. The Bill would require, and the heart of

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the Bill is this, the Bill would require a 6 vote majority to expand runways beyond the length currently planned for the expansion of the DuPage County Airport, which is 4,750 feet, or to permit landings by aircraft over 69,000 pounds. The significance of that, by the way, is that that would accommodate some slightly larger corporate jets, which is what the DuPage County Airport wants to do, but it is a limit which would not accommodate large commercial airplanes. And if they wish to acquire land for airport purposes, such as land for additional runway space, they would also have to get a 6 vote majority. However, the day to day operations of the airport would continue to be run by a majority of members who come from DuPage County. There would be four members appointed by the DuPage County Chairman. There would be one DuPage County member appointed by the Mayor of West Chicago. You'd have the mayors of St. Charles, Geneva and Batavia appointing three members and then the fourth member from Kane County would be appointed by the Kane County Board. I would also point out that we included in this Bill a... House Bill 802, sponsored by Representative Cowlshaw, which prohibits construction of certain airport hazards in four privately owned airports within the metropolitan area. I would be happy if you would concur with this Motion... agree with this Motion. Again, this Bill received, I believe, 92, 91 or 2 votes when we first passed it. It received an overwhelming support in the Senate, I believe, 41 votes. It's almost even veto-proof. And I would hope that you join me in passing this Bill. I think it's a significant step in the right direction for the people of Kane County. I would also point out that there has been a lawsuit filed in Kane County challenging the current statute. There had been a Motion to change the venue from Kane to DuPage

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County. That was denied. And there have been... a lawsuit has included a request to restrain the operations of the DuPage County Airport. I would hope that passage of this Bill and early signature by the Governor would obviate the need for any more litigation. So for that reason I would urge all of you to join me in supporting this Motion. I would be happy to answer any questions."

Speaker Giglio: "The Gentleman moves that the House concur with Senate Amendment #1 to House Bill 16, and on that question, the Lady from Kane, Representative Deuchler."

Deuchler: "Mr. Speaker, to the Bill."

Speaker Giglio: "Proceed."

Deuchler: "Ladies and Gentlemen of the House, I certainly want to stand in support of what Representative Cullerton has said. I'm sure that you remember, over the past several years, that we have discussed the fate of DuPage Airport. It is this way of assuring a four number delegation from Kane County will ensure that some of the quality of life issues, noise, congestion and air traffic, can be addressed by the areas affected. Kane County has suffered. It could certainly be considered in the future as a possible reliever airport. We need to give some relief so that the old cry of 'taxation without representation' does not re-echo. Please vote in favor and send this legislation to the Governor's desk."

Speaker Giglio: "Further discussion? The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. Will the Gentleman respond to a question?"

Speaker Giglio: "He indicates he will."

Hoffman: "Is the entire County of DuPage still included as part of the Airport Authority?"

Cullerton: "The taxing authority of the Airport Authority

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includes all of DuPage and two or three townships in Kane. That was the result of a recent change that was passed, I think, in January of this year. So the tax... although the tax bills have not yet been received from all of the residents of DuPage County, the property tax bills, the increase from \$400,000.00 to \$6,500,000.00, the tax bills haven't been received, but indeed they will be received in the fall."

Hoffman: "In terms of... of the representation... in terms of the representation... in terms of a proportionate vote, are the citizens of DuPage County, who are going to be paying the bulk of that, are they going to be equally represented by, or vis-a-vis, the people in Kane?"

Cullerton: "If you think... to answer your question, if you think that the representation on the Board should be equal to the amount of assessed valuation that is included in the tax index of the authority, then, I guess, you could make the argument that there should be more people from DuPage on the Board. However, if you think that the Board should be reflective of the people who are affected by the expansion of an airport, the people who are affected by airplanes taking off over their homes, then, I think, it's more than fair to have DuPage have majority. In fact, under those... under that scenario, it would be much more equitable to have Kane have the majority as it did up until a few years ago when we, in the wee hours of the morning, changed the law."

Hoffman: "Would you be prepared to argue in the same way in regard to the O'Hare Airport?"

Cullerton: "Well, the difference between O'Hare Airport and this airport is that we now have a small airport that is not open to commercial traffic and we have an opportunity, with this Bill, to limit the expansion of that airport,

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something that is not the case at O'Hare."

Hoffman: "We have a good example there of how, on this floor, as in many other places, we select our own truths, those which serve us best, and I understand that. But the truth of the matter is, when you look at the population of DuPage County and the proportion of resources that they are asked to contribute to this airport, vis-a-vis, the representation which is given under this Bill to Kane County, is obviously not equal, not fair and probably under the one-man, one-vote rule is probably unconstitutional. I appreciate the arguments that come from the people that live around the airport. I think their reactions are over-reactions, but be that as it may, I do not believe this Bill is in the best interests of the citizens of DuPage County, particularly, and the state as a whole, and I rise in opposition to this legislation."

Speaker Giglio: "Further discussion? The Gentleman from DuPage, Representative Hensel."

Hensel: "Thank you, Mr. Speaker, Members of the House. Would the Sponsor yield for a question?"

Speaker Giglio: "He indicates he will."

Hensel: "Representative, I may have missed it, but I really didn't hear exactly what Senate Amendment #1 really does. I'm concerned that in that first paragraph that more than one municipality might be having a commissioner."

Cullerton: "No. The Senate Amendment was technical in nature. It went to the issue as to the appointment powers, and it makes it clear that the Mayor of West Chicago shall have an appointment, the Mayor of Batavia, Geneva and St. Charles shall have an appointment, and that the County Board Chairman of Kane County shall have one appointment and the County Board Chairman of DuPage would have four appointments, so that there would be five members from

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DuPage and four from Kane."

Hensel: "Thank you, Representative, and to the Bill. House Bill 16 is a compromise, I think, that we all should look at. I've lived in the area for all my life. I've seen the airport grow and I want to see it continue to be a general aviation airport, and I think the intent of the legislation here is to make sure that the people and the constituents that are in the area of the airport are serviced by a good airport, a safe airport and that we don't have great big huge jets coming in over our house like they do at O'Hare, because then we'd have to come back for more legislation which we're talking about at O'Hare. I would just ask for your support in this good legislation."

Speaker Giglio: "Further discussion? The Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Mr. Speaker. I move the previous question."

Speaker Giglio: "Representative Cullerton to close."

Cullerton: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Representative Hensel was absolutely correct. This is a compromise which we in the Aeronautics Committee worked out after having hearings out in Kane County. We took testimony on the history of the DuPage County Airport Authority. We found out it was established many years ago when they were afraid of incredible expansion of the Airport Authority. A few years ago, down here in Springfield, we changed the power of the Authority from a majority of Kane County residents to a majority of DuPage County residents. That was done, by the way, because they wanted to do some modest expansion. This Bill recognizes and allows for that modest expansion. It retains the majority of the Board from DuPage County, but it simply says that in three very important areas,

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increasing the capacity of the runways, increasing the length of the runways and acquiring new land for airport purposes, Kane County shall have... you have to get one vote from Kane County before you can do that. And nothing could be more reasonable. And more importantly, there's a lawsuit going on right now that may shut down the operations of this Airport Authority, or, I imagine much worse for DuPage, overturn the legislation that we passed here and return the majority back to Kane. So I would urge those legislators from DuPage and from Kane, certainly, and the rest of the people in the General Assembly to realize that this is a fair compromise. I think it's one that is... it's needed because the people out there were promised by the Governor that something would be done. This Bill will go to the Governor and I think the Governor should sign it. So I encourage an 'aye' vote."

Speaker Giglio: "The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 16?' On that question, all those in favor signify by voting 'aye', those opposed 'no'. The voting is 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 91 voting 'yes', 23 voting 'no', none voting 'present', and the House does concur with Senate Amendment #1 to House Bill 16 and this Bill, having received the Constitutional Majority, is hereby declared passed. Alright, it's the intention of the Chair to go to Supplemental Calendar #2 on some of the appropriation Bills so they can go to Conference and then return immediately back to where we left off on page three of the Calendar. Mr. Clerk, House Bill 124. Representative Ewing, on House Bill 124."

Clerk O'Brien: "House Bill 124, a Bill for an Act to amend the Illinois Insurance Code, together with Senate Amendment

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#1."

Speaker Giglio: "Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I move to concur in Senate Amendment 1 to this Bill. This Amendment is put on at the request of the City of Chicago, and it extended the time that any municipality had to certify there were no demolition expenses unpaid in the case of a fire from ten days to thirty calendar days. And I'm willing to accept that Amendment. It's reasonable."

Speaker Giglio: "Gentleman moves that the House concur with Senate Amendment #1 to House Bill 124. And on that question, hearing none, all those in favor signify by voting 'aye', those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On... Representative White 'aye'. Mr. Clerk, take the record. On this question there are 113 voting 'yes', none voting 'no. Representative Shaw 'aye'. On this question there are 114 voting 'yes', none voting 'no' and none voting 'present', and the House does concur with Senate Amendment #1 to House Bill 124. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. For one brief second, I just wanted to recognize former Assistant Majority Leader to the Illinois House, sitting in the balcony, Pete Peters."

Speaker Giglio: "Welcome, Representative Peters. Alright, on Supplemental Calendar #2 on page two of that Calendar appears Senate Bill 48, Representative Leverenz - Bowman. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 48, a Bill for an Act making

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appropriations to various state agencies, together with House Amendment #1."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a appropriation vehicle Bill. I ask that we refuse to recede from House Amendment #1."

Speaker Giglio: "Gentleman moves that the House refuse to recede from Amendment #1 to Senate Bill 48. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendment #1 to Senate Bill 48 and requests a Conference Committee. Senate Bill 49."

Clerk O'Brien: "Senate Bill 49, a Bill for an Act making appropriations to various state agencies, together with House Amendment #1."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker. Likewise, this is a vehicle Bill. I ask the House to refuse to recede from House Amendment #1 and request a Conference Committee."

Speaker Giglio: "Gentleman moves that the House refuse to recede on Amendment #1 to House Bill 49. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from Amendment #1 to Senate Bill 49 and a Conference Committee be appointed. House... Senate Bill 225."

Clerk O'Brien: "Senate Bill 225, a Bill for an Act to amend the Illinois Public Aid Code, together with House Amendments #1 and 2."

Speaker Giglio: "Take it out of the record, Mr. Clerk. Senate Bill 288. Take it out. Representative Bowman, on Senate Bill 288. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 288, a Bill for an Act making

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appropriations to the Illinois Community College Board,
together with House Amendment #1."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. This makes an appropriation to the Illinois
Community College Board. House Amendment #1 was a member
Amendment. We have been very strict with so-called pork
Amendments this year and I now ask that we recede from
House Amendment #1 and send this Bill to the Governor."

Speaker Giglio: "Gentleman moves that the House recede from
Amendment #1 to Senate Bill 288. And on that question,
hearing none, all those in favor signify by voting 'aye',
those opposed 'nay'. The voting is open. Have all voted
who wish? Have all voted who wish? Have all voted who
wish? Mr. Clerk, take the record. Representative Mulcahey
'aye'. On this question there are 114 voting 'yes', 1
voting 'no' and none voting 'present'. And the House does
recede from Amendment #1 to Senate Bill 288, and this Bill,
having received the Constitutional Majority, is hereby
declared passed. Senate Bill 315, Representative Bowman."

