

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

129th Legislative Day

June 14, 1990

Speaker McPike: "The House will come to order. The Chaplain for today is Father Anthony Tzortzis of St. Anthony's Hellenic Orthodox Church of Springfield. Father Tzortzis is the guest of Representative Curran. The guests in the balcony may wish to rise and join us for the invocation."

Father Tzortzis: "In the name of the Father and of the Son and of the Holy Spirit, amen. Glory to Thee, Our God, glory to Thee. Heavenly King and Comforter. The Spirit of truth. Who art everywhere present and fill us all things. The Treasury of the blessings and Giver of life. Come and dwell in the hearts and in the minds of our State Representatives and all loyal officers of our government, of our country. Purify them from every stain and of Thy goodness save their souls. Amen."

Speaker McPike: "Thank you very much, Father. We'll be led in the Pledge of Allegiance by Representative Shirley Jones."

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

Speaker McPike: "Roll Call for Attendance. Representative Young, would you change Preston from 'no' to 'present'. Representative Matijevich. Representative Matijevich."

Matijevich: "Mr. Speaker, there are no excused absences on this side of the aisle."

Speaker McPike: "Thank you. Anything from...Representative Kubik or Piel, I'm sorry."

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

Speaker McPike: "Alright, fine. Take the record, Mr. Clerk. 118 Members answered the Roll Call. A quorum is present. We have Alderman Jesus Garcia from Chicago with us today. Alderman, welcome to the General Assembly. Committee

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Reports. Excuse me, Representative Jones, Shirley Jones."

Jones, S.: "I would like to just remind everybody. Today is Flag Day. That's all."

Speaker McPike: "Committee Reports."

Clerk O'Brien: "Representative Bowman, Chairman of the Committee on Appropriations II, to which the following Bills were referred, action taken June 14, 1990 reported the same back with the following recommendations: 'do pass' Senate Bills 1786, 1789, 1787, 1792, 1791, 1793, 1794, 1811, 1832 and 1929; 'do pass as amended' Senate Bills 1788, 1810, 1826, 1827, 1828, 1829, 1831 and 1784. Committee Report. Representative Matijevich, Chairman of the Committee on Rules, to which the following Resolutions was referred, action taken June 14, 1990 reported the same back with the following recommendations: 'be adopted' Senate Joint Resolution 191."

Speaker McPike: "Agreed Resolutions."

Clerk O'Brien: "House Resolution 1908, offered by Representative Matijevich, 1909, Matijevich; 1910, Matijevich; 1911, Matijevich; 1912, Parcels; 1913, Weaver; 1917, Trotter; 1918, Keane; 1921, Pullen; 1924, Stephens; 1925, Ryder; 1926, Ryder; 1927, Giglio; 1928, Ropp; 1929, Hultgren."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, these are all congratulatory Resolutions. I move the adoption of the Agreed Resolutions."

Speaker McPike: "The Gentleman moves the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it. And the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "Senate Joint Resolution 146, Kubik; Senate Joint Resolution 147, Kubik; Senate Joint Resolution 177, Hasara; Senate Joint Resolution 183, Cullerton; Senate Joint

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Resolution 190, Woolard and Goforth. Committee on Assignment."

Speaker McPike: "Committee on Assignment. Death Resolutions."

Clerk O'Brien: "House Resolution 1914, offered by Representative Cowlshaw, with respect to the memory of Nancy Eileen Ali. House Resolution 1915, offered by Representative Shaw, with respect to the memory of George Phillips. House Resolution 1916, offered by Representative Saltsman, with respect to the memory of Ralph Metts. House Resolution 1919, offered by Representative Tenhouse, with respect to the memory of Iola M. Sorrill. House Resolution 1920, offered by Representative Anthony Young, with respect to the memory of Clara Helen Thompson. House Resolution 1922, offered by Representative Cullerton, with respect to the memory of Byron Schaffer Jr. House Resolution 1923, offered by Representative Stephens, with respect to the memory of Sophia Kurowski."

Speaker McPike: "Representative Matijeich moves the adoption of the Death Resolutions. All in favor say 'aye', opposed 'no'. And the 'ayes' have it. The Death Resolutions are adopted. Representative Matijeich."

Matijeich: "Mr. Speaker, Ladies and Gentlemen of the House. I move that we dispense with the reading of the Journal and the following Journals be approved: Journal #82 of January 31st thru Journal #113 of May 9th, 1990."

Speaker McPike: "You've heard the Gentleman's Motion. Is there any discussion or opposition? Hearing none, the Attendance Roll Call will be used and the Gentleman's Motion carries. Consent Calendar, Second Reading."

Clerk Leone: "Senate Bill 1488, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. Senate Bill 1498, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Senate Bill 1532, a

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Bill for an Act in relationship...relation to regulated professions. Second Reading of the Bill. Senate Bill 1572, a Bill for an Act to amend an Act to prohibit minors from buying or selling tobacco. Second Reading of the Bill. Senate Bill 1573, a Bill for an Act to amend the Voluntary Payroll Deduction Act. Second Reading of the Bill. Senate Bill 1588, a Bill for an Act to establish and administer the Alton Lake Heritage Parkway together with House Amendment #1. Second Reading of the Bill. Senate Bill 1613 has been objected to and been removed from the Consent Calendar. Senate Bill 1635, a Bill for an Act to amend the Township Law. Second Reading of the Bill. Senate Bill 1641, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. Senate Bill 1657, a Bill for an Act to amend the Public Building Commission Act. Second Reading of the Bill. Senate Bill 1689, a Bill for an Act to amend the Illinois Credit Union Act. Second Reading of the Bill. Senate Bill 1723, a Bill for an Act to amend the Business Corporation Act. Second Reading of the Bill. Senate Bill 1744, a Bill for an Act to amend the Illinois Physical Therapy Act. Second Reading of the Bill. Senate Bill 1761, a Bill for an Act to amend the Illinois Low Level Radioactive Waste Management Act. Second Reading of the Bill. Senate Bill 1840, a Bill for an Act to amend an Act in relationship to youth with disabilities. Second Reading of the Bill. Senate Bill 1856, a Bill for an Act to amend the Illinois Lottery Law. Second Reading of the Bill. Senate Bill 1867, a Bill for an Act in relation to fire protection. Second Reading of the Bill. Senate Bill 1882, a Bill for an Act to amend the Consumer Installment Loan Act. Second Reading of the Bill. Senate Bill 1897, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Senate Bill 1905, a Bill for an Act

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to amend the Illinois...to amend the Local Government Debt Reform Act. Second Reading of the Bill. Senate Bill 1958, a Bill for an Act authorizing the conveyance of land in Cook County. Second Reading of the Bill. Senate Bill 1991, a Bill for an Act in relationship to the Vermilion County Conservation District. Second Reading of the Bill. Senate Bill 2039, a Bill for an Act to amend the Humane Care of Animals Act. Second Reading of the Bill. Senate Bill 2067, a Bill for an Act to amend the Municipal Code. Second Reading of the Bill. Senate Bill 2088, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Senate Bill 2090, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Senate Bill 2109 a Bill for an Act relating to emergency management. Second Reading of the Bill. Senate Bill 2124, a Bill for an Act concerning land in Kane County. Second Reading of the Bill. Senate Bill 2184, a Bill for an Act in relationship to taxes. Second Reading of the Bill. Senate Bill 2193, a Bill for an Act to create the Juvenile Detention Center Revolving Loan Fund. Second Reading of the Bill. Senate Bill 2209, a Bill for an Act to revise the law. Second Reading of the Bill. Senate Bill 2256, a Bill for an Act in relationship to international trade. Second Reading of the Bill. Senate Bill 1676, a Bill for an Act to amend the School Code. Second Reading of the Bill. Senate Bill 1850, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Senate Bill 1860, a Bill for an Act to amend the Crime Victims Compensation Act. Second Reading of the Bill. Senate Bill 1985, a Bill for an Act to amend the School Code. Second Reading of the Bill. Senate Bill 2026, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. Senate Bill 2078, a Bill for

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an Act to amend the Illinois Criminal Justice Information Act. Second Reading of the Bill."

Speaker McPike: "Representative McCracken. No. No. We have...I thought you did, yes, yes. The Clerk has erred and read into the record. On page 14 of the Calendar, the Consent Calendar, are Bills on Third Reading. Those will be stricken from...Senate Bills 1676, 1850, 1860, 1985, 2026 and 2078 will be stricken from the Second Reading that the Clerk has just finished. And Representative McCracken has an Amendment on...Mr. McCracken."

McCracken: "Senate Bill 1641, Mr. Speaker."

Speaker McPike: "Alright, 1641, the Bill's been read a Second time. Mr. Clerk, are there any Amendments?"

McCracken: "Oh, I'm sorry, Mr. Speaker. It's not...I apologize. It's not 1641. It's Senate Bill 1905."

Speaker McPike: "Senate Bill 1905. The Bill's been read a Second time. Are there any Amendments, Mr. Clerk?"

McCracken: "We just filed it."

Speaker McPike: "Mr. Clerk, are there any Amendments? There are no Amendments. Mr. McCracken."

McCracken: "It has been filed."

Speaker McPike: "Alright, this...this Bill, 1905, Senate Bill 1905 will remain on Second Reading. The following...the rest of the Bills that are on Consent Calendar, Second Reading, have been read a second time. Third Reading. Alright, could the Chair have the attention of the Members. Representative Kirkland, Representative Klemm, could the Chair have the attention of the Members. I'd like to introduce from my district, Ed Hightower. Ed Hightower is the principal of one of the elementary schools in Alton and he's also a official for the NCAA. Some weeks ago we passed a Resolution honoring Ed Hightower. And I would just like to read a few things that were on that

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Resolution. This year he officiated at the NCAA finals in Denver between UNLV and Duke. He was one of the three officials that worked that game. He has also officiated at the NIT Championship Semifinal between DePaul and St. Louis University. He's been officiating for the Big Ten for the last 13 years. And he's also been a teacher and an administrator for the last 17 years. I think one thing that the people in Alton are proud of is that, although he officiates through the week, he always flies out in a private plane and flies back in a private plane because he has a policy that he never misses a day of school. He's an educator first and a basketball official second. So, I brought him up here today so that the the General Assembly could listen to him and to congratulate him, Mr. Ed Hightower."

Hightower: "Thank you, Mr. McPike. I want to take this opportunity to thank you for giving me just a moment to say, thank you for all of the support that you've given me, you've given education. And I want you to know that I am an educator first. We have to keep those things into priority. And you help me to do that. Thank you so kindly for this opportunity. Thank you again."

Speaker McPike: "I'm sure that there are some basketball fans on the House floor that want to talk to Ed. As I said, he officiates at all the major tournaments. And here's a guy from Alton, Jesse White. I know he wants to talk to him. So, he's going to stay on the House floor if anybody would like to talk to him about some of the basketball things. Thanks alot, Ed. On Special Order under Banking, appears Senate Bill 2083, Representative Hicks. Out of the record. Education, Second Reading, Senate Bill 1512, Representative Steczo. Senate Bill 1591, Representative Levin. Representative Steczo, Senate Bill 1512. Mr. Clerk, read

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the Bill."

Clerk O'Brien: "Senate Bill 1512, a Bill for an Act relating to drivers license. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. Senate Bill 1766, Representative Kirkland. Mr. Kirkland? No? Out of the record. Environment, Second Reading. Mr. Balanoff, Senate Bill 1508. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1508, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Alright, there's a request for...Representative Balanoff. Balanoff."

Balanoff: "Mr. Speaker, the request for the fiscal note has been withdrawn."

Speaker McPike: "It has been withdrawn by, Representative Stange. A fiscal note request has been withdrawn, there's a request for a state mandate. So, the Bill stays on Second Reading. Senate Bill 1838, Representative Brunsvold. Brunsvold? Out of the record. Senate Bill 2001, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2001, a Bill for an Act in relation to recyclable and degradable products. Second Reading of the Bill. Amendments #1, 2, 3, 4, 8 and 9 were adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #10, offered by Representative Keane - Barnes - McGann."

Speaker McPike: "Representative Keane."

