

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

6th Legislative Day

February 16, 1989

Speaker Curran: "The House will be in Perfunctory Session. The hour of 10:00 having arrived. We'll have a prayer by the Clerk."

Clerk O'Brien: "Lord, bless this House and all those that serve and work here. Amen."

Speaker Curran: "Pledge of Allegiance led by Keith Long, the Assistant Doorkeeper."

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

Clerk O'Brien: "Introduction and First Reading of Bills. House Bill 301, offered by Representative DeLeo, a Bill for an Act to amend the Medical Practice Act. First Reading of the Bill. House Bill 302, Breslin, a Bill for an Act to amend the Hospital Licensing Act. First Reading of the Bill. House Bill 303, Keane, a Bill for an Act in relation to taxation of gas. First Reading of the Bill. House Bill 304, Stephens, a Bill for an Act to amend the Child Care Act. First Reading of the Bill. House Bill 305, Hasara, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 306, Hultgren, a Bill for an Act to revise the law in relation to Casimir Pulaski's birthday. First Reading of the Bill. House Bill 307, Breslin, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 308, Countryman, a Bill for an Act in relation to motor vehicle insurance. First Reading of the Bill. House Bill 309, Johnson, a Bill for an Act in relation to income tax checkoffs. First Reading of the Bill. House Bill 310, W. Peterson, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 311, Anthony Young,

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a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 312, Ropp, a Bill for an Act in relation to counties. First Reading of the Bill. House Bill 313, Mautino, a Bill for an Act to amend the Liquor Control Act. First Reading of the Bill. House Bill 314, Hultgren, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. House Bill 315, Hultgren, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 316, Cowlshaw, a Bill for an Act to amend the Illinois Aeronautics Act. First Reading of the Bill. House Bill 317, Cowlshaw, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 318, Cowlshaw, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 319, Countryman, a Bill for an Act to amend the Liquor Control Act. First Reading of the Bill. House Bill 320, Dunn, a Bill for an Act making appropriations for the ordinary and contingent expense of the Department of Commerce and Community Affairs. First Reading of the Bill. House Bill 321, Dunn, a Bill for an Act to amend the Public Utilities Act. First Reading of the Bill. House Bill 322, Dunn, a Bill for an Act to amend the Civil Administrative Code. First Reading of the Bill. House Bill 323, Dunn, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 324, Dunn, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 325, Dunn, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 326, Dunn, a Bill for an Act in relation to verification of statements, documents and data and the authentication of signatures. First Reading of the Bill. House Bill 327, Dunn, a Bill for an Act concerning conveyances. First Reading of the

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Bill. First Reading and Introduction of Constitutional Amendments. House Joint Resolution Constitutional Amendment #2, introduced by Representative Parcells."

WHEREAS, The First Congress of the United States of America, at its first session begun and held March 4, 1789, sitting in New York, New York, in both houses, by a constitutional majority of two-thirds thereof, adopted the following proposition to amend the Constitution of the United States of America in the following words, to wit:

RESOLVED, by the Senate and House of Representatives of the United States of America in Congress assembled, two thirds of both Houses concurring, that the following [Article] be proposed to the Legislatures of the several States, ... which [Article], when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution, viz.:

[An Article] in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

Article the second ... No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened; and

WHEREAS, Article V of the Constitution of the United States allows the ratification of the proposed Amendment to the United States Constitution by the General Assembly of the State of Illinois; and

WHEREAS, Article V of the Constitution of the United States does not dictate a time limit on ratification of an amendment submitted by Congress, and the First Congress specifically did not

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provide any time constraint for ratification of the above-quoted Amendment; and

WHEREAS, The Supreme Court of the United States in 1939 ruled in the landmark case of Coleman v. Miller that Congress is the final arbiter on the question of whether too much time has elapsed between Congress' submission of a particular amendment and the most recent state legislature's ratification of same if Congress did not specify a deadline on the proposal's consideration; and

WHEREAS, Section 11 of Article IV of the Constitution of the State of Illinois provides that "(C)hanges in the salary of a member (of the Illinois General Assembly) shall not take effect during the term for which he has been elected."; and