Clerk O'Brien: "Senate Bill 315, a Bill for an Act to provide for
the ordinary and contingent expense of the Bureau of the
Budget and the Executive Office of the Governor, together
with House Amendment #1."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. We had a little fun with this Bill the other night,
but now we have to get serious with it. House Amendment #1
made an unscheduled reduction which we believe should be
restored. Therefore, I ask that we... I move that we
recede from House Amendment #1 and send this Bill to the
Governor."

Speaker Giglio: "Gentleman moves that the House recede from
Amendment #1 to Senate Bill 315. On that question, hearing

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none, all those in favor signify by voting 'aye', those opposed 'no'. The voting is 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 116 voting 'yes', none voting 'no', none voting 'present', and the House recedes from Amendment #1 to Senate Bill 315. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 317, Representative Bowman. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 317, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Conservation, together with House Amendments #1, 2, 3, 4, 5, 6, 8, 10 and 15."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There was disagreement between the House and the Senate on the Department of Conservation, so I now ask that we refuse to recede from House Amendments 1, 2, 3, 4, 5, 6, 8, 10 and 15 and request a Conference Committee."

Speaker Giglio: "Gentleman moves that the House refuse to recede from Senate Amendments #1, 2, 3, 4, 5, 6, 8, 10, 15. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from Amendments 1, 2, 3, 4, 5, 6, 8, 10, 15 and a Conference Committee be appointed. Senate Bill 319, Representative Bowman."

Clerk O'Brien: "Senate Bill 319, a Bill for an Act making an appropriation to the ordinary and contingent expense of the Environmental Protection Agency, together with House Amendment #1."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Again, there's a difference between the House and

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the Senate on appropriate appropriations for the Environmental Protection Agency. I now move that we refuse to recede on House Amendment #1 to this Bill and request a Conference Committee."

Speaker Giglio: "Gentleman moves that the House refuse to recede on Amendment #1 to Senate Bill 319. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from Amendment #1 to Senate Bill 319 and a Conference Committee be appointed. Senate Bill 322, Representative Bowman."

Clerk O'Brien: "Senate Bill 322, a Bill for an Act to provide for the ordinary and contingent expense of the Office of the Governor, together with House Amendments #3 and 4."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the budget Bill for the Office of the Governor. We have some differences with the Senate, and I respectfully request that we refuse to recede from House Amendments 3 and 4 and request a Conference Committee."

Speaker Giglio: "Gentleman moves that the House refuse to recede from Amendments #3 and 4 to Senate Bill 322. And on that question, hearing none, all those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from Amendments #3 and 4 and a Conference Committee be appointed Senate Bill 322. Senate Bill 326, Representative Bowman."

Clerk O'Brien: "Senate Bill 326, a Bill for an Act making an appropriation to the ordinary and contingent expense of the Industrial Commission, together with House Amendment #1."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker. I move that we refuse to recede

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from House Amendment #1 and request a Conference Committee."

Speaker Giglio: "Gentleman moves that the House refuse to recede from House Amendment #1 to Senate Bill 326. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendment #1 to Senate Bill 326 and a Conference Committee be appointed. Senate Bill 327, Representative Bowman. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 327, a Bill for an Act making appropriations to the ordinary and contingent expense of the Department of Insurance, together with House Amendments #3 and 6."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you. Mr. Speaker, I move that we refuse to recede from House Amendments 3 and 6 and I request a Conference Committee be appointed."

Speaker Giglio: "Gentleman moves that the House refuse to recede from Amendments #3 and 6 to Senate Bill 327. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendments #3 and 6 to Senate Bill 327 and a Conference Committee be appointed. Senate Bill 332. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 332, a Bill for an Act making appropriations for the ordinary and contingent expense for the Department of Mines and Minerals, together with House Amendments #6, 7 and 9."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I now move that we refuse to recede from House Amendments 6, 7 and 9 and request a Conference Committee be appointed."

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Speaker Giglio: "Gentleman moves that the House refuse to recede on House Amendments #6, 7 and 9 on Senate Bill 332. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the House refuses to recede from Amendments #6, 7 and 9 to Senate Bill 332 and a Conference Committee be appointed. Senate Bill 337. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 337, a Bill for an Act making an appropriation to the ordinary and contingent expense of the Department of Registration and Education, together with House Amendment #3."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker. I move that we refuse to recede from House Amendment #3 and request a Conference Committee be appointed."

Speaker Giglio: "Gentleman moves that the House refuse to recede from House Amendment #3 to Senate Bill 337. And on that question, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendment #3 to Senate Bill 337 and a Conference Committee be appointed. Senate Bill 338. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 338, a Bill for an Act making an appropriation for the ordinary and contingent expense of the Department of Revenue, together with House Amendments #1, 2, 6, 7 and 8."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I now move that we refuse to recede from House Amendments #1, 2, 6, 7 and 8 and request a Conference Committee be appointed."

Speaker Giglio: "Gentleman moves that the House refuse to recede from House Amendments #1, 2, 6, 7, 8. And on that

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question, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendments #1, 2, 6, 7, 8 to Senate Bill 338 and a Conference Committee be appointed. Senate Bill 580. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 580, a Bill for an Act making an appropriation for the ordinary and contingent expense of the Office of State Treasurer, together with House Amendments #1 and 3."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker. I request that the House refuse to recede from House Amendments #1 and 3 and request a Conference Committee be appointed."

Speaker Giglio: "Gentleman moves that the House refuse to recede on House Amendments #1 and 3 to Senate Bill 380 (sic - 580). On that question, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendments #1 and 3 to Senate Bill 580 and a Conference Committee be appointed. On page four of the Calendar appears Senate Bill 783, Representative Bowman."

Clerk O'Brien: "Senate Bill 783, a Bill for an Act making appropriations for the Department of Commerce and Community Affairs, together with House Amendment #1 and 2."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker. I now move that we refuse to recede from House Amendments #1 and 2 and request a Conference Committee be appointed."

Speaker Giglio: "Gentleman moves that the House refuse to recede from House Amendments #1 and 2 to Senate Bill 783. On that question, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes'

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have it, and the House refuses to recede from House Amendments #1 and 2 to Senate Bill 783 and a Conference Committee be appointed. Senate Bill 784, Representative Bowman. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 784, a Bill for an Act making an appropriation to the Board of Higher Education, together with House Amendment #1."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker. I move that we refuse to recede from House Amendment #1 and request a Conference Committee be appointed."

Speaker Giglio: "Gentleman moves that the House refuse to recede from House Amendment #1 to Senate Bill 784. And on that question, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede to House Amendment #1 to Senate Bill 784 and a Conference Committee be appointed. Senate Bill 785. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 785, a Bill for an Act making an appropriation to the State Board of Education, together with House Amendment #1."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that we refuse to recede from House Amendment #1 and request a Conference Committee be appointed."

Speaker Giglio: "Gentleman moves that the House refuse to recede from House Amendment #1 to Senate Bill 785. And on that question, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendment #1 to Senate Bill 785 and a Conference Committee be requested. Senate Bill 836, Representative Bowman. Mr.

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Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 836, a Bill for an Act making an appropriation to the Department of Corrections, together with House Amendment #1."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that we refuse to recede from House Amendment #1 and request a Conference Committee be appointed"

Speaker Giglio: "Gentleman moves that the House refuse to recede from House Amendment #1 to Senate Bill 836. And on that question, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendment #1 to Senate Bill 836 and a Conference Committee be appointed. Senate Bill 839. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 839, a Bill for an Act making an appropriation to the Secretary of State, together with House Amendment #1."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker. I now move that we refuse to recede from House Amendment #1 and request a Conference Committee be appointed."

Speaker Giglio: "Gentleman moves that the House refuse to recede from House Amendment #1 to Senate Bill 839. And on that question, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendment #1 to Senate Bill 839 and a Conference Committee be appointed. On Supplemental #5 appears House Bill 1781, Representative Van Duyne. Representative Van Duyne in the chamber? Out of the record. On Supplemental Calendar #5, Nonconcurrency, appears Senate Bill 233. Out of the

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record. Senate Bill 483, Representative Churchill. Senate Bill 483. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 483, a Bill for an Act in relation to counties, together with House Amendment #1 and 2 (sic - 1 and 4)."

Churchill: "Thank you, Mr. Speaker. I would move that the House refuse to recede from Senate (sic - House) Amendments #1 and 4 and request that a Conference Committee be appointed."

Speaker Giglio: "Gentleman moves that the House nonconcur with Senate ... with House Amendments #1 and 4 to Senate Bill 483. On that question, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House nonconcur with House Amendments #1 and 4 to Senate Bill 483. On Supplemental Calendar #5 appears Senate Bill 652, Representative Johnson. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 652..."

Speaker Giglio: "I'm sorry. Representative Giorgi."

Clerk O'Brien: "A Bill for an Act to amend the Election Code, together with House Amendments #1 and 23."

Speaker Giglio: "Representative Greiman, Senate Amendments...Senate Bill 652. Since your microphone doesn't work, I'll have Representative Giorgi. Representative Giorgi."

Giorgi: "Move to not recede. Move to not recede the House Amendments."

Matijevich: "Greiman didn't quit yet. Look at his microphone."

Giorgi: "Refuse to recede from House Amendments to Senate Bill 652 and ask for a Conference Committee."

Speaker Giglio: "Gentleman moves to refuse to recede from House Amendments #1 and 23 to Senate Bill 652. And on that question, the Gentleman from Champaign, Representative

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Johnson. No. Any discussion? Hearing none, the question is... all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from Amendment #1 and 23 to Senate Bill 652 and a Conference Committee be appointed. Senate Bill 653, Representative Giorgi. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 653, a Bill for an Act to amend the Election Code, together with House Amendment #42."

Speaker Giglio: "Representative Giorgi."

Giorgi: "I move not to recede from House Amendment 42 to Senate Bill 653 and ask that a Conference Committee be appointed."

Speaker Giglio: "Gentleman moves that the House refuse to recede from House Amendment #42 to Senate Bill 653. And on that question, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendment #42 to Senate Bill 653 and a Conference Committee be appointed. Senate Bill 897, Representative White, Jesse White. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 897, a Bill for an Act to amend the School Code, together with House Amendment #1."

Speaker Giglio: "Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, I refuse to recede from Senate Amendment #3 (sic - House Amendment #1) to Senate Bill 897."

Speaker Giglio: "Gentleman moves that the House refuse to recede from House Amendment #1 to Senate Bill 897. And on that question, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendment #1 to Senate Bill 897 and a Conference Committee be appointed. Senate Bill 912, Representative Regan."

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Clerk O'Brien: "Senate Bill 912, a Bill for an Act creating the Department of Children and Family Services, together with House Amendment #3."

Speaker Giglio: "Gentleman from Cook, Representative Regan. Sorry, Will."

Regan: "Thank you, Mr. Speaker. I move that the House refuse to recede from House Amendment #3 to Senate Bill 912."

Speaker Giglio: "Gentleman moves that the House refuse to recede from House Amendment #3 to Senate Bill 912. And on that question, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendment #3 to Senate Bill 912 and a Conference Committee be appointed. Senate Bill 1080, Representative Keane. Out of the record. Representative Ryder, on Senate Bill 1273. Out of the record. Supplemental Calendar announcement."