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Keane: "Thank you, Mr. Speaker. Floor Amendment #10 deals with the Robbins Incinerator as it applies to the air...the siting. One of the problems with environmental siting as all of you know, we allow a municipality to site, be the siting approval for a landfill and that's appropriate. However, we've now come across the first incinerator in recent years, especially one in a metropolitan area, and the Robbins Incinerator siting was limited only to the City of Robbins. The interesting thing is that the affluent or the discharge from the smoke stack doesn't have that big of an impact on Robbins but actually falls out in a five mile radius around Robbins. House Amendment, or rather Floor Amendment #10, basically says that in a county of where the population of more than 3 million, so it, that I am wide open on, what my intent is that anywhere there are large or dense populations that at very least the municipalities within five miles surrounding the chimney of an incinerator should have a voice in that permitting. It did not occur in this case. In my community the people are very, very upset because they were not part of the siting, they are not aware and did not have an opportunity to question the EPA and to question the people who are putting, installing the incinerator as to what is going to come out of that smoke stack. Green Peace and other groups have come in and indicated that there will be substantial mercury and toxins omitted into my district and into other Members districts and for that reason this Bill, or this Amendment would require before any incinerator is sited in a large or in a densely populated area, right now that's limited to Cook county, but I have no problem expanding it to include other densely populated areas, that any incinerator would have to have the EPA would have to in permitting, talk to and have discourse with the municipalities located within five miles

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of this incineration. I'd be happy to answer any question and ask for a favorable Roll Call."

Speaker McPike: "Any discussion on this? Representative Black."

Black: "Thank you very much, Mr. Speaker. Inquiry of the Chair. We believe that with the adoption of Amendment #9 the...yesterday, the Section numbers that appear therefore on Amendment #10 are incorrect making Amendment #10 out of order. And we'd like response from the Chair on that."

Speaker McPike: "Alright, the Chair will check the, whether or not the Amendment is in order. Representative McCracken on the Amendment. I'm sorry, Representative McNamara on the Amendment."

McNamara: "Thank you, Mr. Speaker. The Sponsor would yield for a couple of questions? Thank you. Representative, since you admitted in your dialogue that this directly affects the Robbins Incinerator let me ask you a couple questions on it. Is Chicago included in this? This ban, in other words does Chicago have to apply by this five mile radius?"

Keane: "Yes, this would occur."

McNamara: "Except that in this Amendment it has a population other than a city with a population of more than one million, so it means that, if my interpretation is correct, that you are planning to ban to all suburban areas. Yet at the same time Chicago doesn't have to live by that ban."

Keane: "No, your incorrect, what the Amendment says if an incinerator is placed outside of the City of Chicago, and but the city is within five miles of the smoke stack, then Chicago would have an opportunity to become involved in this..."

McNamara: "Yes, yes, Chicago has veto power over any suburb that would happen to put up an incinerator, but the same situation does not is not caused in the reverse. The suburbs according to...if I read this...does not have any

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veto power over the City of Chicago, locating an incinerator on their borders."

Keane: "That's...that would be correct, but that is because of the prevailing winds in the area, as you are aware, mostly this will wash from West to East."

McNamara: "Alright, in other words all winds in Chicago, blow in to, Chicago but all the winds in the suburban area, they would be the recipient of all those, all that air, no matter what part of Chicago it's in."

Keane: "No, no, the winds in the Chicago area, the prevailing winds go from West to East, where and that 's the problem with the Robbins Incinerator in my district, what will happen is that the winds will go from West to East and what's happening as you know, the lake is getting quite contaminated because of it was...this is the same argument we had on Sun Chemical because of the prevailing winds take those emissions over downtown Chicago."

McNamara: "I was unaware that we did not have any northerly winds or southerly winds in the Chicago area, I did not know that that did not occur in Chicago."

Keane: "No, there are temporary, temporarily there are changes but the prevailing winds which is what EPA uses in siting are the ones that we're addressing here."

McNamara: "And it's still regardless of that it gives, this Bill gives veto power.."

Keane: "Well, let me ask you this, if I Amended this..."

McNamara: "Excuse me I believe..."

Keane: "If I amended it to include Chicago would you support the Bill?"

McNamara: "I have another question as well."

Keane: "Pardon me?"

McNamara: "I have another question as well."

Keane: "You don't want to answer my question?"

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McNamara: "If Robbins was in your area would you support the Bill?"

Keane: "No, I would not support Robbins..."

McNamara: "Probably not because your from Chicago, I understand.

Let's continue with the same questions that we have. The second thing that I'm concerned about is, is that it is recognized, perhaps I should talk to the Bill rather than to Styler because we both know where we stand on this issue, and I have great respect for you as a legislator, I want to give you the other viewpoint. What we're looking at here is Chicago, would have veto power over any incinerator to be built around it's boundaries. Yet if Chicago desired to put up an incinerator in Representative Balanoff's area, they could do so, if they wish to do it on the North side of Chicago, even on a boundary they could do it because there would be no veto power in effect. The second situation is that Chicago is also trying to dictate to the state in saying that if they hold off all of these incinerators from either the Chicago area or for the suburban areas, in Cook county, which are within five miles of Chicago, then they would relocate all of their incinerators then downstate because Chicago would have the last word over it's area. I encourage that this is an extremely bad piece of legislation for anybody to perpetrate it is very parochial in nature, it effects a town in my district and I urge your 'no' votes."

Speaker McPike: "Representative Shaw."

Shaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill, to the Amendment. Certainly Representative McNamara is absolutely right and this Amendment gives Chicago veto power over all suburban communities if they are within five miles of the City of Chicago, and you should think about this you suburbanites. Do you want

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Chicago in control of your destiny? In terms of dealing with the incinerators and the way you dispose of garbage in your area? One of the other things about this Amendment is the people of Robbins Illinois through it's duly elected mayor spoke, the mayor said she wanted and has signed off on this incinerator. This is a town that have been, where the mayor has been duly elected and they have a right of self determination and they should not, it should not be impeded by this legislative Body. Certainly, I respect Representative Keane, he might have good intentions if he was talking about up in Milwaukee somewhere but certainly this is the wrong approach to take, to this to Robbins. And we should be about the business of defeating this Amendment, and I ask for a 'no' vote on this Amendment."

Speaker McPike: "Representative Barnes."

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am Cosponsoring this Amendment with Representative Keane, and while he is from Chicago, I am from the suburbs and my district borders next to Robbins I agree that Robbins has had financial problems and the mayor is thinking that this is going to create a few jobs for her people. But do we want a few jobs or do we want to have clean air for the families that are there and for the children to come down the line? This particular manufacturer of this incinerator had incinerators in other states that have been quite faulty, I think that we have moved too quickly into establishing this particular incinerator in the Village of Robbins. We have had thousands and thousands of signatures from people in Representative Steczko's district, Representative Keane's district and in my district and in Zickus's district, because they feel we are moving far too quickly. We must protect the environment, we must protect our health. I

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urge an 'aye' vote on this Amendment."

Speaker McPike: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. I clearly think that this is an issue that ought to be determined and decided at the local level. There has been a process that has been followed with regards to the siting of this incinerator in Robbins, I would simply say that number one local siting approval was granted. Number two, the EPA came in and they had to do their required technical review in order to make certain the safeguards where there, a state agency, that was done. Number three, three days ago the EPA was granted, granted Robbins the siting. I think the real question here is do we think we are capable of determining whether or not an incinerator ought to be sited at the local level, above and beyond local officials, above and beyond the state EPA, are we going to really put ourselves in that role or are we going to allow the locals to do it. Finally, I would simply say that I also as a suburbanite do not want the City of Chicago to determine how we are going to handle the refuse and if there are suburbs that choose to site an incinerator to handle solid waste in the State of Illinois, they ought to be able to make that decision at the local level, ask yourself would you want Chicago to sign off with regards to approval like this or would you want the locals to do it along with the state EPA? I think the obvious choice is there. A 'no' vote is the right vote on this Amendment."

Speaker McPike: "Representative Monroe Flinn."

Flinn: "Mr. Speaker, I move the previous question?"

Speaker McPike: "The Gentleman moves the previous question. The question is 'Shall the previous question be put?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. Representative Keane to close."

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Keane: "Mr. Speaker, has there been a ruling on the...there was a request of ruling..."

Speaker McPike: "Oh, okay, yes, thank you. Representative Black, the Amendment is in order."

Keane: "It's been ruled in order?"

Speaker McPike: "Yes."

Keane: "Thank you. In regard to some of the comments that were made earlier, I think the fact that Robbins and I have voted in the past for economic development, and for other assistance to Robbins. I don't think however, that any one group can or any one locality can do something harmful to another, to it's neighbors and walk away on the basis that they need that income even though it has a negative effect on the health of the surrounding areas and that in effect justifies them getting the siting of an incinerator. We don't have that many incinerators, I believe that until or since we passed the new siting law which allows local governments to site landfills and incinerators that this is the first incinerator that's come up. I have a feeling that should this remain the law that the next incinerator that's built, it will be a new set of State Representatives standing up saying we don't want this incinerator two towns away from us because it is discharging mercury, toxins and various other things on us. If, in fact, it is harmless, if, in fact, what comes out of the smoke stack is not dangerous then let's open up the siting to those towns within five miles around it. I also just don't think good common sense says that you burn, you burn garbage or you burn anything in congested areas. The City of Chicago was the first city, major city to in the state that burned banning of leaves, so they have taken a giant step forward that way. My...I don't think the Amendment, it was not my intention for this Amendment to have Chicago tell other

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people what they have to do. It is my intention to say that we have plenty of area, unpopulated or lightly populated areas that have would make a better environmental sink than the heavily populated areas and I believe that it's fine for Robbins to make this decision, but their waste is falling on other peoples territories, they are gonna end up paying the price. And for that reason, I'd ask your support of this Amendment."

Speaker McPike: "The question is 'Shall Amendment #10 be adopted?' All those in favor vote 'aye', opposed vote 'no'. Representative Kulas to explain his vote. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment there are 10 'ayes', 91 'nos'. Representative Keane. Representative Keane did you wish to poll the absentees."

Keane: "Has this...has this won the Bryant Duff award? I'm sorry about that."

Speaker McPike: "On this Bill there are 10 'ayes', and 91...on this Amendment there are 10 'ayes' and 91 'nos', and the Amendment fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #11 offered by Representative Keane."

Speaker McPike: "Representative Keane withdraws Amendment #11. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "The Bill will be held on Second Reading. Senate Bill 2110, Representative Hicks. Before we do that, Representative Hoffman. Representative Hoffman here? Alright, Representative Hicks, do you want to call this Bill? Mr. Clerk, that's Senate Bill 2110. Read the Bill, Mr. Clerk. Representative Breslin in the Chair. Representative McPike in the Chair. Proceed."

Clerk O'Brien: "Senate Bill 2110, a Bill for an Act in relation

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to oil and gas. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. Senate Bill 2253. Out of the record. Now, on Education, Third Reading, appears Senate Bill 1556. Representative Hoffman. The Gentleman asks leave to return the Bill to Second Reading for an Amendment. Does the Gentleman have leave? Leave's granted. The Bill's on Second Reading. Mr. Clerk, are there any Amendments filed?"

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

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. This adds an immediate effective date to the Bill. And I move for the adoption of Amendment #1."

Speaker McPike: "Question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Criminal Law, Second Reading, Senate Bill 1702, Representative Goforth. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1702, a Bill for an Act to amend certain Acts in relation to solid wastes. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #3 is a Bill passed out of here May 10th, 115 to 0, in regards to notification of compost sites. It got wrapped up in the Senate and I'd like to ask that it be placed on this Bill and moved out. It's very important to my area. I have now added two more compost sites to the district from four to six in the last week. I'd appreciate your 'yes' vote."

Speaker McPike: "Representative Kulas on the Motion."

Kulas: "Will the Sponsor yield to a question?"

Speaker McPike: "Yes."

Kulas: "Is this similar to a Bill that you passed out of this General Assembly that limits siting on composting? Is that what it is?"

Regan: "No, there is absolutely no limit whatsoever. It's just notification to the Representative, the Senator of the district, any home within 250 feet and just a notice in the newspaper. We even eliminated the public hearing."

Kulas: "Alright, thank you."

Speaker Breslin: "Any further discussion? Representative Breslin in the Chair. There being no further discussion, the question is 'Shall Amendment 3 be adopted to Senate Bill 1702?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #4 offered by Representative Phelps - Goforth. "

Speaker Breslin: "Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the

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House. I move to table Amendment #4."

Speaker Breslin: "Withdraw #4. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #5 offered by Representative Phelps and Goforth."

Speaker Breslin: "Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment 5 seeks to address an ongoing potential that we have we done face this in Illinois and probably a national problem in the way of scrap tires, to assist industry and private business that's trying to come up with technologies. And we know we've worked with the Coal Board and all the other entities that are in place to try to move the technology forward to not only burn high sulphur coal but tires."

Speaker Breslin: "Excuse me, Representative. Representative Cullerton, for what reason do you seek recognition?"

Cullerton: "I'm not rising in opposition. I just haven't read the Amendment because it's not been printed."

Speaker Breslin: "Representative Phelps, the Amendment has not been printed and distributed. Would you like to hold this Bill? We'll come back to it when we can. The Bill will be held on Second."

Phelps: "I apologize for that."