WHEREAS, The General Assembly of the State of Illinois finds that the proposed Amendment is still meaningful and necessary as part of the United States Constitution and that the present political, social and economic conditions are the same as or are even more demanding today than they were when the proposed Amendment was submitted for its adoption; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the foregoing proposed amendment to the Constitution of the United States is ratified by the General Assembly of the State of Illinois; and be it further

RESOLVED, That the Secretary of State of Illinois shall transmit certified copies of this resolution to the Archivist of the United States, to the Vice-President of the United States and to the Speaker of the United States House of Representatives with a request that it be printed in full in the Congressional Record.

Clerk O'Brien: "First Reading of Constitutional Amendment #2.

House Joint Con... House Joint Resolution Constitutional

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Amendment #3, introduced by Representative Klemm."

WHEREAS, The First Congress of the United States of America, at its first session begun and held March 4, 1789, sitting in New York, New York, in both houses, by a constitutional majority of two-thirds thereof, adopted the following proposition to amend the Constitution of the United States of America in the following words, to wit:

RESOLVED, by the Senate and House of Representatives of the United States of America in Congress assembled, two thirds of both Houses concurring, that the following [Article] be proposed to the Legislatures of the several States, ... which [Article], when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution, viz.:

[An Article] in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

Article the second ... No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened; and

WHEREAS, Article V of the Constitution of the United States allows the ratification of the proposed Amendment to the United States Constitution by the General Assembly of the State of Illinois; and

WHEREAS, Article V of the Constitution of the United States does not dictate a time limit on ratification of an amendment submitted by Congress, and the First Congress specifically did not provide any time constraint for ratification of the above-quoted Amendment; and

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WHEREAS, The Supreme Court of the United States in 1939 ruled in the landmark case of Coleman v. Miller that Congress is the final arbiter on the question of whether too much time has elapsed between Congress' submission of a particular amendment and the most recent state legislature's ratification of same if Congress did not specify a deadline on the proposal's consideration; and

WHEREAS, Section 11 of Article IV of the Constitution of the State of Illinois provides that "(C)hanges in the salary of a member (of the Illinois General Assembly) shall not take effect during the term for which he has been elected."; and

WHEREAS, The General Assembly of the State of Illinois finds that the proposed Amendment is still meaningful and necessary as part of the United States Constitution and that the present political, social and economic conditions are the same as or are even more demanding today than they were when the proposed Amendment was submitted for its adoption; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the foregoing proposed amendment to the Constitution of the United States is ratified by the General Assembly of the State of Illinois; and be it further

RESOLVED, That the Secretary of State of Illinois shall transmit certified copies of this resolution to the Archivist of the United States, to the Vice-President of the United States and to the Speaker of the United States House of Representatives with a request that it be printed in full in the Congressional Record.

Clerk O'Brien: "First Reading, Constitutional Amendment #3. Perfunctory Session will stand in recess until 1:00. The hour of 1:00 having arrived, the Perfunctory Session will be in order. Introduction and First Reading of Bills.

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House Bill 328, Leverenz, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 329, Wojcik, a Bill for an Act to amend the Township Law. First Reading of the Bill. House Bill 330, Matijevich, a Bill for an Act to require toilet facilities for the use of employees on construction projects. First Reading of the Bill. House Bill 331, Currie, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill 332, Cullerton, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Perfunctory Session will now stand at ease until 4:00. The hour of 4:00 having arrived, the Perfunctory Session will be back in order. Introduct... Introduction, First Reading of Bills. House Bill 333, offered by Representative Mays, a Bill for an Act in relation to state occupation and use tax applications. First Reading of the Bill. House Bill 334, Regan, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. House will stand at ease. Introductions. House Bill 335, Granberg, a Bill for an Act in relation to surrogate parenthood arrangements. First Reading of the Bill. House Bill 336, Ropp, a Bill for an Act to amend the Animal Control Act. First Reading of the Bill. House Bill 337, LeFlore, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. Being no further business, the House now stands adjourned."

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