Clerk O'Brien: "Supplemental Calendar #6 is being distributed."

Speaker Giglio: "Returning to page three of the Calendar on Concurrences appears House Bill 259, Representative Stange. Representative Stange in the chamber? Out of the record. House Bill 37... Representative Stange in the chamber? Representative Stange. Representative Keane. Representative Keane. Representative Barnes. Representative Barnes, on 1349? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1349, a Bill for an Act to amend the Illinois-Michigan Canal National Corridor Civic Center Authority of Cook County, together with Senate Amendment #1 and 2."

Speaker Giglio: "The Lady from Cook, Representative Barnes."

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 and 2 to House Bill 1349. Senate Amendment #1 adds 'Heritage' to the title. Senate Amendment #2 makes a change in the

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description of the territory added to the Illinois-Michigan Canal Civic Center Authority. I move to concur."

Speaker Giglio: "The Lady moves that the House concur to Senate Amendments #1 and 2 to House Bill 1349. And on that question, hearing none, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 113 voting 'yes', none voting 'no', none voting 'present', and the House does concur with Senate Amendments #1 and 2 to House Bill 1349 and this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1351, Representative Satterthwaite - Cullerton. Out of the record. House Bill 1500, Representative Churchill. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1500, a Bill for an Act to amend the Animal Control Act, together with Senate Amendment #1."

Speaker Giglio: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Senate Amendment is basically cleanup language, but in addition to the other provisions in the normal Bill, that also prohibits the sale or gift of a vicious dog. I would move for concurrence to Senate Amendment #1 of House Bill 1500."

Speaker Giglio: "The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 1500?' And on that question, the Lady from Cook, Representative Didrickson."

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

Churchill: "Absolutely."

Didrickson: "Thank you."

Speaker Giglio: "Yes."

Didrickson: "Representative Churchill, you started out in the

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beginning of the Session with a vicious dogs Bill that really was going to allow people to... I don't have the Bill in front of me. Allow... Disallow ordinances at the local level with regards to Pit bull dogs. Does this Bill, as it stands right now, still... is that still in the same shape?"

Churchill: "This... The Bill does not disallow local ordinance. Local municipalities and other governmental units may pass ordinances to deal with this situation if they wish. What this does do is define a vicious dog and provide that vicious dogs must be maintained on run lines or in enclosed areas and it's meant to go after the viciousness of a dog, not the particular breed of a dog. It's the hope of the..."

Didrickson: "Is this language similar to what exists in California Statute which has recently gotten them into the newspapers into a lot of difficulty with the definition of vicious law at the state level and how they may prosecute an owner of a Pit bull who attacks, i.e. a police officer or an individual, et cetera?"

Churchill: "I'm not sure what the California Statute says. This does define vicious dog and it says that a vicious dog must be kept on a run line or in an enclosure. And I'm not sure how that compares to the California law."

Didrickson: "Well, to the Bill, Mr. Speaker. Without it right in front of me, I will admit that I'm not certain whether my opposition is as strong as it was originally when this Bill was introduced. As it was originally introduced, where it defines vicious dogs, and I believe was going to overrule local ordinances, I indeed would be jumping up and down on my desk. I have some real strong concerns about anything in state statute regarding the definition of vicious dogs, if it even tracks anywhere near or closely to what exists

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in California law. I think, in the recent news reports with regards to pit bull dogs and what has occurred gives me some real cause for concern on this Bill, and I will be voting 'present'."

Speaker Giglio: "Further discussion? The Gentleman from Champaign, Representative Johnson."

Johnson: "Well, as I understand it, Representative Churchill, the Senate Amendment removed one of the elements of the definition of a vicious dog. Namely that they're kept for dog fighting, is that right?"

Churchill: "I believe that's already in the statute. There is a Section in the statute already that deals with vicious dogs that are dogs used for fighting..."

Johnson: "Well, you're redefining it... For purposes of this statute, you're defining or redefining a vicious dog, and the Senate Amendment removed that. So, basically, what you're left with as a definition is a dog that attacks other unprovoked or a dog that can cause injury or a dog that attacks a human being without provocation and that sort of thing, right?"

Churchill: "That's correct."

Johnson: "Well, what this Bill does now, Mr. Speaker and Members of the House, and people should realize this, is it prohibits, and I guess makes a crime, of selling or giving away a dog that can or might or has attacked other people. You know, I guess, if the part of the purpose of our law is to... or society is to cause, for example, a city person who has a dog to get rid of it, to put it out on the farm where it won't attack people, this Bill would prohibit that. It would prohibit selling or giving away the dog. Doesn't require any knowing standard here. Somebody could just simply say I've got two young of children. This dog has a propensity to be dangerous or, at least, to bite, and

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I'd better give it to some older people who can take good care of it - this Bill would prohibit that. I think this Bill would... it has the potential to make nearly any sale, other than a puppy, of a dog who's shown any propensity to be other than completely well behaved a criminal violation or at least a violation of this statute. And I don't think that's what we're in the business of doing here in the Legislature, is to... and particularly with this Senate Amendment, to make statutes so broad that nearly anybody can violate it. Oftentimes, the way you take care of dogs who have shown a propensity to be nervous around young children or grow up in urban areas where they might constitute, if they get off their leash, a danger to your neighbor, is to sell them or let them, you know, go out in the country where they can be around farmers who there won't be so much pressure and so many people to bite and so forth. We're not really talking now, as this Bill is amended, about getting at the Pit bull keepers or the people who keep dogs that are vicious and whose sole purpose is to either kill other dogs or injure people. That's not the purpose anymore, and if it is the purpose, it's not the language of the Bill. This is one of those Bills that, if we pass it and if you get some zealous local prosecutor or dog control enforcement person or someone else, that you're going to have all kinds of problems and all kinds of constituent complaints about something that we supposedly did with a good heart and a good intention that just went wrong. If you read the Bill the way it's amended, it's so broad that it's going to cover a whole variety of situations that nobody ever meant to cover. And I respectfully, notwithstanding my friendship for the Sponsor, would urge you to vote 'no' on this Bill."

Speaker Giglio: "Further discussion? Gentleman from Cook,

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Representative Turner."

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

Speaker Giglio: "Indicates he will."

Turner: "I... for the record, I'm trying to get some clarification as to what do you mean by a vicious dog. I own a Doberman pinscher, and to most people, they consider it a vicious dog; although, a couple of weeks ago, he was sleeping under the fan when someone broke in my store. And so, I'm curious to know, what do you mean by a vicious dog? I'd like to give him away, or I'm thinking about selling him, and I'd like to know if this Amendment would mean that I'd be under this... Under this Amendment, would I be guilty of committing a crime if I want to get rid of this dog?"

Churchill: "No. That is the exact purpose of this Bill, is to define the dog in terms of its propensity to be a vicious dog, rather than to define the dog in terms of its breed. You made the utmost comment which is the heart of this thing, when you said, 'I have a Doberman pinscher and most people consider that to be a vicious dog', and then you turned right around and said that from its actions, it was not a vicious dog because of the fact that it was under the van (sic - fan) when somebody broke into your store. What we're talking about is a dog, and there are definitions in here that when unprovoked inflicts bites or attacks a human being or other animal either on public or private property with a known propensity or tendency to disposition to attack without provocation, to cause injury or otherwise endanger the safety of human beings or domestic animals, et cetera. We're talking about definite definitions that say the dog has gone out there and attacked somebody; that that's what a vicious dog is. Now, it doesn't say that you're guilty of some crime of that. What it says if you

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have a vicious dog, you've got to keep them either locked up in an enclosure or on a run line so that the public is protected from having that dog run around. That's the purpose of this Bill."

Turner: "So the breed is not a distinction at all. We're not aimed at any one particular breed of dog."

Churchill: "That's correct. Throughout the course of the last 20 years, there has always been a dog that people considered the vicious dog, the one that everybody wanted to own. I remember when I was a kid, everybody wanted to own a German shepherd because that was, you know, the mean dog. And then everybody wanted to own a Doberman pinscher. And now everybody wants to own a Pit bull because they read stories about the Pit bulls, but yet there are families that have had Pit bulls and they say that they're the friendliest, kindest dogs to the family. They treat the kids real well. And why outlaw Pit bull just because one Pit bull ends up attacking a person and another Pit bull is a good, family dog? This goes not to the breed. It goes to the viciousness of the animal."

Turner: "Just one last question and that is, how do you determine provocation? You know, there are some dogs that... I just don't understand that term 'provocation'. I mean, there... could you just... just a little clarification for the record."

Churchill: "If a dog was sitting under your van and the burglar broke in and, you know, went after him with a baseball bat, I'd say the dog was provoked."

Turner: "Okay. Thank you."

Speaker Giglio: "Further discussion? The Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Mr. Speaker. I stand in support of the Gentleman's Amendment and passage of Senate Amendment #1.

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The reason, for five years, I was president of an animal welfare group, and certainly we came across a number of so-called vicious dogs. Some were not vicious. They were defending their property. They were doing what Representative Turner would have expected a dog to do. But others were clearly vicious dogs, and I think Representative Churchill's definition of vicious dogs clarifies what it really is. It's not just the pet that looks cross-eyed at you and you, therefore, cannot get rid of them. But if you have a knowingly vicious dog, and you know that dog will bite and snap, you certainly should not give that to some unsuspecting person, give it away or sell it and let that dog go out and do its thing against somebody else. This is certainly a Bill - I wish it was stronger. I think from what we've seen in some of the articles and the newspapers and that, we need more regulations for that purpose of breeding dogs that are designed to kill. When I see a breeder of a dog or an owner of a Pit bull cut off their ears and tails so that when the dog grabs a victim, that somebody can't grab the tail and ears of the dog to pull it away from the victim, you know they've created a killing machine, and that's wrong. We shouldn't allow that in our society. This Bill is a simple Bill. I think it deserves our support."

Speaker Giglio: "The Gentleman from Fulton, Representative Homer, are you seeking recognition?"

Homer: "Well, thank you, Mr. Speaker. I have a question for the Sponsor."

Speaker Giglio: "He indicates he'll answer."

Homer: "The original Bill would have done what... The original Bill, as I read it, would have required written notice by the keeper of the vicious dog to whomever he gave it to that it's a vicious dog, but the Amendment changed that,

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just said you can't give away a vicious dog or sell a vicious dog. What was the reason for the Senate Amendment?"

Churchill: "I do not know. I preferred the language that I had originally had drafted in the Bill and, apparently, somebody in the Senate decided that they wanted an outright prohibition against giving away or selling a vicious dog. I thought that the notice provision was a better provision; nevertheless, that's the way it came back from the Senate."

Homer: "What I think, and I have no bone to pick with your Bill - no pun intended - but..."

Churchill: "That's alright."

Homer: "But I think Representative Johnson raises a valid point, is that if you have a dog in the city that could be a vicious dog, maybe the owners, for a very legitimate reason, would want to give that dog to a farmer. And so long as they gave that dog to the farmer by telling or informing the farmer that it was a vicious dog, then maybe a valid public purpose would be served and Representative Klemm's objections would be answered. I would only suggest that you might want to consider nonconcurring in that Amendment and in Conference, putting the Bill back in the form that you introduced it in that regard."