Speaker Breslin: "It's okay. The next Bill is Senate Bill 1874, Representative Weller. Mr. Weller in the chamber? Out of the record. Senate...Representative Weller, Senate Bill 1874. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1874, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. Floor Amendment #2 offered by Representative McCracken."

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Speaker Breslin: "Representative McCracken."

McCracken: "Thank you, Madam Speaker. This Amendment would require the Director of the Department of Corrections when reasonably able to...alright, please withdraw this numbered Amendment."

Speaker Breslin: "Withdraw #2, any further Amendments, Mr. Clerk?"

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

Speaker Breslin: "Representative Weller."

Weller: "Thank you, Madam Speaker. Amendment #3 just insures that all counties are applied and equally under the Bill. I move for its adoption."

Speaker Breslin: "The Gentleman has moved the Adoption of Amendment 3 to Senate Bill 1874. On the question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "Okay. Representative Weller, so as to understand your Amendment. Could you briefly explain what Senator Geo-Karis is attempting to do with her Bill? And also tell me about Amendment #1 that was adopted."

Weller: "Representative, what Senator Geo-Karis is attempting to do with her Bill. It's a Bill that was initiated by Lake County and supported by the Metro Counties Council and the Urban County Council. There's no problem with Cook County. We've run the Bill by the President of the Cook County Board."

Cullerton: "Madam Speaker, I cannot hear a word he's saying."

Speaker Breslin: "I understand."

Weller: "Representative..."

Speaker Breslin: "Just a moment...just a moment. Proceed, Representative Weller."

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Weller: "Thank you, Madam Speaker. Representative, this Bill was an initiative of the County of Lake. It's an initiative that's supported by the Metro and Urban County Councils. It's been run by the Cook County Board President. He has no problems with the Bill. The Amendment #1 clarified the language so that the language was discretionary. And the counties would have the authority to seek to recover costs, however, it's a decision up to them. So, that it's 'may' instead of 'shall' that was the intent of Amendment #1."

Cullerton: "Amendment #1 was to make it discretionary in counties other than Cook?"

Weller: "Correct. At the time we ran the Bill in committee we had not received a final comment back from the Cook County Board President. The decision of the Urban County Council as of that time...just to exclude Cook County at that time. What Amendment #3 does, my Amendment does, is to return Cook County. So that Cook County would have the option just as all the other 101 counties in the state."

Cullerton: "What this means then is that...Is it still discretionary for all the counties?"

Weller: "That is correct. It's up to the county board of that county. This gives them the authority to make that decision."

Cullerton: "And what we're talking about here is requiring someone who's placed on...someone who's ordered to have a drug test or be on electronic monitoring...We're saying that they must be...pay the cost associated with it?"

Weller: "Under the language of the Bill, the chief court of that circuit...excuse me...the chief judge of that circuit, I hope you can hear me, Representative, the chief judge of that circuit would set the ability to pay scale and make those recommendations to the county board of that county. And they would be asked to adopt that before they can do

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the program according to the language of the Bill."

Cullerton: "Okay, and you've indicated that you think Amendment #3...You've learned from someone in Cook County that they're in favor of the Amendment?"

Weller: "The...after the Bill was heard in committee and voted out of committee, we received the word from a representative of the Cook County Board President that Cook County has no problem being included in the Bill."

Cullerton: "Okay, thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Amendment 3 be adopted to Senate Bill 1874?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. And the Amendment's adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative McCracken."

McCracken: "Alright, thank you. Amendment #4 would require that the director when he is reasonably able to do so to seek reimbursement for costs and expenses associated with the imprisonment of convicted defendants. Current law specifies that he may do so and it has been interpreted to be in his discretion. This Bill originally or this Amendment is patterned after a Bill which originally would have required the director to do so. The Department of Corrections asked for the Amendment essentially leaving intact the director's discretion to do so. So, the Bill...the Amendment doesn't do much if that's any comfort. That's why I thought we'd run it now and get it over with. I move its adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 4 to Senate Bill 1874. On that question, the Gentleman from Cook, Representative Cullerton."

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Cullerton: "Yes, will the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "I see that we're saying with regard to the director that he 'shall when reasonably able require convicted persons...' But we say that the Attorney General 'shall' maybe we should say 'when he's reasonably able to.'"

McCracken: "Yes, that's...I'm sorry, you're right. Well, you know, the Attorney General doesn't get called into it unless the director asks him to do it in which case he is required."

Cullerton: "So, what you're really saying here is if you have a situation where the director wants to require convicted people who are committed to his custody to reimburse the department for the expenses incurred by their incarceration. And he turns to the Attorney General and he says 'now you file an action'. Right now under current law the Attorney General could decide that he doesn't want to. And this would change that and say that he must."

McCracken: "Correct. Correct."

Cullerton: "So, this is like...is this along the lines like if you get a hotel bill for staying at in a certain facility. This...you send the prisoner a bill for staying in the..."

McCracken: "And hope he pays."

Cullerton: "Of course, this is a guy that doesn't want to stay in the hotel in the first place."

McCracken: "Yeah, yeah, so he'll probably claim that he's unable to pay. But you see this way we'll make sure that the Attorney General finds out if, in fact, he's unable to pay. It's a great system."

Speaker Breslin: "Any further discussion? There being none, the question is, 'Shall Amendment 4 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are

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Second Reading, State and Local Government. The Sponsors are: Steczko, Hartke, Hicks, Parke, Brunsvold, Cullerton, Bowman, Peterson, Saltsman, Ewing, Kirkland, Keane. So, please be ready to present your Bills and to move them to Third. The first Bill is Senate Bill 1617, Representative Steczko. Clerk, out of the record. Senate Bill 1619. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1619, a Bill for an Act to amend the Smoke Detector Act. Second Reading of the Bill. There are no Committee or Floor Amendments"

Speaker Breslin: "Representative Hartke, there is a debt impact note requested on this Bill and it has not yet been filed. So, the Bill must remain on the Order of Second until that is complied with. The next Bill is Senate Bill 1649. Representative Hicks. Representative Hicks. Would you turn on Representative Hicks so he can tell me what is on his mind?"

Hicks: "Yes, just a question of the Clerk, if an Amendment has been filed. You don't have it yet?"

Speaker Breslin: "Mr. Clerk, can you tell us if the Amendment has been printed and distributed?"

Hicks: "I don't believe it's been distributed yet...excuse me...printed yet. It may have been distributed. Out of the record."

Speaker Breslin: "Out of the record. Senate Bill 1709, Representative Parke. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1709, a Bill for an Act to amend the Illinois Nursing Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1750, Representative Brunsvold. Out of the record. Senate Bill 1776, out of the record. Senate Bill 1847, Representative Bowman. Clerk, read the Bill."

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Clerk Leone: "Senate Bill 1847, a Bill for an Act to amend the State Comptroller Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "There are no Motions or Amendments."

Speaker Breslin: "Third Reading. Senate Bill 2012, Representative Peterson. Out of the record. Senate Bill 2014, Representative Peterson. Out of the record. Senate Bill 2036, Representative Saltsman. Out of the record. Senate Bill 2084, Representative Ewing. Mr. Ewing. Out of the record. Senate Bill 2131, Representative Kirkland. Out of the record. Senate Bill 2171, Representative Keane. Mr. Keane. Out of the record. Senate Bill 2222, Representative Steczo. Representative Steczo. Out of the record. Senate Bill 2306, Representative Cullerton. Clerk, read the Bill."

Clerk Leone: "Senate Bill 2306, a Bill for an Act to amend an Act in relationship to the demolition of buildings. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker. This Bill provides that the notice of lien of cost dealing with the cost incurred by a municipality or county for the repair or the demolition of dangerous or unsafe or abandoned buildings. That the notice of lien of those costs must be filed by the municipality or the county, right now the law says within 60 days after the repair of the demolition, the original Bill increased that to 120 with this Amendment we're changing it to 180. The reason for the Amendment is that we had already passed House Bill 3993 which had 180 days

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and I just wanted to bring it into conformity with that so that's the purpose of making it 180 days. I'd be happy to answer any questions."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 1 to Senate Bill 2306. On that question, is there any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Going back to Senate Bill 2014 on this Order, Representative Peterson. Clerk, read the Bill. 2014."

Clerk Leone: "Senate Bill 2014, a Bill for an Act to revise the law by assigning short titles to various Acts. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. The next Order on Second Reading is the Order of Human Services, Human Services, Second Reading. The Sponsors are: Flowers, Didrickson and Phelps. Flowers, Didrickson and Phelps. The first Bill is Senate Bill 1960. Clerk, Read the Bill."

Clerk Leone: "Senate Bill 1960, a Bill for an Act in relationship to minority males. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

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Speaker Breslin: "Representative Flowers."

Flowers: "Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1960 was on the Consent Calendar and I chose to take it off for the purpose of making some technical changes with this Amendment. And I would move for the adoption of Amendment #1. And all it does is to put together a task force and it puts together a number of people and it also indicates a reporting date. And I would move for the adoption of Senate Bill 1960."

Speaker Breslin: "The Lady moves for the adoption of Amendment 1 to Senate Bill 1960. On the question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, will the Sponsor yield?"

Speaker Breslin: "She will."

McCracken: "Representative Flowers, I see that the Amendment, among other things, reduces from two to one the appointment made by each of the Senate and House Minority Leaders. Is there any reason other than raw politics to do that?"

Flowers: "That is the way the Senate Sponsor wanted it. And I'm sorry I really don't know the reason."

McCracken: "Was the Senate Sponsor a Democrat by any chance?"

Flowers: "Yes, she was. She is."

McCracken: "She still is. I saw her this morning and I..."

Flowers: "She still is! She hasn't changed a bit, seriously, okay"

McCracken: "Alright, well I rise in opposition to this. The original law making this a bi-partisan committee gave equal appointment powers to each side of the chamber and this takes it away. So that it is no longer truly a bi-partisan measure. This is a partisan Amendment there's absolutely no reason to pass this Amendment. I demand a Roll Call vote. And Representative Flowers..."

Flowers: "Yes, Representative McCracken."

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McCracken: "I do so with the utmost respect."

Flowers: "Thank you very much, Sir."

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

Cullerton: "Well, I think we should adopt the Amendment. The previous Speaker is confused. He's confused with having an equal number of Members on a committee or commission with bipartisanship. It's still going to be a bi-partisan committee. It's going to be Republicans and Democrats and five people the Governor appoints. Now the Governor...if this is done right now, the Governor is Republican. And so I don't see why all of a sudden it becomes partisan or failed to be bi-partisan because there's not an equal number. And besides I think you should always have...the minorities should always have one less appointment that way there's always an incentive to get into the majority. And you always want to have that in the back of your head. It's a goal you should always shoot for because then you'll be able to pick the majority. So that should be something to look forward to. I also think...that's right...one of the advantages of being a majority is you get to pick your parking places first. And the only disadvantage is that you don't know what's going to be called on the calendar."

Speaker Breslin: "Representative Flowers is recognized to close."

Flowers: "Madam Speaker and Ladies and Gentlemen of the House. I would truly ask for a favorable Roll Call on Amendment #1 to Senate Bill 1960."

Speaker Breslin: "The question is, 'Shall Amendment 1 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. A majority is required for adoption. A majority is required for adoption. Have all voted who wish? Have all voted who wish? Representative McCracken, for what reason do you seek recognition?"

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McCracken: "Nothing."

Speaker Breslin: "Mr. Clerk, take the record. On this question, there are 64 voting 'aye', 51 voting 'no'. And the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 2113, Representative Didrickson. Clerk, read the Bill."

Clerk Leone: "Senate Bill 2113, a Bill for an Act to amend the Steroid Control Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Any...there are no Floor Amendments?"

Clerk Leone: "There are no Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 2277, Representative Phelps. Mr. Phelps in the chamber? Out of the record. Representative Parke, for what reason do you seek recognition?"

Parke: "Thank you, Madam Speaker. I have an inquiry of the Chair. We have on the Consent Calendar, Third Reading, Second Day, a number of Bills that have not moved off that. Can you tell us...tell this Body when we'll be moving these Bills off of the Consent Calendar? I'm asking, the Madam Speaker. Any...any rationale why we're not moving them?"

Speaker Breslin: "I will find out, Sir."

Parke: "And you'll let us...let me and the Body know?"

Speaker Breslin: "And I will let you know. Absolutely."

Parke: "Probably today, hum?"

Speaker Breslin: "I'll do my best."

Parke: "Thank you, Madam Speaker."

Speaker Breslin: "Going back to the Order of Human Service, Second Reading, appears Senate Bill 2277. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 2277, a Bill for an Act to improve the delivery of health care services. Second Reading of the

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Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions filed. No further Amendments."

Speaker Breslin: "Representative Phelps, there is a request for a fiscal note and that fiscal note has not yet been filed. So the Bill will have to remain on the Order of Second. So the Bill remains on Second Reading. The next Order of Business is the Order of Insurance, Second Reading. Insurance, Second Reading. There's only one Bill on this Order, Representative Countryman's Bill, and he does not wish to call it. So we will skip over that Order of Business. The next Order is the Order of Transportation, Second Reading. There is only one Bill on that Order, it's Representative Homer's Bill. Mr. Homer is not in the chamber. The next Order is the Order of State Government Administration, Second Reading. The Sponsors are Stern and Munizzi. Stern and Munizzi. The first Bill is Senate Bill 1904, Representative Stern. Out of the record. Senate Bill 2229, Representative Munizzi. Out of the record. The next Order of Business is Horse Racing, Second Reading. The Sponsors are Hicks and Novak. Mr. Hicks and Mr. Novak. The first Bill is Senate...The next Order of Business is the Order of Labor, Second Reading. The Sponsors are: Kulas, McPike, and Saltsman. The first Bill is Senate Bill 1501. Representative Kulas. Out of the record. Senate Bill 1638, Representative McPike. Out of the record. Senate Bill 1704, Representative Saltsman. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1704, a Bill for an Act concerning leave for fire fighters. Second Reading of the Bill. Amendment #1 was adopted in committee."

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

Clerk Leone: "No Motions filed. Floor Amendment #2 is being

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offered by Representative Saltsman."

Speaker Breslin: "Representative Saltsman on Amendment #2."

Saltsman: "Yes, all Amendment #2 does is change some language in the Act...that...Can I pull this out of the record for a moment?"

Speaker Breslin: "Surely, out of the record. Representative Parke, I have an answer to your question. The answer is, 'no good reason'. The next Order of Business is the Order of Civil Law, Second Reading. Excuse me. Representative Parke, for what reason do you rise?"

Parke: "Madam Speaker, I certainly will tell you that the frankness with which you answered that question is profound and I do appreciate honesty."

Speaker Breslin: "You're quite welcome, Sir. You can always expect it from me. Civil Law, Second Reading. The Sponsors are Breslin and Cullerton. We'll go to Senate Bill 2267, Representative Cullerton. Clerk, read the Bill."

Clerk Leone: "Senate Bill 2267, a Bill for an Act in relationship to Criminal Law. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Petka and Johnson."

Speaker Breslin: "Representative Petka."

Petka: "Thank you very much, Madam Speaker, Members of the..."

Speaker Breslin: "Excuse me, Representative Petka. Representative Cullerton is taking this Bill out of the record. The Bill is out of the record. Senate Bill 2308, Representative Cullerton. Clerk, read the Bill. Out of the record. The next Order of Business is Pensions, Second Reading. Representative Wolf is the Sponsor of the only Bill on this Order. Mr. Wolf is not in the chamber. Oh,

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he is in the chamber, very good. Senate Bill 1951. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1951, a Bill for an Act in relationship to retirement and annuities. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions filed and no further Amendments."

Speaker Breslin: "Third Reading. The next Order of Business is Revenues, Second Reading. The Sponsors are Bugielski and Currie. The first Bill is Senate Bill 1565, Representative Bugielski. Out of the record. Senate Bill 2210, Representative Currie. Representative Currie. Out of the record. Representative Homer, while you were gone we had a Bill of yours on Transportation, Second Reading, Senate Bill 1974. Do you wish to move that Bill at this time? It deals with transportation privatization. Clerk, read the Bill. That's Senate Bill 1974, Mr. Clerk, under Transportation, Second Reading."

Clerk Leone: "Senate Bill 1974, a Bill for an Act in relationship to transportation. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Saltsman. Representative McCracken, for what reason do you seek recognition?"

McCracken: "We don't think it's printed and distributed. We don't have it in our file."

Speaker Breslin: "You are correct. Out of the record. Mr. Clerk, we're going to the Order of State and Local Government, Second Reading. Representative Hartke is recognized on a Motion on Senate Bill 1619. Senate Bill 1619, Representative Hartke. First of all, Mr. Clerk, are

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there any Motions or Amendments filed? "

Clerk Leone: "Senate Bill 1619, a Bill for an Act to amend the Smoke Detector Act. This Bill's been read a Second time previously. No Committee Amendments. No Floor Amendments."

Speaker Breslin: "A state debt impact note, however, has been filed on the Bill and that's the reason the Bill did not move to Third Reading. Representative Hartke, excuse me...Yes, I don't believe you've filed the state debt impact note, however. Representative Hartke is recognized on a Motion."

Hartke: "Yes, I move that the request for a state debt impact note is...in this...in this situation."

Speaker Breslin: "The Gentleman has moved that the state debt impact note does not apply to this Bill, Senate Bill 1619. On that question, is there any discussion? There being no discussion, the question is, 'Shall the note be waived?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the note...the state debt impact note does not apply. Anything else filed on this, Mr. Clerk? Is there anything else filed on this?"

Clerk O'Brien: "No other request filed at this time."

Speaker Breslin: "The Bill moves to Third Reading. On the same Order of Business, State and Local Government, appears Senate Bill 2222, Representative Steczo. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2222, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. Amendment #1...Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. Floor Amendment #2 offered by Representative Steczo."

Speaker Breslin: "Representative Steczo."

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Steczo: "Thank you, Madam Speaker, Members of the House. Amendment #2 to Senate Bill 2222 mirrors the language that this House passed as House Bill 2367. And that language deals with landscape waste and the ability of the corporate authorities of a municipality to register persons who do business in that municipality that are in the landscape maintenance business. This Bill pass overwhelmingly, there's no opposition to this Amendment. I would move for its adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 2 to Senate Bill 2222. On that question, is there any discussion? There being none, the question is, 'Shall Amendment...excuse me, the Gentleman from Warren, Representative Hultgren. Representative Hultgren is indicating that he does not have a copy of the Amendment. Mr. Clerk, can you identify whether or not the Amendment has been printed and distributed? The Clerk indicates it has been printed and distributed. Could somebody get Representative Hultgren a copy of the Amendment? Do you have it here? The question is, 'Shall Amendment 2 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading".

Speaker Young, A.: "Representative Young in the Chair. We'll go to the Order of Civil Law, Second Reading. The first Bill is Senate Bill 1736, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1736, a Bill for an Act to amend the Medical Practice Act. Second Reading of the Bill. No Committee Amendments."

Speaker Young, A.: "Are there any Floor Amendments?"

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

Speaker Young, A.: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. When this Bill was presented to the Judiciary I Committee there was a request which I agreed to ,to limit this Bill only to physicians who are providing medical services free in free medical clinics. I agreed to that Amendment and that's what Amendment #1 does. It limits the Bill to only those circumstances where the doctor is providing completely volunteer services in a free medical clinic. I move its adoption."

Speaker Young, A.: "The Lady has moved for the adoption of Amendment #1 to Senate Bill 1736. On that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "I recall this Bill, I think, in committee and I see that the Amendment...Well, is it technical in nature? Would you say?"

Breslin: "Well, it's not technical but it complies with what the committee requested. We wanted to ensure that the doctor was operating on a volunteer basis. That he wasn't receiving any compensation for his services before we would grant him immunity when he practices in a free medical clinic. That's what the committee requested."

McCracken: "Okay, thank you."

Speaker Young, A.: "Further discussion? Hearing none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the Amendment is adopted...the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young, A.: "Third Reading."

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Speaker Breslin: "Representative Breslin in the Chair. Ladies and Gentlemen, we are going to go to the Order of Third Reading, starting on the first of your sheets and proceeding downward. The first Order is Banking. Banking, Third Reading, Senate Bill 934. Out of the record. Senate Bill 1051, Representative Flinn. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1051, a Bill for an Act to create the Savings Bank Act. Third Reading of the Bill."

Speaker Breslin: "Representative Flinn."

Flinn: "Madam Speaker, I believe there are some Amendments that are offered with this Bill. I would like leave of the House to take the Bill back to Second Reading."

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

Clerk O'Brien: "Floor Amendment #2 offered by Representatives Keane - Flinn - Piel."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. Amendment #2 is an agreed Amendment and basically they're depositor protection Amendments. The first part of the Amendment indicates that where they had one half of the board of directors could be employees of a savings and loans that it was replaced by 40...only 40 percent. The second part of the Amendment deals with the inspection by the commissioner when the monthly reports indicate that there is something amiss, rather than waiting 18 months as required. He can move right in. The commissioner shall initiate an examination within 30 days of receipt of any negative information and he can, if it's something that...one of the conditions upon which the commissioner can take custody of the savings and loan. It's immediate. I'd be happy to answer any

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questions and ask for a favorable vote."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 2 to Senate Bill 1051. On that question, is there any discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #3 offered by Representative Keane - Piel."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. Amendment #3 is a Bill that's been proposed by the LRB it's strictly technical and clean up. I would ask it's favorable consideration."

Speaker Breslin: "The Gentleman moves the adoption of Amendment 3 to Senate Bill 1051. On that question, is there any discussion? There being none, the question is, 'Shall Amendment 3 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #4 offered by Representative Keane - Piel."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. Amendment 4 is another LRB, clean up, technical Amendment. I move its adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 4 to Senate Bill 1051. On that question, is there any discussion? There being none, the question is, 'Shall Amendment 4 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Any further Amendments?"

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Clerk O'Brien: "Floor Amendment #5 offered by Representative Madigan and Cullerton."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This deletes subsection B which refers to the Immunity Provisions for the commissioner and the employees. I move for its adoption."

Speaker Breslin: "Okay, Representative Cullerton has moved the adoption of Amendment 5 to Senate Bill 1051. On that question, the Gentleman from Cook, Representative Piel."

Piel: "Question of the Chair, Madam Speaker. Is this printed and distributed? Because we have not gotten it on this side."

Speaker Breslin: "Mr. Clerk, please advise us. The Amendment has been printed and distributed, Mr. Piel. Could someone give a copy of it to Mr. Piel, please?"

Piel: "Madam Speaker, we don't even have it in our files. So could the Gentleman possibly take the Bill out of the record for the time being until we have a chance to take a look at it?"

Speaker Breslin: "Okay. Representative Flinn, the question is, 'Would you take the Bill out of the record?'"

Flinn: "Yes, but I would like the privilege of coming back to it because I would like to...with the Amendments of having it read today for the Third time. If I can get leave of the House. I'll take it out of the record temporarily...just a minute."

Speaker Breslin: "Yes, Representative Flinn."

Flinn: "I don't know what the problem is. I've had it for more than an hour. It was on my desk when I came here today. I wonder if they aren't mistaken over there. Representative Piel should have a copy. I'd be more than glad to explain to him what the Bill...what the Amendment does to the Bill. If we just take it out temporarily I don't mind. I'm

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fearful that we won't get back to it very soon."

Speaker Breslin: "Okay, the Gentleman...Representative Piel, the Gentleman has agreed to take it out of the record momentarily but we are going to get back to it right away. So, get a copy of it and be ready. Senate Bill 1125. Out of the record. Senate Bill 2216, Representative Countryman. Mr. Countryman. Representative Countryman. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2216, a Bill for an Act to amend the Principal and Income Act. Third Reading of the Bill."

Speaker Breslin: "Representative Countryman."

Countryman: "Thank you, Madam Speaker. This Bill did something else when it came over from the Senate. But for some years now I have tried to amend the Closed Corporation Act to this state in a form in which the Illinois State Bar Association and the Chicago Board Association both agree. And in committee I stripped out any other language which was in this Bill which wasn't needed anymore. And we have the new Closed Corporation Act that's been written by the Illinois State Bar and the Chicago Bar. We passed it about three times except everytime we get it somewhere else we get Amendments on it. And those Amendments seem to drag it down. This time it's clean and that's all it has on. And I move its passage. And I'd be happy to answer any questions that anyone might have about it."

Speaker Breslin: "The Gentleman has moved the adoption...the passage of Senate Bill 2216. On that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Breslin: "Yes."

Cullerton: "Now, this does appear to be a brand new Bill and I'm just curious. Did you say that this Bill was reintroduced this year?"

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Countryman: "Yes, it was my Bill. We sent it to the Senate but it never got out of Rules. It was a Bill we had last year. We passed it...It came over from the Senate on an Amendment I believe. When it completed the ISPA Committees and the CBA Committees both the ISPA and the CBA want it."

Cullerton: "What are some of the Amendments that have been adopted in the past that have caused it to be a problem? Amendments to the..."

Countryman: "It got mixed up in that Bill on the auto dealers versus GM on...Mr. Good Wrench things."

Cullerton: "Unrelated, you mean, people used it as a vehicle?"

Countryman: "Yeah, it got caught up in the last part of last Session. This present form is pure and clean. And hopefully we can keep it that way and send it back to the Senate. And they can just concur in it and we can put it on the Governor's desk."