Speaker Giglio: "Further discussion? Representative Hensel."

Hensel: "Thank you, Mr. Speaker. I move the previous question."

Speaker Giglio: "Gentleman moves the previous question. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House concurs. Representative Churchill, to close."

Churchill: "Thank you, Mr. Speaker. Earlier this year, there were some people that came around and talked to the Members of the House about this Bill, a group of concerned canine

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owners. Most of the animal groups in the Chicagoland area have been notified about this Bill and have come out in support of it, because they recognize that one should not look to the breed of a dog to determine whether or not that dog is going to create harm to some individual. But, yet, one should look to whether or not the dog is a vicious dog. And, in order to determine that, we need language to say what is and what is not a vicious dog, and that's what this Bill does, is to determine what is and what is not a vicious dog. Recently we've had a spade of Pit bull attacks. They've reached the front pages of most of the papers around, and you've heard about them in the news. If a person is going to raise an animal, whether it be a Doberman pinscher or a German shepherd or a Pit bull, that person should raise the dog with kindness and would raise the dog for a family purpose and not be raising a dog that's going to go out and bite a young child in the face or tear the arm of some young child or rip into the mailman or run some little old lady down the street. All this Bill does is says don't look at the breed of the dog, look at the propensity of the dog, whether the dog is going to be a vicious dog or not. I'd ask that we concur in Senate Amendment #1."

Speaker Giglio: "The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 1500?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative McNamara, one minute to explain your vote."

McNamara: "Thank you, Mr. Speaker. I was afraid my light was burned out. However, in the case of Representative Turner's dog. If that dog possibly attacked somebody that was breaking into your shop at that time, it is my

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understanding from this Bill, that that dog could be deemed as a vicious dog. And then Mr. Turner would be in trouble for having a vicious dog on his property or whatever. I thought that in your ... in the explanation that it was explained that the property of the ownership was private or public property. Is that correct? Thank you. I'll take a look at it and we'll have a private conversation over here."

Speaker Giglio: "The Gentleman from Lake, Representative Peterson, one minute to explain your vote."

Peterson: "Thank you. I didn't get a chance to address Representative Churchill in debate because there were so many people waiting, and I just wanted to know if he could just raise his right paw and signify if this is correct. Does Spud Mackenzie support this legislation? Thank you, Representative."

Speaker Giglio: "Representative Jesse White, the Gentleman from Cook."

White: "Mr. Speaker, Ladies and Gentlemen of the House. I wanted to ask some questions of the Sponsor of this Bill, but since I wasn't afforded that opportunity, I'd like to know what posture do we fall in if you can't give a vicious dog away and you can't sell him. I have a sneaking suspicion that we're going to put a lot of dogs to sleep. And I think the proper vote on this piece of legislation is 'no'."

Speaker Giglio: "Representative Regan, one minute to explain your vote."

Regan: "Thank you, Madam Speaker, Members of the House. In indifference to the most respected man on the Floor, Jesse, if the dog rips the throat out of a two and a half year old, it happened last week, put that damn dog to sleep. There's drug dealers out there training dogs to protect

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their products and they're training them to kill and it's just as dangerous as a weapon. The Bill may not be perfect at this stage, but it certainly needs to be addressed and I'd advise an 'aye' vote."

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

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. On behalf of the thousands of mailmen in the State of Illinois living in your district, I urge a 'yes' vote on this issue."

Speaker Giglio: "Further discussion? Representative Turner. One minute to explain your vote."

Turner: "Thank you, Mr. Speaker. I realize I spoke in debate, but my name was mentioned and so this is a point of personal privilege. Please, Gentlemen, please. I'd like to ... For the record, and I know that there are a lot of burglars who do read the newspapers, and in case they read the transcript about my Doberman that was sleeping on the day that they broke in my shop, I'd like for the record to reflect that I have since purchased a Rottweiler. We've put a burglar alarm system in the house, and I do have the shotguns armed. Thank you."

Speaker Giglio: "The Gentleman from Coles, Representative Weaver. One minute to explain your vote."

Weaver: "Thank you, Mr. Speaker. I'd just like to ask the Sponsor if he could nod his head. It appears this may not get the requisite number of votes. If this Motion fails and it goes into Conference Committee, could we include vicious attack rabbits on this Bill?"

Churchill: "Why not?"

Weaver: "Thank you."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Anthony

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Young, one minute to explain your vote. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 61 voting 'yes', 30 voting 'no', 25 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1500. And this Bill, having received the Constitutional Majority, is hereby declared ... Representative Matijevich."

Matijevich: "Mr. Speaker, you can tell dogs don't vote or somebody would have verified this."

Speaker Giglio: "This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1590, Representative Kulas. Out of the record. House Bill 1742, Representative Mays. Representative Churchill. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1742, a Bill for an Act to amend the Asbestos Abatement Act together with Senate Amendment #1."

Speaker Giglio: "Representative Churchill, House Bill 1742."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This extends the deadline date for the completion of inspections to 1989 rather than 1993. This is a one year rather than a five year extension of the deadline date. I would ask to concur in Senate Amendment #1 to House Bill 1742."

Speaker Giglio: "The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 1742?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. Voting is 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 110 voting 'yes', none voting 'no', 3 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1742. And this Bill, having received the Constitutional Majority, is hereby declared passed."

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Representative Regan."

Regan: "House indicate that I would vote 'yes' on that. The record please."

Speaker Giglio: "Let the record so indicate. On page 6 of the Calendar appears... He's not here. House Bill 1956, Representative Keane. Out of the record. House Bill 1998, Representative Stephens. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1998, a Bill for an Act to amend the Regency University Act together with Senate Amendments #1 and 2."

Speaker Giglio: "The question is, 'Shall the House concur with Senate Amendments #1 and 2 to House Bill 1998?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 112 voting 'yes', none voting 'no', none voting 'present'. And the House does concur with Senate Amendments #1 and 2 to House Bill 1998. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 4 of the Calendar appears House Bill 1133, Representative Keane. 1133. Out of the record. House Bill 1956. Mr. Clerk, read the Bill. House Bill 1956."

Clerk Leone: "House Bill 1956, a Bill for an Act to amend the Illinois State Collection Act, together with Senate Amendment #1."

Speaker Giglio: "Representative Keane."

Keane: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1 that improves and tightens up the Bill that we sent over. It provides the basic ... the base Bill provides the Illinois State Scholarship Commission collection write off procedures. And this tightens it up.

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It allows for the ... from accounts receivable fund to pay for legal and collection assistance. I'd move for concurrence."

Speaker Giglio: "The Gentleman moves that the House concur with Senate Amendment #1 to House Bill 1956. And on that question, hearing none, all those in favor signify by voting 'aye', those opposed 'no'. The voting is 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 115 voting 'yes', none voting 'no', 1 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1956. And this Bill, having received the Constitutional Majority, is hereby declared passed. On Supplemental #5 appears House Bill ... or Senate Bill 1080, Representative Keane. Senate Bill 1080? Out of the record. House Bill 2031, Representative Farley. 2031. House Bill 2031. Out of the record. Representative Cowlshaw, House Bill 2717. Mr. Clerk, read the Bill."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2717 when it was received in the Senate, was sponsored there by Senator Arthur Berman. Senator Berman added to this Bill, an Amendment which replaced all of the provisions that were in the Bill when it was in the House. The new provisions of Senator Berman are, that it provides that if two or more unit districts vote in favor of a proposition to create a new unit district, but the proposition is not approved by all of the districts voting, then the boards of the two or more districts which did approve the proposition, may if they are compact and contiguous, approve an amended petition to reorganize. The amended petition may then be placed on the ballot at the next regularly scheduled election. I think Senator Berman has an excellent proposal here, and I move to concur in

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Senate Amendment #1 to House Bill 2717."

Speaker Giglio: "The Lady moves that the House concur with Senate Amendment #1 to House Bill 2717. And on that question, hearing none, Representative Cullerton. Homer."

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

Speaker Giglio: "She indicates she will."

Homer: "Just so that ... just so I understand, because this became quite an emotional issue, controversial issue two years ago. But as I understand, what your Amendment do ... what it would do, is that where you have more than two school districts that have a proposition to consolidate, that ... but not all of the voters in each district passed ... each district did not pass by a majority the proposition. That the ones where it did pass could at the next election, come up with an amended plan that would include only their school districts in a reorganization plan. Correct?"

Cowlshaw: "That is correct. Also, I should have said, this Amendment applies only to unit school districts, Representative. It does not apply to elementary or high school districts. Only to unit school districts, when two or more of them have presented this proposition and it has passed in at least two, but not in all of them. And then they can also they can only resubmit this to the voters if those two or more districts in which it has already passed are contiguous."

Homer: "Alright. It sounds like a good Amendment."

Cowlshaw: "Well, Senator Berman always has good Amendments."

Speaker Giglio: "Further discussion? The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2717?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk,

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take the record. On this question, there are 113 voting 'yes', none voting 'no', 3 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2717. This Bill, having received the Constitutional Majority, is hereby declared passed. Messages from the Senate."

Clerk Leone: "A Message from the Senate by Ms. Hawker, Secretary. Mr Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their Amendments to the following Bills to wit; Senate Bills 1322, 1326, 1353, 1407, 1497, 1506, 1454 and 822. Action taken by the Senate, June 29th. Linda Hawker, Secretary."

Speaker Giglio: "Supplemental Calendar #5 appears House Bill 1781, Representative Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. I move to concur with the Senate Amendment #2 which is the Bill and it deletes everything after the enacting clause and authorizes the Department of Conservation to lease a piece of ground in Joliet to the Joliet Port Authority. And it authorizes the conveyance of 20 acres of the DuQuoin State Fairground to the DuQuoin Community Unit School District 300 for \$1,000 per acre. And it amends an Act to establish an exchange realty when authorized by the General Assembly. That means if the Auditor General ... I mean if the ... there's military property to be transferred, it must be authorized by the General Assembly rather than the Governor. And I move for concurrence."

Speaker Giglio: "The Gentleman moves that the House concur with Senate Amendment #2 to House Bill 1781. And on that question, hearing none, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this

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question, there are 113 voting 'yes', none voting 'no', 3 voting 'present'. And the House does concur with Senate Amendment #2 to House Bill 1781. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 233, Representative Van Duyne. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 233, a Bill for an Act in relationship to township officials... officers. The Senate has nonconcurred with House Amendment #1."

Speaker Giglio: "Representative Van Duyne."

Van Duyne: "I just ... Thank you, Mr. Speaker. I just talked to Gary and we are looking for Members for the Conference Committee."

Speaker Giglio: "The Gentleman refuses to recede from House Amendment #1 to Senate Bill 233. And on that question, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment #1 to Senate Bill 233, and a Conference Committee be appointed. Supplemental Calendar #6, Senate Bill 822, Representative Countryman. Supplemental #6, Senate Bill 822. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 822, amends the Probate Act. The Senate has nonconcurred with House Amendment #1."

Countryman: "Thank you, Mr. Speaker. I move to refuse to recede from House Amendment #1 to Senate Bill 822. And request that a Conference Committee be appointed."

Speaker Giglio: "The Gentleman moves that the House refuse to recede from House Amendment #1 to Senate Bill 822. And on that question, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment #1 to Senate Bill 822, and a Conference Committee

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be appointed. Senate Bill 1322, Representative Wojcik.
Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1322, amends and repeals certain
Sections of the Illinois Clinical Laboratory Act. The
Senate has nonconcurrent with House Amendments #1 and 2."

Speaker Giglio: "The Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House. I refuse to
recede from House Amendment #1 and 2 and ask that it be
placed in Conference Committee."

Speaker Giglio: "The Lady moves that the House refuse to recede
from House Amendments #1 and 2 to Senate Bill 1322. All
those in favor signify by saying 'aye', those opposed
'nay'. In the opinion of the Chair, the 'ayes' have it.
And the House refuses to recede from House Amendments #1
and 2 to Senate Bill 1322, and a Conference Committee be
appointed. Representative Ronan. Is Representative Ronan
in the chamber? Out of the record. Representative
Preston. Representative Preston. Senate Bill 1353. Mr.
Clerk, read the Bill."

Clerk Leone: "Senate Bill 1353 amends certain Acts in
relationship to programs and procedures for the Department
of Children and Family Services. The Senate has
nonconcurrent with House Amendment #3."

Speaker Giglio: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
House. I move to recede from Senate (sic - House)
Amendment #3 to Senate Bill 1353. Recede."

Speaker Giglio: "The Gentleman moves that the House recede from
House Amendment #3 to Senate Bill 1353. And on that
question, hearing none, all those ... Excuse me, the
Gentleman from DuPage, Representative McCracken."

McCracken: "Yes, will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

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McCracken: "What did House Amendment #3 do, and why are we choosing to recede?"

Speaker Giglio: "Representative Preston."

Preston: "Yes. Amendment # ... House Amendment #3 provided that families in recovery from alcohol or drug addictions ... drug addiction problems shall not be denied a license because of those problems. And the Senate refused to go along with that ..."

McCracken: "I think that was a very wise thing."

Preston: "I ... that's why I'm receding from that Amendment."

McCracken: "Good idea."

Speaker Giglio: "The question is, 'Shall the House ...' The Gentleman from Winnebago. The question is, 'Shall the House recede from House Amendment #3 to Senate Bill 1353?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 113 voting 'yes', none voting 'no', none voting 'present'. And the House refused ... the House recedes from House Amendment #3 to Senate Bill 1353. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1407, Representative McNamara. Representative McNamara. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1407 amends the Unified Code of Corrections. The Senate has nonconcurred with House Amendment #4."

Speaker Giglio: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. I refuse to recede from Senate Bill 1407, Amendment #4 and request that a Conference Committee be appointed."

Speaker Giglio: "The Gentleman moves that the House refuse to

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recede from House Amendment #4 on Senate Bill 1407. And on that question, hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment #4 to Senate Bill 1407, and a Conference Committee be appointed. Representative Ryder, 1454. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1454, amends the Civil Administrative Code of Illinois. The Senate has nonconcurrent with House Amendment #1."

Speaker Giglio: "The Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I would, at this time, move to recede from House Amendment #1."

Speaker Giglio: "The Gentleman moves that the House recede ... recede from Amendment #1. And on that question, hearing none, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 115 voting 'yes', none voting 'no', none voting 'present'. And the House recedes from House Amendment #1 to 17 ... from House ... from Senate Bill 1454. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1497, Representative Kulas. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1497, amends the Environmental Protection Act, together with ... the Senate has nonconcurrent with House Amendment #1."

Speaker Giglio: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker. I would move that the House recede from House Amendment #1."

Speaker Giglio: "The Gentleman moves that the House recede from

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House Amendment #1 to Senate Bill 1497. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Will the Sponsor yield?"

Kulas: "Yes."

Speaker Giglio: "He indicates he will."

McCracken: "What does House Amendment #1 do, and why are we receding?"

Kulas: "Pardon me?"

McCracken: "What does House Amendment #1 do, and why do you wish to recede?"

Kulas: "Well, House Amendment #1 changed the Bill ... added to the Bill quite a bit, different definitions as far as disposal and abandonment on criminal disposal of hazardous waste. It dealt with knowingly and other items. This was Representative O'Connell's Amendment, and unfortunately I feel that the Bill is too good to go into Conference Committee. And I'd hate to see it come out with more baggage than it has now. The Bill, itself, just dealt with the forfeiture of profits and savings and conveyances that dealt with people who were convicted of criminal violations of the EPA. And I'd like to get that Bill out in that way."

McCracken: "Okay, I ... I couldn't hear what you said about Representative O'Connell's Amendment. Could you tell me that again, please?"

Kulas: "Well, basically, it did a number of ... there's about ten different things that the Representative O'Connell's Amendment did. It made different ... different definitions as far as offenses of concealment of criminal disposal of hazardous waste. Changed to concealment of criminal violations. And had a thing to do with knowingly ... knowingly disposal of hazardous wastes, etc. So ... It was

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a Bill which was defeated in Committee, but Representative O'Connell got it on as an Amendment to 1497."

McCracken: "To the Motion, Mr. Speaker."

Speaker Giglio: "Proceed."

McCracken: "As I recall now, looking at the Floor Amendment, this was an Amendment which, I think, very responsibly addressed some of the issues raised by the underlying Bill. It cleaned up some of the language, which in the underlying Bill, which created criminal offenses. It is supported by business. And in fact, I think, is an integral part of the Bill. I think the Bill is a very bad Bill without this Amendment on it. And I think we should vote against this Motion to recede."

Speaker Giglio: "Representative Kulas to close."

Kulas: "Thank you, Mr. Speaker. I think Representative McCracken is a little confused. Amendment #1 really had nothing to do with the original Bill as such. The original Bill as such dealt with the conveyance and forfeiture of property, both profits and savings, and benefits of people who have been dumping illegal hazardous waste and so on. And Amendment #1 really had nothing to do with it. It was a completely different Bill which was defeated in Committee, but which I allowed Representative O'Connell to put on as an Amendment. And I would move to recede from that Amendment."

Speaker Giglio: "The Gentleman moves that the House recede from Amendment #1 to Senate Bill 1497. And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 72 voting 'yes', 42 voting 'no', and 2 voting 'present'. And the House does recede from House Amendment #1 to Senate Bill

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1497. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Flowers, Senate Bill 1506. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1506, a Bill for an Act to provide for public hearings in relationship to changes in community based services, together with House Amendments #1 and 3."

Speaker Giglio: "Representative Flowers."

Flowers: "Mr. Speaker and Ladies and Gentlemen of the House, I refuse to recede to Senate Bill 1506, and I would ask for a Conference Committee, please."

Speaker Giglio: "The Lady moves that the House refuse to recede from House Amendments #1 and 3 to Senate Bill 1506. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendments #1 and 3 to Senate Bill 1506, and a Conference Committee be appointed. We'll return to Supplemental #2, on page 2 of the Calendar, or 2 of the Calendar appears Senate Bill 47, Representative Giorgi. Representative Giorgi refused to recede from House Amendment #3 to Senate Bill 47. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 47 amends the General Obligation Bond Act. The Senate has nonconcurrent with House Amendment #3."

Speaker Giglio: "Representative Giorgi."

Giorgi: "Mr. Speaker, I move we do not recede from the House Amendments and ask that a Conference Committee Report be appointed."

Speaker Giglio: "The Gentleman moves that the House refuse to recede from House Amendment #3 to Senate Bill 47. And on that question, hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from Amendment #3 to Senate Bill 47, and a Conference

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Committee be appointed. On page 4 of the Calendar appears Senate Bill 943, Representative Steczko. Senate Bill 943. Refused to recede. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 943 amends the Private Detective and Private Security Act. The Senate had nonconcurrent with House Amendment #1."

Speaker Giglio: "The Gentleman from Cook, Representative Steczko."

Steczko: "Thank you, Mr. Speaker. I move to refuse to recede from House Amendment #1 to Senate Bill 943, and ask that a Conference Committee be appointed."

Speaker Giglio: "The Gentleman moves that the House refuse to recede from Senate (sic - House) Amendment #1 to House ... Senate Bill 943. And on that question, all those in favor signify by voting 'aye', or saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment #1 to Senate Bill 943, and a Conference Committee be appointed. On Supplemental Calendar #3 appears House Bill 2476, Representative Kubik. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2476 amends the Civil Administrative Code of Illinois, together with Senate Amendment #1 on the Order of Concurrence."

Speaker Giglio: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker. I would move to nonconcur with Senate Amendment #1."

Speaker Giglio: "The Gentleman moves that the House nonconcur with Senate Amendment #1 to House Bill 2476. And on that question, hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur with Senate Amendment #1 to House Bill 2476. Representative O'Connell, House Bill 2576. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2576 amends the County Jail Good

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Behavior Allowance Act, together with Senate Amendment #2."

Speaker Giglio: "The Gentleman from Cook, Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker. I would move to concur with Senate Amendment #2, which redefines good behavior to mean compliance with all rules and regulations of the institution and all laws of the state while confined in a county jail. I would ask that it be concurred with."

Speaker Giglio: "The Gentleman moves that the House concur with Senate Amendment #2 to House Bill 2576. And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. This is final action. The voting is 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 114 voting 'yes', 1 voting 'no', 1 voting 'present'. And the House does concur with Senate Amendment #2 to House Bill 2576. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 11 of the Calendar, Speaker's Table, appears House Joint Resolution 81, Representative Black. House Joint Resolution 81, page 11 of the Calendar."

Black: "Thank you very much, Mr. Speaker. House Joint Resolution #81 came up as a result of a jurisdictional problem in my district. My district borders Indiana and we're having some locals in Indiana encouraging members of Public Employee Unions to affiliate with their local, rather than the local they're affiliated with in the State of Illinois. And House Joint Resolution 81 simply urges that state employees who are union members, be affiliated with and pay dues to locals headquartered in Illinois. I think it's only good public policy to ask that. And I would urge that you join me in favorable vote on House Joint Resolution 81."

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Speaker Giglio: "The Gentleman moves that the House ... The Gentleman moves that the House adopt House Joint Resolution 81. And on that question, hearing none, all those in favor ... all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And House Joint Resolution 81 is adopted. House Joint Resolution 88, Representative Currie. Mr. Clerk, read the Resolution."

Clerk Leone: "House Joint Resolution #88 creates a Joint Committee on property rights in marriage."

Speaker Giglio: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This is a proposal to create a Joint House Senate Committee for a one year period to examine issues involved in property relations during the course of marriage. It is not an effort to pass the Uniform Marital Property Act. This Resolution is supported by the Illinois State Bar Association, the Chicago Bar Association, the League of Women Voters, the Illinois Citizens Council on Women, and the National Organization for Women. The members of the Joint Committee would be an equal number legislators with bi-partisan appointments, that is there would be no edge for one party over another, and members of the bar would be invited to participate. In fact the Resolution requires good, broad ranging participation so that all views might be known and aired. The point of this is to permit public participation so that we will have the advantage of the best legal minds, the most concerned people in this complicated area of civil law. I would be happy to answer your questions, and I would appreciate your support for House Joint Resolution 88."