Cullerton: "And what did you do with the original Bill? The original Senate Bill?"

Countryman: "I gutted it at..."

Cullerton: "Senator D'Arco's Bill?"

Countryman: "Yes, it was a Bill for Corporate Judiciaries and the Corporate Judiciaries came to me and said, that they no longer had need for that Bill. And..."

Cullerton: "Did they tell that to Senator D'Arco?"

Countryman: "Oh, I assume that they did."

Cullerton: "Have you talked to Senator D'Arco about gutting this Bill?"

Countryman: "No, I'll go tell him as soon as we pass it."

Cullerton: "Okay."

Speaker Breslin: "The question is, 'Shall Senate Bill 2216 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The

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Clerk will take the record. On this question, there are 113 voting 'aye'. This Bill having received the Constitutional Majority is hereby declared. The next Order is Education, Third Reading. The Sponsor's are, Turner...Representative Turner, Hoffman, LeFlore, Curran, and Steczo. The first Bill is Senate Bill 1523, Representative Turner. Is Mr. Turner in the chamber? Out of the record. Senate Bill 1556, Representative Hoffman. Is Mr. Hoffman in the chamber? Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1556, a Bill for an Act to amend an Act in relation to education. Third Reading of the Bill."

Speaker Breslin: "Representative Hoffman."

Hoffman: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 56...1556 attempts to clarify the responsibility for the educational portion of...of students who have been placed in a residential...residential treatment for drug and alcoholic dependency. I have placed an immediately effective date on this Bill earlier. Sending it back to the Senate. There are still some problems that need to be worked out between the parties involved. If those can be worked out, the Bill will be sent to a Conference Committee. If...they can't be worked out, it will be held by Senator Maitland who is the Sponsor. This is an agreement with all parties involved. And I would move for the passage of Senate Bill 1556."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1556. On that question, is there any discussion? There being none, the question is, 'Shall Senate Bill 1556 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Sixty votes are required for 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'. This Bill

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having received the Constitutional Majority is hereby declared passed. Senate Bill 1585, Representative LeFlore. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1585, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative LeFlore."

LeFlore: "Thank you, Madam Speaker. Senate Bill 1585 requires that the Illinois Students Assistance Commission to award incentive grants to minority male educator students on the condition that they teach two years in the Illinois school post grad. This Bill also provides that incentive for male educator's students in effort lto provide more male model role...role models for minority youths. I will ask for a favorable vote on this particular Bill."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1585. On that question, the Lady from Du Page, Representative Cowlshaw."

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

Speaker Breslin: "He will."

Cowlshaw: "Representative, is there any appropriation for this?"

LeFlore: "Yes, it is...there are..."

Cowlshaw: "There is?"

LeFlore: "Yes."

Cowlshaw: "Could you tell me how much and in what..."

LeFlore: "I...I was told by the Sponsor in the Senate that the appropriation has been put into a line item. I think it's about \$270,000."

Cowlshaw: "Do you know what...what Appropriations Bill, the Bill number or anything like that? I...frankly, I'm not aware of there being any money for this program."

LeFlore: "I would have to find that information out. What Appropriation Bill that is in, what line item."

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Cowlshaw: "Is it possible for you to get that information for us?"

LeFlore: "The Senate Sponsor unfortunately has gone home. I just talked to him by phone."

Cowlshaw: "I see. I'm not sure I see. Thank you very much."

Speaker Breslin: "The Lady from Cook, Representative Didrickson."

Didrickson: "Yes, would the Sponsor yield for a question or two, please?"

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

Didrickson: "Representative LeFlore, will you explain to me why this Bill is just limited just to minority male scholarships for..."

LeFlore: "Because our male..."

Didrickson: "Potential teachers, why not, you know with minority women?"

LeFlore: "There's a shortage of male role models in our...in our schools, and I feel...the Sponsor and myself feel that we need more black males involved in education."

Cowlshaw: "Does there need to be a delineation between minority and hispanic males here or is it just minority males that there is a shortage of?"

LeFlore: "Well, you know minorities are considered being hispanics, blacks, you know could be hispanics. Because it covers that."

Didrickson: "Pardon me."

LeFlore: "Other...other nationalities."

Didrickson: "Yeah, one of my concerns, too that we're not funding some other teacher's scholarship programs. I know Representative Satterthwaite and a number of people on this floor have worked over the years on scholarship programs but yet we haven't been able to fund them. And they would provide for the Teacher Shortage Scholarship, the Math and

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Science Teacher's Scholarships, both through the State Board of Education and through this and the Paul Douglas Teacher's Scholarships which are federal. We're not funding a lot of these. Or at least we're inadequately funding those at least are being to try. Would you have your program supersede those here that I just mentioned or in addition to or..."

LeFlore: "As I state to Representative Cowlshaw that I would have to get that information on...but I understand there is an line item of about \$270,000."

Didrickson: "Often times as you know, as you work with recipients of your own General Assembly Scholarships, if one of your recipients were to receive a Pell Grant there then, you know, ineligible for additional state funding scholarship such as we're speaking here. What you are doing is going beyond what that has always been the precedent in allowing for to qualify for both. Is that your intent?"

LeFlore: "Well...well, it states that if a person receives a scholarship, they would have to teach in the system for two years after they receive their degree."

Didrickson: "I guess that's not my point. My point is, and I would just...to the Bill. I think my concern is the fact that it is only limited to minority males, however, Representative LeFlore has explained his explained his position on that. But is the fact that they not only can be eligible under this Bill for federal Pell Grants, but also for this scholarship at the state level which is precedent setting with regards to other arrangements that we have. And I would also suggest that we have underfunded...have not funded a number of these scholarship programs. And I think before we add a new layer, we ought to be meeting our commitments in other areas first with regards to the scholarships and so, I guess it's a Bill

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that's time isn't quite right this Session."

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

Satterthwaite: "Madam Speaker and Members of the House, I rise in support of the Gentleman's legislation. While it is certainly true that there are many scholarship programs that have not been funded or have been under funded in fact it is a well recognized need to have additional male teachers within our school systems. I believe that the safe guard that this requires a special line item appropriation means that unless the funds can be found it won't go into effect. I think that's regretable because I think the program does focus on a well documented need within our school systems. The fact that it also has some requirements for academic levels and the fact that it will be repayed by teaching in the school system of the state, are things that will help to ensure that these funds are really utilized for the purpose for which they are extended to see that we have males role models with...among our minorities in our teaching staff. I regret there has not been sufficient funding for some of the other scholarship programs, but if the Sponsor of this legislation is able to get an appropriation passed, I believe that this would be a very good purpose for those scholarship funds and I recommend your passage of the legislation before you."

Speaker Breslin: "The Gentleman from Mc Lean, Representative Ropp."

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

Speaker Breslin: "He will."

Ropp: "Representative, isn't it true that minority males can receive scholarships now to go into the teaching arena? And that salaries for teachers in the Chicago area are

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relatively above the state average. That would provide an incentive for them to go into that profession now?"

LeFlore: "Yeah. To your question, Representative. This Bill will allow the young fellows to receive...young males to receive the grant, go onto college, get the the degree, and then come back to the community, and teach in the community in the public school or private school system which they will establish an educational preference in order to try to encourage many of our kids to stay in school."

Ropp: "I guess the concern that we have and we...we've said this several times in the Higher Ed. Committee, we pass these Bills and not have the dollars to fund them, and then we even had one program that was even going to fund it less than we had before when we never put dollar one into the first one. I mean, those are a whale of a good program. I just think it's not a good posture for the state to establish these programs and then not fund them and in this case when we're beginning to...almost segregate every kind of a scholarship that we have is certainly something that we ought not begin to do again. And though I think your efforts are very worthy, I think that those people who certainly need help in this educational arena should move into that arena based on the programs that we currently have and I would urge the Body not to support adding a new program that we undoubtedly will not fund either."

Speaker Breslin: "The Lady from Cook, Representative Davis."

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

Speaker Breslin: "He will."

Davis: "Representative LeFlore, do you feel that the number of minority of male teachers appears to be extremely low for many reasons?"

LeFlore: "Yes, because many of them really doesn't have the finance to finance an education."

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Davis: "Well, Mr...Representative, do you think that the students who attend the Math and Science Academy get more dollars than this scholarship program might call for."

LeFlore: "About five times or six time more. It has been for the last four or five years."

Davis: "In other words, the students who get the math and science dollars get more than this particular scholarship program calls for. To the Bill."

Speaker Breslin: "Proceed."

Davis: "I think most of us who are in this room, and who read beyond the major newspapers, we know that the African-American male is an endangered species. We know that if young males who are now in school don't begin to see role models of males in those class rooms, it puts...it continues to put an ad...added burden on the state because these young people have no aspirations to continue with their education. There are many scholarships that many minorities will not, nor can qualify for, and I feel that if we're truly concerned with improving education and the quality of education, then we recognize the need for males in those classrooms. And in Chicago, especially, more minority males of those who are now attending college, most of them will desire to go in better paying positions, and this par...piece of legislation merely asks and encourages them to give a portion of their career and working time toward teaching. I think it's an excellent piece of legislation, and I would urge all enlightened, intelligent, fair minded people to vote for this legislation. Thank you."

Speaker Breslin: "Representative LeFlore is recognized to close."

LeFlore: "Yes, thank you, Madam Speaker. You know, it's...it's very strange, whenever you come up with a measure that will be an incentive to the community, a special that will focus

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at helping individuals in education, some people always get up and oppose. But I know there's many measures that has been discussed on this floor, and it calls for appropriation and some of the same people who got up and questioned me about this particular measure, are the one who are carrying those particular mandates. So I feel this is a good mandate. I feel that it's needed. I feel it will con...establish a good role model for our black males, so therefore, I'm asking for a favorable vote. Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 1585 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 87 voting 'aye', 30 voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 1842, Representative Curran. Is Mr. Curran in the chamber? Out of the record. Senate Bill 8...okay, Representative Curran, 1842. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1842, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Curran."

Curran: "Thank you, Madam Speaker. Senate Bill 1842 just does two things. One, it establishes local school...local school districts, a Parent-Teacher Advisory Committee to develop the policies for administering medications. And two, it establishes in statute existing rules and regulations regarding the drop-out program we have called work experience and career opportunity program for 14 and 15 year olds on the verge of droup-out. This Bill passed 27 to nothing out the Education Committee. I don't think it's controversial. Be glad to answer any questions. Ask for a favorable Roll Call."

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Speaker Breslin: "The Gentleman has moved the passage of 1842. On that question, is there any discussion? Any discussion? There eing none, the question is, 'Shall Senate Bill 1842 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', none voting 'no', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1843, Representative Steczko. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1843, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Steczko."

Steczko: "Thank you, Madam Speaker, Members of the House. Senate Bill 1843 contains three provisions that amend the School Code. The first of which is a Bill that repeals provisions which requires school boards to file their collective bargaining agreements or written policies and salary schedules with the regional superintendents. That is a none controverial legislation which passed the House a few weeks ago by a unanimous vote. In addition, it con...contains Amendment #1 that was Sponsored by Representative McNamara, which deals with School District 218 which is...which is in his district and which went to single member board districts last year. This language allows them relief from the redistricting efforts because their district was just in essence created with newly created districts. Amendment #2 which was passed yesterday and approved yesterday, deals with consolidation of new elementary school districts and high school districts, and makes consistent throughout the statutes the rights of teachers under those circumstances. I would, Madam

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Speaker, answer any questions, or ask for passage of Senate Bill 1843."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1843. On that question, is there any discussion? Any discussion? There being none, the question is, 'Shall Senate Bill 1843 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for 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', 1 voting 'no', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On the Order of Education, Second Reading appears Senate Bill 1591, Representative Levin. Clerk, read the Bill."

Clerk O'Brien: "Sen...Senate Bill 1591, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #1 simply adds an immediate effective date to the Bill. I would ask for it's adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #1 to Senate Bill 1591. On that question, is there any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Going to the Order of Banking,

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Third Reading. There was one Bill that was taken out of the record to accommodate the opposing party. That Bill was Senate Bill 1051. I understand that those problems have been worked out, and we are ready to call that Bill. Senate Bill 1051, Mr. Clerk. Representative Flinn. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1051, the Bill was returned to Second Reading and held. Floor Amendment #5 offered by Rep...Speaker Madigan - Cullerton."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I think Representative Piel's had an opportunity to review the Amendment, and we had this Bill up before. And took it out of the record so he could review the Amendment. Amendment eliminates the immunity provisions that were contained in the original Bill. I'd be happy to answer any questions, and move for it's adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 5 to Senate Bill 1051. On that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment 5 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Flinn is recognized for a Motion."

Flinn: "Madam Speaker, in view of the fact that I moved this back from Third Reading and because of the Amendments...back to Second Reading, I would ask leave of the House to now be heard on Third Reading."