Speaker Giglio: "The Lady moves that the House adopt House Joint Resolution 88. And on that question, the Gentleman from

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Winnebago, Representative Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. Will the Sponsor yield for a question?"

Speaker Giglio: "She indicates she will."

Hallock: "I admire you for what you're trying to do in terms of bringing this issue to the attention of the General Assembly, but my question to you would be, why can't we do this to a legislative proposal, or through some dialogue in the Judiciary I Committee?"

Currie: "I think the problem, Representative, is that through a standing Committee of our House or of the other House, we lack two things. One is a direct avenue for continuing public participation, and the other is the advice ... the wisdom of Members of our sister chamber across the rotunda. A Joint Committee gives us both those items missing from consideration of any issue by a single standing Committee of either chamber. We would be looking at an issue with the help of the Members of the Senate and we also would be providing for, during the continuing deliberations of this group, direct public participation, which is not available through standing Committee activities."

Hallock: "Well, to the issue, Mr. Speaker. Unfortunately, I think that this Session has bogged down because we have, in fact, had too many Committees. Without any question in my mind, one of the most deleterious aspects of what's happened this Session, has been the fact that we've had so many Committees and Subcommittees, that we, on this side of the aisle, and on your side too, haven't been able to make all of the meetings and haven't really been able to devote the attention in those meetings to the issues at hand. This Bill really exacerbates that situation by setting up one more Joint Committee. I think it's totally unnecessary. This issue could clearly be studied by the

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Judiciary I Committee, if that were the case, and that were their decision. To set up one more Committee is unnecessary. It's superfluous, and I suggest this should be defeated."

Speaker Giglio: "Further discussion. The Gentleman from Champaign, Representative Johnson."

Johnson: "I have a Bill that deals with a complicated area of the civil law as well. It created a lot of controversy and universal opposition from the news media in our restoration of reputation Bill. And we decided that in light of the opposition, and in light of a very complex area of the law, that dealt not only with that, liable and slander law and retraction statutes and so forth. Representative John Dunn and myself, as the Chairman and Spokesman of the House Judiciary Committee, have agreed to have two or more hearings over the course of the summer or the fall in Chicago area and here on that subject matter. And likewise, in the Senate, the Senate Standing Committee and Judiciary I will have, we expect and believe, similar hearings on that concept. Plenty of room for public input. There's no reason why this is any different from the Standing House Committees with respect to the ability of the public to input on a very compli... complicated, complex area of the civil law. Why we're going to take one Bill, one concept and create what, if it's not unique, it's certainly an extraordinary creation of this Legislature, is beyond me. But aside from that, both Members on both sides of the aisle, ought to be aware of what the underlying proposal is. And the underlying proposal is a Bill that would create more chaos in real estate law, in the search of titles, in credit in Illinois and otherwise, than you could ever do. So, if you want to go on record early as having supported a Resolution that's going to look into a

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Bill, and most every group, with the exception of the Illinois State and Chicago Bar Association that you've listed, is one who's made this the prime jewel in their legislative crown, and is going to come out with recommendations to create a Bill or vote and approve a Bill that will be chaotic, then you should vote for this Resolution. Be on record early as having voted to create a Committee, Joint Committee, to create a chaotic Bill. We don't need this. Representative Dunn and myself, I'm sure, would be glad to cooperate in arranging for the House Judiciary Committee to have hearings to accommodate this whole area of the law. But to take one Bill, to take one Bill and create this special creation for it, really does disservice to a lot of the rest of us, who have concepts of our own, who'd like to have a special Committee to deal with those issues, and we're not going to do that. We're going to use the normal processes, the normal channels, and this is no different. This is a bad precedent to set. It's a bad Bill. It's a bad underlying concept. It's something that ought to be defeated. And Mr. Speaker, I would ask for a Roll Call. And if this receives the requisite number of votes, would ask to verify it."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative O'Connell."

O'Connell: "Well, I tend to agree with my colleague on the other side of the aisle, the previous speaker. And I think that perhaps it may be advisable on the Bill that he and Representative Dunn had with regards to restoration of reputation, to have a Joint Resolution on that as well. Because I think it is a serious and a complex issue that should be discussed by both Houses. But I think the same thing applies to the issue that Representative Currie is trying to address in House Joint Resolution #88. Community

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property, changing this state to a community property state is a far reaching and a very complex, significant change in the way we address our marital property law. And I think that it may be consistent with our trend of late to set up various task force, think tanks if you will, of individuals knowledgeable in the area to make a discussion prior to any legislative debate. And I, for one, would like to see an in-depth study of community ... the changing the State of Illinois to a community right state. I don't know whether I'm in agreement with it at this time, but I certainly would appreciate the aggregated expertise that a high ... Senate, House Committee might have. But I would agree with Representative Johnson that there are other complex areas that we've addressed in this Body. And I think that simply because there are, does not preclude the opportunity to have one for this particular Bill. I'd support this Resolution."

Speaker Giglio: "Further discussion? The Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. I've got my name up there on this House Joint Resolution 88, not because I believe in all of the components of what the League of Women Voters is trying to do with community property rights, but I am a firm believer that this issue does need further discussion, further study, by people who really know what the potential ramifications of this enactment would be. So I concur that we need to pass this, and we need to move on and really get some professional expertise on this measure."

Speaker Giglio: "Speaker Madigan in the Chair."

Speaker Madigan: "Ladies and Gentlemen, let me just interrupt for a few moments. If we could have your attention and if the staff would withdraw to the rear of the chamber. Let the

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staff withdraw to the rear of the chamber and the Members please be in their chair. We're very honored to have with us, two former Members of the House of Representatives. One served in the House and then raised her family. The other served here, later in the State Senate, later as the Lieutenant Governor of Illinois, then as a Member of the Congress from the Southern District of Illinois, and currently the United States Senator from our state. And certain of us hope very, very much that he moves on to bigger and better things in that big White House in Washington. Let me give you our good friend, United States Senator Paul Simon."

Senator Simon: "Thank you. I thank you. I thank you. Only something is wrong here, Mr. Speaker. When I served that ... We were ready now to stay here for another two weeks or so when I was a Member of the House. We never thought about getting ready to adjourn in the next 24 hours at this time period. You're running a pretty efficient shop here now. I tell you. We ... congratulations. And back ... back just in back of where Zeke and John Matijevec and Jesse and Cal were sitting, somewhere about where Barbara is, is where you and I were sitting back some time ago. Quite a bit of time ago, I hate to say right now. And you better be careful who you meet in the Illinois General Assembly. If you're not careful, you may end up marrying whoever you meet here. Let me just add my appreciation for what you are doing. My appreciation for the opportunity you have. Frankly, what you're doing here, is really the essence of government. It is not that much different, Grace Mary, in the Federal Government. We just add a few zeros on to the appropriations. We do get into Defense and Foreign Affairs that you don't get into that much. But the fundamental process ... Alright, somebody's getting into it

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here, I can see that. But the fundamental process is the same. And you learn how you have to pull together across both sides of the aisle to build a better Illinois. And that's what we have to do in this nation. To pull ourselves together, to see that we dream and build to build a greater America. We live in a good and a great country, but it can be a better country. And all of us working together can make it that. Great to be with you. Thank you very, very much."

Speaker Madigan: "I just told Paul that we're very happy to hear from him. We want to hear from Jean too. So let's hear from Jean Simon."

Jean Simon: "Thank you very much. I remember so well sitting back there, in back of Paul Powell. And this time about, what is it, 30 years ago, reaching the end of the Session, Alan Dixon would have had a few beers and be ringing his cow bell by now. And it was just as wild then as it is now. And some day our daughter is going to be coming back here, and I hope you're still here to join her and make her welcome. Thank you."

Speaker Madigan: "The Simon daughter is coming back as a Democrat. Careful."

Speaker Giglio: "The House will come to Order. House (sic - House Joint) Resolution 88. Representative Stephens."

Stephens: "I need to know if Paul Simon's daughter lives in Troy."

Speaker Giglio: "Further discussion? The Gentleman from Vermillion, Representative Black."

Black: "Well, Mr. Speaker, Mr. Flinn has been working with me for some time and everyone needs someone to follow in his foot steps. I'd like to move the previous question."

Speaker Giglio: "The Gentleman moves the previous question. Representative Currie to close."

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Currie: "Thank you, Mr. Speaker and Members of the House. House Joint Resolution merely creates a Joint Senate Public Legislative Committee to examine the myriad of issues involved in property rights in marriage. There are implications in respect to credit, in respect to probate, in respect to a variety of things. The Illinois State Bar Association, Chicago Bar Association, the League of Women Voters, would urge along with me, your support for this Resolution."

Speaker Giglio: "The question is, 'Shall the House adopt House Joint Resolution 81 (sic - 88). And on this question ... there's 60 votes. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 59 voting 'yes' 49 voting 'no', 5 voting 'present'. The Gentleman from ... Representative Currie moves ... Representative ... The Gentleman from Franklin, Representative Rea, for what purpose do you rise, Sir?"

Rea: "Please vote me as 'aye'."

Speaker Giglio: "Vote the Gentleman 'aye'. Representative Rea. On this question, there are 60 voting 'aye', 49 voting 'no', 5 voting 'present'. Representative... Representative Hallock."

Hallock: "Verification."

Speaker Giglio: "The Gentleman ... verification. Representative Currie moves that the House call the absentees."

Clerk Leone: "A poll of those not voting. Representatives Ewing and Ronan are not voting."

Speaker Giglio: "Mr. Clerk, proceed with the verification."

Clerk Leone: "Poll of the Affirmative. Bowman. Braun. Breslin. Brunsvold. Christensen. Cowlshaw. Cullerton. Curran. Currie. Daley. Davis. DeJaegher. DeLeo. Deuchler.

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Didrickson. Dunn. Farley. Flowers. Virginia Frederick.
Giglio. Giorgi. Greiman. Hannig. Hasara. Huff. Jones.
Keane. Kirkland. Kulas. Laurino. LeFlore. Leverenz.
Levin. Matijevich. Mautino. McGann. McNamara. McPike.
Morrow. O'Connell. Panayotovich. William Peterson.
Phelps. Preston. Rea. Regan. Rice. Richmond. Saltsman
..."

Speaker Giglio: "Excuse me, Mr. Clerk. Representative Farley,
for what purpose do you rise, Sir? How is the Gentleman
recorded?"

Farley: "I didn't understand the intent of this bad Resolution.
So I'd like to switch to 'no'."

Speaker Giglio: "Change the Gentleman from 'yes' to 'no'."

Clerk Leone: "Continuing with the Poll of the Affirmative."

Speaker Giglio: "Excuse me. Representative Daley asks leave to
be verified. Leave granted. Representative Hallock?
Representative Daley, leave to be verified? Representative
Hallock, there's a group of Representatives over here that
would like to be verified. Can you verify ... verify all
of these Gentlemen here? O'Connell, Novak, Wolf, Greiman,
Dunn, Preston, White, Hallock, Peterson, Curran. Does the
Gentlemen have leave to be verified? Leave is not granted.
Continue with the verification, Mr. Clerk."

Clerk Leone: "Satterthwaite. Steczo. Stern. Sutker. Turner.
White. Williams. Wolf. Anthony Young. Wyvetter Younge
and Mr. Speaker."