Speaker Breslin: "Representative Flinn asks for unanimous consent

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for leave that this Bill be heard the same day that it was amended. Is there any objections? Hearing no objection, the Gentleman has leave, use...by use of the att...Attendance Roll Call. Read the Bill on Third, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1051, a Bill for an Act to create the Savings Bank Act. Third Reading of the Bill."

Speaker Breslin: "Representative Flinn."

Flinn: "Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, Senate Bill 1051 permits the states charter banks and savings and loans...states charter savings and loans by the association to convert their charters to state charters, and enumerate their powers and procedures for the savings banks. It provides for the regulation of the savings bank by the Commissioner of Savings and Residential Finance. Currently it's the Commission of Savings and Loans Associations that requires the savings bank to meet the IRS regulations of having 60 percent of it's assets invested in housing related loans. And another thing that would answer any questions, I think there's no problem with the Bill, and I know of no opponents. I ask for the adoption of the Bill."

Speaker Breslin: "The Gentleman has moved the ad...passage of Senate Bill 1051. On that question, is there any discussion? There being no discussion, the question is, 'Shall Senate Bill 1051 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for 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', none voting 'present'. This Bill having received...this question there are 115 voting 'aye', none voting 'no', and 1 voting 'present'. This Bill having

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received the Constitutional Majority is hereby declared passed. The next Order of Business, on Third Reading is the Order of Environment. The Sponsors are: Ropp, Goforth, Weaver, and Hallock. Ropp, Goforth, Weaver and Hallock. That's a great line-up for Environment Bills. First Bill, Senate Bill 1773, Representative Ropp. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1773, a Bill for an Act to amend certain Acts in relation to the Department of Energy and Natural Resources. Third Reading of the Bill."

Speaker Breslin: "Representative Ropp."

Ropp: "Madam Speaker, I would move that we suspend the appropriate rules so that I might move this back to Second Reading for the purpose of an Amendment."

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

Clerk O'Brien: "Floor Amendment #2 offered by Representative Weller - Noland and Tenhouse."

Speaker Breslin: "Representative Weller?"

Weller: "Withdraw the Amendment. Withdraw this Amendment."

Speaker Breslin: "Representative Weller, are you the lead Sponsor of this Amendment? Withdraw #2. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3 offered by Representative Weller - Tenhouse - Noland."

Speaker Breslin: "Representative Weller?"

Weller: "Withdraw this Amendment."

Speaker Breslin: "Withdraw #3. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #4 offered by Representative Weller - Tenhouse - Noland - Novak."

Speaker Breslin: "Representative Weller."

Weller: "Thank you, Madam Speaker, Ladies and Gentlemen of the

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House. Amendment #4 amends the State Printing Contracts Act to require that contractors so use soy bean oil based ink when providing services unless CMS would determine that a better...another ink would be more appropriate to re...maintain high quality or because of a pricing concern. Ladies and Gentlemen, this Amendment was negotiated with Central Management Services, it's supported by CMS, the Soy Bean Association, the Illinois Environmental Council, and the Farm Bureau. It's a pro-farmer and pro-environment Amendment. I would move for it's adoption."

Speaker Breslin: "The Gentleman has moved the adop...the passage, rather the adoption of Amendment 4 to Senate Bill 1773. On that question, the Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of this proposition. As you well know, two years ago the House passed a Resolution requiring the Department of Central Management Services to conduct a study on the uses of soy bean based ink. The study was conducted and a number of findings concluded that soy bean based ink is a viable alternative to petroleum based inks which, of course, can cause damage to our environment. It can also produce a viable alternative for our fine agricultural market of soy beans that we have in the State of Illinois, some of the finest in the world. And I encourage that the House Members adopt this Amendment. As of right now, the legislative printing unit that prints many of our newsletters and things that we send back to our constituents back home, uses exclusively...uses exclusively soy bean based inks. And many of us of course, use that, and also on recycled paper. The Department of Central Management Services is a very large bureaucratic agency that provides all kind of different written documents and

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written materials. One example that this Amendment would be of benefit to is the thousands and thousands of printed telephone books that we use in our legislative offices and for state employees to use state wide. So, it is a good Amendment, I encourage everyone to adopt it. And you know, I've been working on this for a couple of years, so we should adopt this and get with CMS to make sure that they fall in line. I urge your support."

Speaker Breslin: "On the question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Madam Speaker. Would the Sponsor of the Amendment yield for a question?"

Speaker Breslin: "He will."

Black: "Thank you. Representative, you...you withdrew Amendment 3 correct?"

Weller: "That is correct."

Black: "Is Amendment #3 substantially the same as Amendment #4?"

Weller: "Amendment #3, excuse me, Amendment #4 is identical to Amendment #3, however, I wanted to include Representative Novak who's also been on this, as he stated for the last couple of years as a Sponsor of the Amendment. And out of courtesy to him, I included him as a Sponsor."

Black: "Oh, okay, I see. That was very kind of you. Let me...let me ask you, the language in line 10, I assume it's your intent to mean that if there is a low bid or a substantial price difference that the department would then have the wherewithal to go with the low bid rather than use the soy bean based ink. Is that...is that your intent?"

Weller: "The language of course...the intent of the language is that printing contractors will use soy bean oil based ink; however when CMS will determine that because of a pricing concern or because of a need for a certain quality of

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printing that they would have the ability to waive the requirement."

Black: "Alright, then as you said earlier, the department's in agreement with that language?"

Weller: "CMS, we negotiated the language with CMS, they support the language. Currently CMS, about 90 percent of the ink they use internally for in house printing is soy bean oil based ink. It's been very successful and this would require that those contractors wanting to do business with the state for printing purposing would also use soy bean oil based ink."

Black: "Thank you very much, for you patience Representative. I think you did a very good job on the Amendment, and I intend to support it. Thank you."

Weller: "Thank you."

Speaker Breslin: "The question is, 'Shall Amendment 4 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Ropp now asks leave for immediate consideration of this Bill as amended this day. This requires unanimous consent. Does anyone object? Hearing no objection, unanimous consent is granted. Read the Bill on Third, Mr. Clerk."

Clerk Leone: "Senate Bill 1773, a Bill for an Act to amend certain Acts in relationship to powers and duties of the Department of Energy and Natural Resources. Third Reading of the Bill."

Speaker Breslin: "Representative Ropp."

Ropp: "Thank you, Madam Speaker and Members of the House. Senate Bill 1773, as amended, authorizes the Department of Energy and Natural Resources to accept gifts and grants and

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deposit them in the Natural Resource Fund. I hear of no opposition to this. I'd be happy to answer any questions that you might have."

Speaker Breslin: "The Gentleman has moved for passage of Senate Bill 1773. On that question, is there any discussion? There being no discussion, the question is, 'Shall Senate Bill 1773 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this...on this question, there are 112 voting 'aye', none voting 'no', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 2037, Representative Goforth. Clerk, read the Bill."

Clerk Leone: "Senate Bill 2037, a Bill for an Act concerning natural resources and data collection. Third Reading of the Bill."

Speaker Breslin: "Representative Goforth."

Goforth: "Thank you, Madam Chairman, Members of the House. This Bill permits the Coal Development Board to develop public education and awareness projects and to cooperate with the Illinois Coal Development Park. The Park is a center for high sulfur coal research in the state. It is operated by the Southern Illinois University. I ask for it's passage."

Speaker Breslin: "The Gentleman has moved for passage of Senate Bill 2037. On that question, is there any discussion? There being none, the question is, 'Shall Senate Bill 2037 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Representative Hoffman, do you seek recognition on this? In...he indicates he does not. Have all voted who wish? The Clerk will take the record. On this

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question, there are 113 voting 'aye', and none voting 'no'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 2038, Representative Weaver. Clerk, read the Bill."

Clerk Leone: "Senate Bill 2038, a Bill for an Act in relationship to animal research. Third Reading of the Bill."

Speaker Breslin: "Representative Weaver."

Weaver: "Thank you very much, Madam Speaker. 2038 is a Bill that deals with violators of the Animal Research and Protection Facilities Act. Making a violation to steal or to break into or to release animals that may be in confinement either for research facilities or for production facilities in the animal. We had some questions in committee, dealing with First Amendment rights, and according to the Press Association, we had a meeting with all those concerned and feel like we've addressed those concerns in both Amendments #1 and 2. And I feel at this time, there's probably no opposition to this Bill, and I would move for it's passage."

Speaker Breslin: "The Gentleman has moved for passage of Senate Bill 2038. On the question, is there any discussion? Is there any discussion? There being none, the question is, 'Shall Senate Bill 2038 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Sixty votes are required for passage. The Clerk will take the record. On this question, there are 105 voting 'aye', 1 voting 'no', and 8 voting 'present'. This Bill having received the Constitutional Majority...Representative Balanoff would like to change his vote from 'aye' to 'present', there therefore 104 voting 'aye', 1 voting 'no', 9 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 2119,

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Representative Hallock. Representative Hallock. Out of the record. On the Order of Environment, Second Reading. Representative Brunsvold has a Bill, Senate Bill 1838. Clerk, read the Bill."

Clerk Leone: "On page eight of the calendar, on the Order of Second Reading. Senate Bill 1838, a Bill for an Act to amend the Wildlife Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Ropp."

Ropp: "Thank you, Madam Speaker and Members of the House. This Amendment is an Amendment that is one that is of economic value to those who are in the trapping profession as well as an attempt to deal with varmints that need controlled. It is a very safe means of trapping and I would urge your support of this Amendment. Be happy to answer any questions. I might also say that there's a safety device in that, that does not harm young people or anyone who might be caught in this particular trap as some have feared in other means and it is a very humane way of dealing with underwater, fur bearing animals."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 1 to Senate Bill 1838. On that question, the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker. I would stand opposed to the Amendment. I do not oppose the concept of the snare trapping. I feel however, the Bill as was presented Environment Committee and not called...not acted on in committee, live and die on it's own merits. The Senator has requested that he did not want the snare Amendment on this Bill, and I would stand and ask my colleagues to

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support my position to not add this Amendment to Senate Bill 1838."

Speaker Breslin: "Is there any further discussion? Representative Ropp is recognized to close. Do you have a close, Sir? Representative Ropp is recognized."

Ropp: "Thank you, Madam Speaker, Members of the House. There is one that Senate Bill, two Senate Sponsors. The on Senate Sponsor that I talked with was in support of this Amendment. It is an important issue and the reason it wasn't called in the Energy and Natural Resource Committee was because there were about 60 others that were not called for various reasons. It is a good concept, an honorable profession, and something that the trappers of the State of Illinois want and I urge your support of it."

Speaker Breslin: "The Gent...the question is, 'Shall Amendment #1 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. Representative Klemm, for what reason do you seek recognition?"

Klemm: "I...I was wondering Madam Speaker, what type of deers are we talking about?"

Speaker Breslin: "Representative Brunsvold, the press has inquired as to whether or not this is a Valentine Bill? Could you enlighten us while

Brunsvold: "Exactly."

Speaker Breslin: "Could you enlighten us while we're on this order of business? On this question, there are 29 voting 'aye', 81 voting 'no', 3 voting 'present'. The Amendment fails. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2 being offered by Representative Phelps - Brunsvold."

Speaker Breslin: "Representative Phelps."

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Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment 2 provides a season for deer hu...deer hunting with a hand gun, and it provides that the department shall set up the rules and specifics to implement that act. It passed last year with 80 some votes out of the House. We appreciate your support."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 2 to Senate Bill 1838. On that question, is there any discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Representative Brunsvold, before we move this Bill to Third Reading, the press wants to know, is this a Valentine's Bill? You have to have a response."

Brunsvold: "There was an error of course, there should be two e's in this 'dear'."

Speaker Breslin: "Very good. Rep...Representative Black, are you seeking recognition on this Bill. The Bill moves to Third Reading. On the Order of Environment, Third Reading. Appears Senate Bill 2119, Representative Hallock. Clerk, read the Bill."

Clerk Leone: "Senate Bill 2119, on page six of the calendar, Third Reading. Senate Bill 2119, a Bill for an Act to amend the Wildlife Code. Third Reading of the Bill."

Speaker Breslin: "Representative Hallock."

Hallock: "Thank you, Mrs...Madam Speaker, Members of the House. This is a Bill which has been suggested by the Great Lakes Falconers Association. It passed during the last session and is in the Senate. This is a Bill which has been debated for many years. It tries to deal with the

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Falcony...Falconery hobby, and it lowers the age from 18 to 14 of those who need permits to participate. I would ask for your support."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 2119. On the question, is there any discussion? There being none, the question is, 'Shall Senate Bill 2119 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 110 voting 'aye', none...there are 116 voting 'aye', none voting 'no', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. The next Order on Third Reading is Criminal Law. Criminal Law. The Sponsors are: Hensel, Homer, Matijevich, Trotter, Parcels, and Jones. Lou Jones. The first Bill is Senate Bill 1515, Representative Hensel. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1515, a Bill for an Act relating to crime statistics reports. Third Reading of the Bill."