Speaker Giglio: "Questions of the Affirmative?"

Hallock: "Representative Kulas?"

Speaker Giglio: "Representative Kulas? How is the Gentleman
recorded?"

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

Speaker Giglio: "Is the Gentleman in the chamber? Representative
Kulas is in his chair."

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Hallock: "Representative Keane?"

Speaker Giglio: "Representative Keane. Is Representative Keane in the chamber? How is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

Hallock: "McGann?"

Speaker Giglio: "Representative McGann. McGann in the chamber? Representative McGann? How is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

Hallock: "Bowman."

Speaker Giglio: "Representative Bowman? Representative Bowman? Representative Bowman in the chamber? How is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

Hallock: "Mr. Speaker, would you strike that. I think he's in the Approp Committee. So strike ... could you strike Bowman and replace him to the Roll Call. I believe he's in the Approp Committee and he probably voted and dashed out the door."

Speaker Giglio: "Restore Mr. Bowman to the Roll Call, Mr. Clerk."

Hallock: "Huff?"

Speaker Giglio: "Representative Huff? Representative Huff in the chamber? How is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

Hallock: "Preston?"

Speaker Giglio: "Representative Preston? Representative Preston in the chamber? How is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

Hallock: "Representative Dunn?"

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Speaker Giglio: "Can Representative Novak have leave to be verified? Change Representative Novak's vote from 'no' to 'aye'."

Hallock: "Dunn."

Speaker Giglio: "Representative Preston has returned. Restore Representative Preston to the Roll Call."

Hallock: "John Dunn."

Speaker Giglio: "Representative Dunn? Representative Dunn in the chamber? How is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call. Representative Mulcahey, for what purpose do you seek recognition, Sir? Mulcahey."

Mulcahey: "Mr. Speaker, please record me as voting 'aye', and may I have leave to be verified?"

Speaker Giglio: "Change the Gentleman from 'no' to 'aye'. Does he have leave to be verified?"

Hallock: "Yes."

Speaker Giglio: "Leave is granted. Representative Bugielski? Change the Gentleman from 'no' to 'aye'."

Hallock: "Wyvetter Younger?"

Speaker Giglio: "Does Representative Bugielski have leave to be verified, Representative Hallock?"

Hallock: "Yes."

Speaker Giglio: "Leave is granted. Representative Younger is in her chair."

Hallock: "Representative Jones?"

Speaker Giglio: "Jones. Representative Jones. Representative Jones? Is Representative Jones in the chamber? Is Representative Jones in the chamber? Representative Jones is in the center aisle. Does Representative Braun have leave to be verified, Representative Hallock?"

Hallock: "Yes."

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Speaker Giglio: "Leave is granted."

Hallock: "Representative Berrios?"

Speaker Giglio: "Representative Berrios. Representative Berrios in the chamber? How's ... How's the Gentleman recorded? Berrios?"

Clerk Leone: "The Gentleman is recorded as voting 'no'."

Speaker Giglio: "He's voting 'no'."

Hallock: "Representative... Saltsman?"

Speaker Giglio: "Representative Dunn... Representative Dunn is in the ... Does he have leave to be verified?"

Hallock: "Yes."

Speaker Giglio: "Leave. Mr. Clerk, vote Representative Dunn 'aye'."

Hallock: "Representative Phelps?"

Speaker Giglio: "Phelps? Representative Phelps in the chamber? How is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call. Representative Martinez? Representative Martinez wishes to be voted 'aye'."

Hallock: "Representative Levin?"

Speaker Giglio: "Representative Levin. How is the Gentleman recorded?"

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

Speaker Giglio: "Levin? Levin is in the back conversing with Representative Ronan."

Hallock: "Representative DeLeo?"

Speaker Giglio: "Representative Phelps. Restore Representative Phelps."

Hallock: "DeLeo?"

Speaker Giglio: "Representative DeLeo was verified."

Hallock: "No, he wasn't."

Speaker Giglio: "Representative DeLeo? Representative DeLeo in

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the chamber? How is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

Hallock: "Representative Hannig?"

Speaker Giglio: "Hannig? Representative Hannig is in front."

Hallock: "DeJaegher."

Speaker Giglio: "Representative DeJaegher? Representative DeJaegher is in his seat. Restore Representative DeLeo to the Roll Call. He's in the Speaker's Podium."

Hallock: "Representative Stern? Representative Stern?"

Speaker Giglio: "Representative Stern? Representative Stern in the chamber? How is the Lady recorded?"

Clerk Leone: "The Lady is recorded as voting 'aye'."

Hallock: "Representative Laurino?"

Speaker Giglio: "Remove the Gentlem... Lady from the Roll Call. Representative Laurino? Representative Laurino in the chamber? How is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

Hallock: "Representative Wolf?"

Speaker Giglio: "Representative Wolf? Representative Wolf in the chamber? How is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call. And Representative Stern has returned. Restore Representative Stern to the Roll Call, Mr. Clerk."

Hallock: "Representative O'Connell?"

Speaker Giglio: "Representative O'Connell. Representative O'Connell in the chamber? How is the Gentleman recorded?"

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

Speaker Giglio: "Mr. ... Representative O'Connell is in the front of the chamber. Representative Wolf has returned. Restore Representative Wolf to the Roll Call, Mr. Clerk."

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Representative Homer? Representative Homer."

Homer: "Please record me as 'aye'."

Speaker Giglio: "Record the Gentleman as voting 'aye'. Further questions?"

Hallock: "Representative Panayotovich?"

Speaker Giglio: "Representative Panayotovich. Is Representative Panayotovich in the chamber? How is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call. Restore Representative Laurino, Keane and Representative McGann."

Hallock: "Representative Breslin?"

Speaker Giglio: "Representative Breslin? Representative Breslin in the chamber? How is the Lady recorded? Where is she at? The Lady ... Representative Breslin is in the back of the chamber."

Hallock: "Representative Turner?"

Speaker Giglio: "Turner. Representative Turner is in his seat."

Hallock: "Bill Peterson."

Speaker Giglio: "Peterson? Representative Peterson, I believe, was verified. Didn't you verify Representative Peterson? Further questions?"

Hallock: "Representative Brunsvold?"

Speaker Giglio: "Representative Brunsvold is in his seat."

Hallock: "No further questions."

Speaker Giglio: "On this question, there are 62 voting 'yes', 46 voting 'no', 4 voting 'present'. And the House does adopt House Joint Resolution 81 ... 88. On page 4 of the Calendar appears House Bill 1064, Representative Cullerton. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1064 amends an Act relating to the Circuit Courts, together with Senate Amendments #1, 2 and

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3."

Speaker Giglio: "The Gentleman from Cook, Representative Cullerton, on House Bill 1064."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to concur with Senate Amendments #1, 2 and 3. The Bill creates new Judgeships. The Circuit Court and Associate Judgeships involves three new Judges in Lake County, in McHenry and one from Madison and one from St. Clair, one from Champaign, one from Kendall, one from DeKalb, one at large from the seventh Circuit, which includes the City of Springfield, one Associate Judge from the seventh Circuit as well. It provides a service of more than ... In Cook County we'll have an Associate Judge for each 30,000 in population, which should increase the number of Judges by 19, Associate Judges ... I would be happy to answer any questions. I'd appreciate a favorable vote."

Speaker Giglio: "The question is, 'Shall the House concur with Senate Amendments #1, 2 and 3 to House Bill 1064. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "I rise in opposition to this Bill. I think the Sponsor has looked all over the state to see how many Republicans he can put on the ticket. The fact of the matter is, this is a very substantial increase in the Judiciary. We haven't been told that the Supreme Court has made these requests. We haven't been told how much this will cost in an era of no taxes in FY '87 flat budgets. He would add 25 Associates under the proposed formula in Cook County alone, each at a salary of about 60 or 65 or 70,000 dollars. There would be an addition in various circuits throughout the state, and there's been no demonstration of a problem. There's been no demonstration of a necessity for this Bill. It's just an attempt to create new

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Judgeships. It's like the spoil system. It's like we never left it. We don't have any Judicial impact note. We don't know whether the Supreme Court has taken a position on this, whether they think that the various circuits are understaffed to this magnitude. And we certainly can't afford this, such a substantial number of new Judges. So we have a phenomenal increase in the cost of the ... in the Judiciary. We have no demonstrated need for it. We have it spread over trying to get support from throughout the state. This is a very bad Bill and I encourage a 'no' vote. And for all of you that hate lawyers out there, this is a good vote for 'no'. This is a good 'no' vote against lawyers. So if you don't like lawyers, don't vote for this Bill."

Speaker Giglio: "Further discussion? The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "I wonder if the last speaker would put an affidavit into the records that he wouldn't accept a Judgeship if they gave it to him."

Speaker Giglio: "Further discussion? The Gentleman from DuPage, Representative Daniels."

Daniels: "Will the Gentleman yield?"

Speaker Giglio: "He indicates he will."

Daniels: "Representative Cullerton, starting with Amendment #3, would you please tell us how much money that will cost the taxpayers of Cook County and the taxpayers of the State of Illinois?"

Cullerton: "Yes. There would be 19 Associate Judges included in Senate Amendment #3. The cost would be approximately \$1,566,000."

Daniels: "Two."

Cullerton: "Number two would be \$162,000."

Daniels: "Now on Amendment #3, it changes the formula for

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determining the maximum number of Associate Judges for Cook County. Is that right?"

Cullerton: "That's correct."

Daniels: "Now you say it only increases it by 19 Associate Judges?"

Cullerton: "That's correct. That's what the Office of the Supreme Court told us."

Daniels: "Alright. But yet you're lowering that formula for one Judge for every 35,000 people, which is presently to one Judge for every 30,000 people. Is that right?"

Cullerton: "I'm sorry. I didn't hear the second part of your question."

Daniels: "You're lowering the formula that's based on population, from one Judge for every 35,000 people to one Judge for every 30,000 people. Is that right?"

Cullerton: "That's correct. That's correct."

Daniels: "Now you feel that in supporting the concurrence of this Senate Amendment #3, that the people of Cook County need additional Judges because one Judge for every 35,000 can not cover the judicial matters that you need to bring out in the Circuit Court of Cook County on a yearly basis. So you need a Judge for every 30,000 people, right? You must... Are you getting instructions over there?"

Cullerton: "No, I think the thing that's important is to ..."

Daniels: "No, just answer the question. Is that right?"

Cullerton: "Case load is what is important."

Daniels: "Case load. So you have more people in court in Cook County, so you need more Judges. Is that right?"

Cullerton: "That's correct."

Daniels: "And you're willing to say that 1,500,000 plus dollars on Senate Amendment #3 alone is a reasonable cost to the people of Illinois?"

Cullerton: "Representative Daniels, let me say this. I didn't

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realize... "

Daniels: "Please do."

Cullerton: "I didn't realize you were opposed to the Bill. I will be happy to take the Bill out of the record to go over the numbers with you, call it another time, if you're so disposed. I take that Bill out of the record, Mr. Speaker."

Daniels: "If that's what you want. We'd just soon run it now, if he wants to. I mean opposition is opposition. Let's have at it. We've got a lot of work to do. We want to go home."

Cullerton: "Mr. Speaker, take the Bill out of the record. Take the Bill out of the record."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk."