Speaker Breslin: "Representative Hensel."

Hensel: "Thank you, Madam Speaker. Senate Bill 1515 creates the College and University Security Information Act. This Bill requires all public and private four year institutions of higher education to publish and make available, upon request, a report including specific crime statistics and crime rates to students, employees, and applicants for admission or employment. This Bill does not include community colleges. It also requires universities and colleges outside the City of Chicago to include crime rates and statistics in the report for the municipality where it is located. Now, basically, the reason for this is that the crime rate for the entire City of Chicago would not be

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representative of a college campus within the city. Basically the crime statistics that would be included in the report are presently being provided by the department...to the Department of State Police by all municipalities and colleges with a law enforcement unit. This legislation was introduced as a result of constituent's concern about making college campuses safer and more secure and is also a part of a nationwide movement to publicize safety and security conditions on the campuses of institutions of higher education and I would ask for a favorable vote."

Speaker Breslin: "The Gentleman has moved the passage on Senate Bill 1515. On the question, the Gentleman from De Kalb, Representative Countryman."

Countryman: "Thank you, Madam Speaker, Ladies and Gentleman of the House. I rise in opposition to this Bill. I think this is one of the clearly overkill Bills that we could ever pass, if it were passed here. This is a Bill that requires only outside of Chicago, that we compile crime statistics in the area of higher education. Where do you separate out crime statistics from insti...crime that occurs at an institutions campus or the city? Well, obviously, in the City of Chicago, then you separate it out, and you don't count it. But if it's the City Champaign, or the City of Urbana, or Carbondale, or Bloomington, or Normal, then you got to count it in some way. We also have to ask the staff of our state universities and our private universities for that matter, to go out and inventory the shrubbery, and do analysis of the shrubbery that exists around the building because somebody's worried that...that crime may exist there. I've asked in committee and in several occasions how much additional staff this would require, particularly in light

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of our fiscal constraints for our universities and the need to put more teachers in the classroom, and never got a straight answer on the question. But if this Bill is one thing, it's overkill. It's the same Bill Representative Stange had, we defeated here several weeks ago. And I think you ought to just vote 'no', and kill this Bill once and for all. Thank you."

Speaker Breslin: "The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Madam Speaker. I too, rise in opposition to the legislation, and would ask our colleagues especially on this side of the aisle from the City of Chicago to join us in opposition because this is a Bill which really doesn't...doesn't affect them at all, their excluded from the Bill. This is a Bill which says that the campuses of our institutions of higher education of both public and private in the State of Illinois shall keep intricate and elaborate statistics about instances of crime and potential for crime. And as the previous Gentleman indicated, this may require you to keep figures and statistics on how often you trim the bushes alongside the building to see if they are too high, or if they're low enough to provide for good visability. Alright, what this...what this Bill does is say that statistics shall be kept and when prospective college students...when high school students begin to look at colleges around our state, first of all, they'll have no information, none will be required at least for all those institutions of higher education in the City of Chicago. Which seems like a foolish thing if we really are going to do a state wide policy of keeping these kinds of statistics. Secondly, in the campus communities, this legislation requires nothing about the community itself off the campus. And I don't know of any college student who goes to...goes away to live who spends four years on the

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campus and never goes into town. There's incidents which happen and they are unfortunate, they happen in town, on campus, off campus, they can happen anytime, any place. But unless there is a tremendous volume of incidents, any statistics which are kept are...will be too few in number to mean anything statistically except possibly to give some fine college town, some fine campus community an undeserved bad reputation. Because you can highlight whatever you want, we all know statistics can be twisted in anyway you want and this legislation of course imposes a bureaucracy on all of our colleges and universities in the State of Illinois to gather these statistics. The overkill is the buzz word for this Bill. This Bill is definitely overkill and it doesn't help college students because there are a lot of fine institutions in the City of Chicago for higher education and we're going to say to people, if you want to go to that area there will be no figures available, but if you want to go outside the city, any place else in the State of Illinois, off to college and live away from home there will be statistics available for what may or may not happen on campus, but nothing will be provided to you about what happens in the community. The best thing to do is check out a college where someone in your family has gone, a neighbor has gone, ch...get the catalogue, get the brochures, check out the information yourself, go visit the town, make yourself feel comfortable about the community and talk to the campus officials. I don't know anyone who will hide figures about what is happening in community. And in my community there was an unfortunate incident last year right as college began, and it made all the newspapers and media in our community, and it was very awkward, and...but it was an isolated incident, and I don't think that particular campus nor any other campus in the State of

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Illinois should suffer harm and detriment to his reputation because we're keeping some mindless statistics. This Bill is a bad Bill. It's overkill. It's swinding the knot...or swating the gnat with the sledgehammer. It's a bad Bill. Please join those of us who are opposition to this Bill, and vote 'no'."

Speaker Breslin: "The Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Madam Chairman. Would the...Madam Speaker, would the Sponsor yield for a question?"

Speaker Breslin: "He will."

Didrickson: "Representative Hensel, I understand that...I believe that this legislation has come out of an incident at the University of Illinois. Is that correct?"

Hensel: "It came out of where?"

Didrickson: "Did this legislation...the impedance for this legislation, did it come from an incident from the University of Illinois in Champaign?"

Hensel: "No, it was originally taken from legislation that was passed in Pennsylvania that was initiated after the rape and murder of a freshman student at Leigh-Hi University and..."

Didrickson: "This legislation has come out of Pennsylvania and not Illinois? The impedance for it?"

Hensel: "That is basically correct. Yes. Out of..."

Didrickson: "Okay. So, there was a incident in Pennsylvania that spurred this legislation. I guess what really what my question was really going to be, is what kind of statistics were brought to you from some our major universities with regards to a growing concern over maybe the last five years, ten years, or twenty years statistically. But if you tell me, it's really Pennsylvania that we're reacting to, I guess, to the Bill, Madam Speaker, I join some of my colleagues who have also spoken with regards to a concern

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that we are creating a sensational set of statistics that can be mis...misinforming potential students and parents, I think, with regards to the media and how they may pick this report up and use that information, I think, obviously when you talk about a major university with great numbers of students, 30,000 beyond, you're going to have certain crimes. Nobody is in support of that, but clearly when we opt. Chicago out of this kind of reporting system, with their extensive college and university system, it is not a Bill that is balanced or fair. And I think particularly now since we're reacting to Pennsylvania and not any incident in the State of Illinois, this is not a needed Bill at this time."

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

Ropp: "Thank you, Madam Speaker, Members of the House. In due respects to the Sponsor of this Bill. I think he is well intended but really our system out to be more concern about the quality of education within our institutions. The fact that we either need in our judgement of prioritization of providing dollars that would go in this bureaucracy for adding to current up to date curriculum, teacher, equipment and the overall instruction within the institution. Rather than to somewhat at this point in time almost create a police state within our higher education system. I don't think there's a school in the country that is attempting to address their problems that they may have in crime and I think their attempting to do that. And we ought to spend more emphasis really on the educational area. And so, I would urge people to vote 'no' on this Bill, and hope that we would put our efforts toward a positive side of higher education rather than to improve or try to improve the statistics dealing with the crime element. And the fact

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that major largest area of the state is completely omitted from this particular Bill is certainly something that is difficult to understand, particularly by your constituents back home."

Speaker Breslin: "The Lady from Cook, Representative Barnes."

Barnes: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation. I do recall a doctor's daughter that lived in Burr Ridge, which I believe is in Representative Stange's district but who went to a church in my district who was murdered at the University of Illinois down in Champaign. I also recall reading many newspaper articles about how many women are raped on the campus. I think it would behoove us to have some statistics to warn the young ladies that are going to be attending college and also those parents about these particular statistics. It does concern Illinois, maybe it was generated by Rep...Senator Karpel from another state but we do have problems in our own state and I do think it's timely. I support an 'aye' vote for this particular piece of legislation."

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

Parke: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, it's been suggested that because Chicago's excluded we shouldn't do this. But, in fact, I think it's a step in the right direction. I have had a number of constituents come to me and tell me that are not sending their children to state universities because the number of assaults and rapes that are being perpetrated on the students on campus. They have come to me with statistics of alarming proportions of which I have trouble refuting, but I also have extreme trouble believing that this is so high. Regardless, the perception is by many of the citizens of this state that there is too much assault and rape going on

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in these campuses and petty crimes. And, I believe, that this legislation is a good way to give us the tools we need to alleviate those concerns. I don't believe any responsible university feels they have anything to hide on making these statistics available. And if in fact these statistics do show that there is a problem on campus, public opinion, student body and parents then will insist upon those universities to provide extra security and to make sure that these problems are rectified. I believe this legislation is a good step in the right direction and the responsible Body should vote 'yes' on this Bill."

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

Hensel: "Thank you, Madam Speaker. I think some of the Representatives that were speaking against the Bill, called this Bill overkill. I don't think that's a very good word when we're trying to work on statistics of crimes. But I think they were grasping at straws trying to find a way to find this Bill as not a good Bill. Let me just mention that the Department of State Police has authorized to be a central repository and custodian of crime statistics, and has the power to demand and receive cooperation and submission of crime statistics from all units of government. Right now the Department of State Police on a monthly basis receives currently 35 colleges and universities report to them and of which 24 report directly to the DSP, and 11 report through their local sheriff's office. I think what we're doing is not asking that the schools have more security, all we're asking them to do is make available, to prospective students and employees what the crime statistics are, and have been in the passed, and keep a record and report it. I don't think we're asking for any more or any less, and I think it's a good Bill.

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And I would like to re...say that the U.S. House of Representatives this last week passed the Bill similar to this which is going to the U.S. Senate and I think we should be in line and be ahead of them. And let's get it in the system, and I ask for a favorable vote."

Speaker Breslin: "The question is, 'Shall Senate Bill 1515 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Sixty votes are required for passage. Have all voted who wish? The Clerk will take the record. On this question, there are 50 voting 'aye', 56 voting 'no', 9 voting 'present'. Representative Hensel."

Hensel: "Poll of the Absentees, please."

Speaker Breslin: "Poll the absentees, Mr. Clerk."

Clerk Leone: "Poll of those not voting. Davis. Kulas. And Ronan. No further."

Speaker Breslin: "Representative Hensel. Do you have further request?"

Hensel: "I'd ask for postponed consideration."

Speaker Breslin: "Put the Bill on the Order of Postpone Consideration, Mr. Clerk. Senate Bill 1518, Representative Homer. Mr. Homer, are you ready to go on this Bill? Clerk, read the Bill."

Clerk Leone: "Senate Bill 1518, a Bill for an Act to amend the Code of Corrections. Third Reading of the Bill."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker. This is the shock incarceration boot camp legislation we previously voted out a similar Bill out of the House. This one is slightly different in that, it also, in addition, to establishing a shock incarceration program, establishes a diversion center for technical parole and work release violators. And the Bill also with regards to the shock incarceration program

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requires that the Department of Corrections to report to the General Assembly on the composition of the inmates with regards to the offense committed, county, race, age and also requires the department to comply with the Affirmative Action Program established by the Department of Human Resources and requires the Department to report to the General Assembly with respect to the employees and compliance with those standards. I would move the adoption of Senate Bill 1518."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1518, and on that question, the Gentleman from McLean, Representative Ropp."

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

Speaker Breslin: "He will."

Ropp: "Representative Homer, is this Bill exactly like the one that you previously Sponsored as a House Bill?"

Homer: "Yes, with the exception as I...as I tried to outline. It is essentially the same, but there are...there's a diversion program in this Bill that wasn't in the House Bill that has to do with technical parole and work release violators. They would be allowed, instead of being placed back in prison they would be...the department would authorized to set up a diversion center where technical violators could be incarcerated. And then the provisions about reporting back, with regards to the compositions of the inmates and the employees, is a new requirements."

Ropp: "Do you like this Bill better then yours, or yours better than this one?"

Homer: "Well, my Bill, our Bill, Committee Bill is now in the same form as this Bill. The Bill's been amended over there, so they're now identical. So, I guess I like them both the same."

Ropp: "I guess you have to like both of them. Also, I'd like to

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speak in support of the Bill. I think this is an idea the state has looked to for several years, it's one that is attempting to deal with not only the prison population but those who may come back in, in an effort to prevent them from coming back into prison. It allows for a short period of time for those first time offenders to somewhat mature, grow up, have some positive images about themselves as a result of this discipline that will be conducted here, and if, for many of you, who'll recall, your early days of military service, even though you sit back and say well, it was rough on us, it certainly made men out of boys, and I hope this makes good solid citizens out of short time convicts."