Anonymous: "Let's go."

Daniels: "We'd like to beat it if you don't mind."

Speaker Giglio: "Take the Bill out of the record."

Anonymous: "Okay."

Speaker Giglio: "On page 11 of the Calendar appears House Joint Resolution 104. Representative Levin. Mr. Clerk, read the Resolution. 104."

Clerk O'Brien: "House Joint Resolution 104 establishes a Joint Committee on Minority Student Excess to Higher Education. Rules Committee recommends be adopted."

Speaker Giglio: "The Gentleman from Cook, Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I recommend the adoption of House Joint Resolution 104. Over the last several years, there has been a significant decline in minority student enrollment at the University of Illinois at the circle since 1979. This is a fact that particularly the black community, but the Hispanic community as well, has relied upon the circle in terms of obtaining the education for many in their

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community. In an attempt to upgrade the quality of the instruction at the University of Illinois at Circle, new admissions policies have been established requiring various profiles of courses to have been taken. The effect of these new admissions policies on the... many of the students in Chicago, is to put them in a position where they're going to high schools that do not have the courses that are going to be required at the University of Illinois at Circle. The purpose of House Joint Resolution 104 is to deal with that problem. This issue was discussed before the House Appropriations II Committee. And the approach of setting up a Joint Task Force involving Representatives of the University of Illinois in Chicago, the Chicago Board of Education, as well as Legislators and public members, was endorsed in the Committee. President Eickenberry thought it was an excellent way of dealing with the problem. In discussions with the Chicago Board, they're willing to participate as well. The Chicago students are in a bind. They cannot ... Many of these schools, there are about 30 high schools, they would like to go to the University of Illinois. Because of the absence of science courses in some of the Chicago schools, they cannot do this. So, this is an attempt to get together the University of Illinois and Chicago to resolve the problem."

Speaker Giglio: "Proceed, Representative Levin."

Levin: "Thank you. This is a agreed approach. And if there are questions, I'm happy to answer them."

Speaker Giglio: "Any discussion? The Gentleman from Winnebago, Representative Hallock."

Hallock: "Well, Mr. Speaker, we just established one Joint Committee a few minutes ago. That one had some merits, but on the Committee itself, it really was unnecessary. We're embarking again here on setting up one more Committee

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between the House and the Senate. I would say to all of you here today, that we probably have established more Committees this Session in the House, than ever before in the history of the General Assembly. We have only 118 Members in this chamber now. We probably have twice as many Committees as we had when we had 177 people. Stop and think about that. But in addition to that fact, there's no merit to this issue whatsoever. If you want to study this problem, go ahead and do that. But use the Education Committee or one of the Subcommittees, or the Approp Committee, or the Human Services Committee. We have plenty of Committees now, Mr. Speaker, Members of the House. With each Joint Committee we establish, there is always also a price tag. We've been debating and lamenting all Session long the fact that there are no funds to do what we have to do. This is not one of the things that we should do this Session. You know it and I know it. Vote 'no'."

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

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm rising because I am just stunned. I didn't even know this Resolution was coming. But I have to ask this Body, why is it when we come in as minorities and ask for something out of this General Assembly, we inevitably run into somebody's rationale, somebody's reason why our problems are not as important as everybody else's problems. It is the traditional situation. Even the Governor, yesterday, in talking about the Black Caucus pointed out, that we don't ask for a whole lot, we're here trying to hold on to what we have and to help with our constituency in our community to help solve problems like this one. We do have a problem with education. We have seen declining enrollment. We're attempting to educate our young people, and we're turning around and finding the institutions are

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rejecting them or they are not having the opportunities. And we're trapped in the same kind of cycle that we've been trying to talk to this General Assembly about forever. So my question to you becomes not only about the substantive issue, why you can't do something about minority student access, but why it is we even want to study problems that are particular to our community. What we run into is a deaf ear. I encourage your support of Representative Levin's Motion, of his Resolution. And I would ask you to open your ears a little bit to the fact that the Black Caucus, the Members on this Floor, support the farmers when the farmers have a need, support women when the women have a need, support suburbs when the suburbs have a need. We support everybody else in their constituency and their constituency needs, and yet when we come to you for support, we run into the same, wont, tired, dogeared arguments that it's not a problem to address today and we'll do it some other time. I say today is the time. And I ask for your vote on this Resolution."

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

Satterthwaite: "Mr. Speaker and Members of the House. I rise in support of this Resolution. The experience is very clear that even though there have been attempts to solicit more minorities to try to get them involved in appropriate preparatory programs etc., the figures are going down. That smaller percentages of minorities are coming into our institutions, and smaller percentages of them are being retained to graduation. This is a problem that is not only unique to the urban areas, but is certainly one of much greater magnitude in the urban areas. When the Circle Campus was formed, there was a dislocation of many people in that area who were of minority races and who expected

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that that would give them greater access to higher education. That seems not to be working and we want to have this Committee to look into those issues and to see what can be done to address the problem of appropriate preparation of students in their elementary and secondary careers to give them greater access, to have them appropriately prepared so that they can survive in the higher educational system, and so that they can graduate and be productive members of society. This is a very, very crucial thing. And I certainly hope that the votes are there to provide this Study Committee so that we can get on the way to what needs to be done."

Speaker Giglio: "The Gentleman from Perry, Representative Goforth."

Goforth: "Move the previous question."

Speaker Giglio: "The Gentleman moves the previous question. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the previous question has been adopted. Roll Call on House Joint Resolution 104. Representative Levin to close. Are you seeking recognition, Representative McCracken? Representative McCracken."

McCracken: "Thank you, Mr. Speaker. No one's saying that this is ... No one's saying that this is not something that should be considered. We're not casting expurgations on the aspirations of any minority. That's not what we're talking about. We're talking about a spoil system by another name. The end of the Session comes, and instead of Member commissions, you have these House Joint Resolutions creating Committees to do the same damn thing all the other Committees do. We don't need it. It's just another name for a spoil system."

Speaker Giglio: "Mr. McCracken? Mr. McCracken, you have your

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Page button on."

McCracken: "I got both buttons on."

Speaker Giglio: "Well, what do you want? Do you want the Page?"

McCracken: "No. I don't. You turned it on. I don't want it on."

Speaker Giglio: "Send the Page over there, would you please? Send the Page. Mr. Levin. Mr. Levin to close."

Levin: "Thank you. I would just ask for your support of House Joint Resolution 104."

Speaker Giglio: "Send the Page over to Mr. McCracken. Representative Wojcik, do you need a Page?"

Wojcik: "No, Mr. Speaker. I've just discovered what the 'blue light special' is all about in the House. It's K-Mart shopping today."

Speaker Giglio: "The question is, 'Shall the House adopt House Joint Resolution 104?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is 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 66 voting 'yes', 44 voting 'no', 2 voting 'present', and the House... Representative... Representative Hallock, for what purpose do you rise, Sir?"

Hallock: "Well, unfortunately, Mr. Speaker, you know, we're fairly tired of setting up more and more Committees on this side of the aisle. We're going to have to verify this Roll Call. And the word is not 'Page', it's 'DuPage'."

Speaker Giglio: "Representative Stephens."

Stephens: "I think he's finally seen the light."

Speaker Giglio: "On this question there are 66 voting 'yes', 44 voting 'no', 2 voting 'present', and the Resolution... Representative Hallock?"

Hallock: "Verification."

Speaker Giglio: "The Gentleman asks for a Verification."

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Representative Levin requests... those not voting. Mr. Clerk."

Clerk O'Brien: "Poll of those not voting: Deuchler, Leverenz, Terzich, and Wojcik. No further."

Speaker Giglio: "Representative Hallock."

Hallock: "I think everybody is here. We'll withdraw the verification request."

Speaker Giglio: "On this question there are 66 voting 'yes', 44 voting 'no', 2 voting 'present', and the Resolution is adopted. Representative Williams."

Williams: "For the record, I just wanted to mention that I voted 'aye' on that in spite of the fact that I might have a potential conflict of interest due to my wife working for the U of I, but I believe it's important to my district so I cast my 'aye' vote anyway. Thank you."

Speaker Giglio: "Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker. As a matter of personal privilege, I would like to, as one Member of this General Assembly, commend the temporary Speaker for his patience and his longevity in the Chair today. I think we all ought to give him a round of applause."

Speaker Giglio: "Well, I can only do with the cooperation of the House. Thank you. Mr. Clerk. Messages? Agreed Resolutions."

Clerk O'Brien: "House Joint Resolution 112, offered by Representative Kubik; 113, Daniels-Madigan; 114, Parke; 115, Hensel; 116, Hensel; House Resolution 675, Williamson; 676, Hasara; 678, Morrow; 679, Panayotovitch; 680, Harris; 683, DeJaegher; 684, DeJaegher; 685, DeJaegher; 687, Morrow; 688, Morrow; 689, Ronan; 690, Ewing; 691, Doederlein; 692, Greiman; and 693, Churchill."

Speaker Giglio: "Representative... Representative Matijevich on the Agreed Resolutions."

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Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, we have examined the Resolutions. They all are agreed to and I move the adoption of the Agreed Resolutions."

Speaker Giglio: "The Gentleman moves that the Agreed Resolutions be adopted. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 682, offered by Representative Ropp."

Speaker Giglio: "Committee on Assignments. Death... Death Resolutions."

Clerk O'Brien: "House Resolution 672, offered by Representative Daley, with respect to the memory of Joseph B. Gierut; House Resolution 677, offered by Representative Countryman, with respect to the memory of Jim Schultz; House Resolution 681, offered by Representative Countryman, with respect to the memory of Harley Pope; House Resolution 686, offered by Representative LeFlore, with respect to the memory of Douglas Huff, Sr.; House Resolution 694, offered by Representative Saltsman, with respect to the memory of W. L. 'Bill' Stamm."

Speaker Giglio: "Representative Matijevich moves that the House adopt the Death Resolutions. All those in favor signify by saying 'aye', those opposed 'nay', and the Resolutions are adopted. Represent... Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I'd like to have leave to go to the Order of Motions on Senate Bill 209, 210, and 211, to take them off the Speaker's Table so that I can place them in the Interim Study Calendar of the Committee on Registration and Education. It's been cleared by both sides of the aisle."

Speaker Giglio: "The Gentleman moves that Senate Bills 209, 210,

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and 211 be taken from the Table and placed in Interim Study. Does the Gentleman have leave for the Attendance Roll Call? Leave is granted. The Lady from Sangamon, Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I move to take Senate Bill 1047 off the Table and recommit to Interim Study."

Speaker Giglio: "Representative Hasara, has the Chairman of the Committee been notified what you want to do?"

Hasara: "Mr. Chairman, Representative Cullerton was the one who had an objection to the Bill, and he has agreed to put it into Interim Study."

Speaker Giglio: "The Lady asks leave to take Senate Bill 1047 from the Table and place it in Interim Study. Does the Lady have leave? Leave is granted. Leave is granted by the Attendance Roll Call. The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. I'm just curious at what time we're to report in tomorrow morning."

Speaker Giglio: "Hold just a minute, Representative. Representative McPike moves that the House now stand adjourned until 9:30 tomorrow morning. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the House now stands adjourned until 9:30 a.m. tomorrow morning, June 30th."

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