Speaker Breslin: "The question is, 'Shall Senate Bill 1518 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', none voting 'no', 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1845, Representative Matijeovich. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1845, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker Breslin: "Representative Matijeovich."

Matijeovich: "Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1845 is a Bill proposed by the United Foods and Commercial Workers Union and provides that where a licensee or employee was shown adequate identification specifying that a patron was at least 21 years of age, it shall be an affirmative defense of a charge of supplying liquor to a minor. The Bill was amended in the Senate so that if the agent or employee knew the identification to be false or

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fraudulent it would not be in an affirmative defense. The Bill was passed in the Senate by unanimous vote, and I would urge your passage also."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1845. On that question, is there any discussion? Any discussion? There being none, the question is, 'Shall Senate Bill 1845 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 2066, Representative Trotter. Mr. Trotter. Out of the record. Senate Bill 2106, Representative Parcells. Clerk, read the Bill."

Clerk Leone: "Senate Bill 2106, a Bill for an Act to amend the Act in relationship to fees. Third Reading of the Bill."

Speaker Breslin: "Representative Parcells."

Parcells: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Senate Bill 2106 would impose a \$50 crime laboratory analysis fee upon persons convicted or placed on probation for violations of the Controlled Substance Act, the Cannabis Control Act, and the Steroid Control Act. After deduction for administrative costs for the Clerk of the Court, the fees would be deposited into crime laboratory funds for the benefit of state and local crime laboratories for the costs incurred in drug analysis or the purchase and maintenance of equipment and continuing education training and professional development of forensic scientists. There is no such laboratory fee presently exists to support these underfunded governmental laboratories, so we think this would be a necessary and a good thing, and a good way to raise some money to run those

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labs. I ask for your approval. I'll be happy to answer any questions."

Speaker Breslin: "The Lady has moved for the passage for Senate Bill 2106. On that question, is there any discussion? Any discussion? There being none, the question is, 'Shall Senate Bill 2106 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 106 voting 'aye', 5 voting 'no', and 2 voting 'present'. This Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 2166, Representative Homer. Clerk, read the Bill."

Clerk Leone: "Senate Bill 2166, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker. Hous...Senate Bill 2166 reflects the new technology found in wireless...cordless telephones and cellular telephones with regards to the issue of eavesdropping. As you know on the books now we have protections against those who would eavesdrop on telephone conversations, a court order is required. But the Supreme Court recently held that those who use cordless telephones or cellular telephones are not constitutionally protected in their conv...the privacy in their conversations. We think it's best public policy for Illinois to amend our Eavesdropping Statute to provide that before someone or could eavesdrop on our conversations, be they by conventional telephone, cordless telephone, cellular telephone that a proper court order would be required in order to afford full protection of privacy to the citizens in the utilization of their private communications, I would answer questions but move the passage of the Bill."

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Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 2166. On that question, the Gentleman from Cook, Representative McNamara."

McNamara: "The Sponsor indicated that he would yield for a questions."

Speaker Breslin: "He will."

McNamara: "Representative, I have a question on the cordless phones, I believe in this legislation. Cordless phones are radio transmitted, is that correct?"

Homer: "I don't know the technology. I know they look like telephones."

McNamara: "Yes. Okay, the only thing I'm concerned with is on the wire tapping of the cordless phones, as with a car phone or anything else on that order, it does not require a device implanted in the phone. Does this outlaw all radio pick up signals which can pick up, such as ham radios waves, which can pick up the signals from telephones..."

Homer: "No, the Bill...the language is limited solely to cordless telephones and cellular telephones. In other words, if your talking on a C.B. radio, on a wireless ham radio operator, you would not be protected by this Bill."

McNamara: "That...that isn't a point. A ham radio operator can in actuality pick up any of the conversations from any cordless phone or car phone around. Would he if he inadvertently or whatever picks up that signal or uses that to listen in on various conversations, be guilty of some sort of an offense under this Bill?"

Homer: "Well, I think tech...technically answer to your question is, yes, if he tuned in and continued to listen in on that conversation. Technically he would be violation of the Eavesdropping Statutes. I...you know...I think it's probably not the kind of case that would fall within the prosecutors...prosecutorial discretion; but yes, the answer

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to your question is yes. Technically, he would be in violation."

McNamara: "I...I believe you've answered my question, and I am concerned about that...that function of it, since cordless phones are a radio device and can be picked up by other signals; however I will probably be voting a 'present' on that only for that reason. I...I understand what your intent of this Amendment is...or this Bill is. Thank you."

Speaker Breslin: "The Gentleman from Du Page, Representative Barger."

Barger: "A...a question of the Sponsor, please."

Speaker Breslin: "Proceed."

Barger: "Representative H...Homer, as I remember it, the Federal Commerce Commission, I think...Federal Communications Commission has retained for themselves the right to control radio broadcasting. And as these do come under radio broadcasting, it's a very strong possibility this could conflict with Federal Regulations. Are there the necessary Amendments in this that if it does conflict with the Federal, that the Federal will take precedent over the state or vice versa?"

Homer: "No, there is nothing in the Bill with respect to that issue."

Barger: "Because that is a very definite problem, as I see it. Thank you very much."

Speaker Breslin: "The Gentleman from Du Page, Representative McCracken."

McCracken: "Thank you. I'm kind of torn on this, but I wonder and I don't know the answer, but I wonder since it's a Fourth Amendment issue if our defining this for our purposes of a statute, it would have any effect on the courts finding whether there's a reas...or a reasonable expectation of privacy for constitutional purposes. Do

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you know that?"

Homer: "Well, I don't think so. No. We're simply changing statutorily a definition in our eavesdropping statute, with respect to the definition of what...what types of communications are protected under that statute. So, if it would help the legislative intent, I...we certainly don't intend for this provision to in any way to change the courts interpretation of the Fourth Amendment."

McCracken: "So the case which prompts the statute would not be effected because it was a constitutional decision or a constitutional issue in that case?"

Homer: "I'm not sure I follow exactly. As I understand it, the Supreme Court ruled that communications made over cordless telephones and also cellular telephones are not subject to Fourth Amendment...Search and Seizure Law, nor is it right of privacy protected by the Constitution. And of course as you know, our current eavesdropping statute, Representative McCracken, is more restrictive than the Constitutional interpretation."

McCracken: "Protection. Alright, I understand. Alright, our analysis made it seem that this made to address it a court case. But that is not correct. Thank you."

Homer: "No."

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

Hultgren: "Thank you, Madam Speaker. Representative Homer, something that you said in response to Representative McNamara, really caused me to...for some concern. I would like to follow up on it, if I could. My understanding is that the radio scanners that many people have in their homes that listen for police reports and so forth, can pick up the kinds of phone conversations your talking about here, and if I understood your response to Representative

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McNamara, those folks could conceivably be in violation of the law if their scanner happens to stop on a cellular phone conversation. Is that...did I understand correctly what you're responding to John?"

Homer: "Well, you know there's an element in the offense of intentional interception, and I...I would think if you had an inadvertent pick up, I don't think you would be guilty of that offense. And..."

Hultgren: "You have an answer there, I can tell."

Homer: "No, I think that is the answer. You know there is an element of here of intentional interception of a...of a private conversation. And so, I would think, if it was inadvertent, frankly, I don't know the technology. I don't know that you can, by using a police scanner intercept a conversation from a cordless phone or a cellular telephone. Maybe you can, I don't know that. The whole purpose of this Bill is to afford the same protections to people who use those telephones as to those who use a conventional telephone. And I think the overriding public policy is that we want to respect the right of privacy that people have when utilizing the telephone, whether it be a conventional telephone, cordless telephone, or a cellular telephone, should not matter. And this Bill would extend the same right of privacy to all types of telephones, and I'm not aware of all the technology or the implications in terms of police scanning devices. But in order to be guilty of this offense there would have to be a willful violation in terms of the knowing interception, an inadvertent overhearing, I don't think would constitute a violation of this statute."

Hultgren: "Thank you."

Speaker Breslin: "The Gentleman from Logan, Representative Olson."

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Olson, B.: "Thank you, Madam Speaker. I understand what Representative Homer is addressing here, and his intent is very well taken. There's been much discussion on it, but I think what we have to realize here is that a telephone and a cellular telephone are two different things altogether. A cellular telephone is basically a radio. It is not a telephone. There is no direct line, and when you start using radio waves verses tapping a wire it would be very difficult, I believe, to regulate an inadvertent picking up of a radio wave. I...I think this Bill is...someone mentioned Supreme Court. I think this Bill has a lot of problems. I'd have to vote 'no'."

Speaker Breslin: "Representative Homer is recognized to close."

Homer: "Thank you, Madam Speaker. I...I would hope that Members of all persuasions could support this Bill, and it's concept. It's very simple. Currently, we protect those who use telephones. Conventional telephones, if you're in your office or in your homes and you place a telephone call, you may speak to the other party with rest assured that no one has legal authority to eavesdrop or to overhear or to intercept your telephone conversation without there being probable cause, that criminal conversations are taking place in a court order. It authorizing the interception of that call. That is a fundamental right of privacy. What we're saying is there's no difference. Whether you use a conventional telephone, or a cordless phone that you may have that you use outside your house, that you make a call, or if your in your automobile and are using your cellular telephone, you should enjoy the exact same right of privacy and not have to be concerned about authorities or anyone else knowingly and intentionally monitoring and listening and overhearing your private conversation without having first a court order authorizing

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them to do that. And I can see no reason to distinguish between a conventional phone, a cordless phone, and a cellular phone. They're the same kind of device. You have the same right of privacy, expectation of privacy, and you ought to be afforded the same rights and privileges as if you were using conventional telephone. So, I would hope that we would all find it easy to support Senate Bill 2166. I move it's passage."

Speaker Breslin: "The question is, 'Shall Senate Bill 2166 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for 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', 7 voting 'no', 3 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 2307. Clerk, read the Bill."

Clerk Leone: "Senate Bill 2307, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Jones."

Jones, S.: "Thank you, Madam Speaker and Members of the House. Senate Bill 2307 amends the Criminal Code of 1961 relating to Child Pornography. It includes a depiction of a child in a lewd exhibition of clothed or unclothed genitals, pubic areas, buttocks, or female with the breast of a child, and there's been an Amendment put on that says that a fully or par...partially developed of a chi...partially development breast of a child. I ask for a favorable vote."

Speaker Breslin: "The Lady has moved the passage of Senate Bill 2307. On that question, is there any discussion? There being none, the question is, 'Shall Senate Bill 2307 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for 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 116 voting 'aye', 1 voting 'no', and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On the Order of State and Local Government, Third Reading. There are several Bills. The Sponsors are: Bugielski, DeJaegher, Giorgi, Novak, Cullerton, and DeLeo. The first Bill Senate 1484, Representative Bugielski. Out of the record. Senate Bill 1571, Representative DeJaegher. Out of the record. Senate Bill 1659, Representative Giorgi. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1659, a Bill for an Act in relation to local government. Third Reading of the Bill."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Mr. Clerk, is there not a Motion to table an Amendment?"

Clerk O'Brien: "Amendment #1, has been tabled previously."

Giorgi: "We'll just go with the Bill then."

Speaker Breslin: "Okay, the Bill is on Third Reading. Proceed on Third Reading Mr...Representative."

Giorgi: "Madam Speaker and Members of the House. Senate Bill 1659, amends the township law to permit a township board of trustees to enter into any cooperative of contract with certain other entities with respect to the expenditure of township funds for the purchase of paratransit services. This left the Senate with a '58' to '0' vote. I urge the support of the Bill."

Speaker Breslin: "The Gentleman has moved the passage of Senate 1659. On that question is there any discussion? There being none. The question is, 'Shall Senate Bill 1659 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 60 votes are required for passage. Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', none

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voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1877, Representative Novak. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1877, a Bill for an Act to create the Emerging Democracies Freedom Bond Act. Third Reading of the Bill."

Novak: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1877 is a very ambitious idea to assist companies...Illinois companies who wish to participate in the emerging democracies that are presently occurring in Eastern Europe, Middle Europe, Southeastern Europe, and also on the continent of Africa. It...it requires...it creates, I should say, a Freedom Bond Act to promote the general welfare of the people of Illinois by providing a certain bond issues to assist in low interest loans for Illinois companies to produce products in the State of Illinois to provide...to provide more export markets for the State of Illinois to produce those products and to provide more employment opportunities for Illinois citizens in small, in medium sized businesses by providing financial assistance through the emerging democracies freedom bond authority. We all know that things are changing dramatically in Eastern Europe. Countries like East Germany, Czechoslovakia, Hungary, Yugoslavia, where my forefathers came from, and Poland and other countries in Europe are going through a transition from autocratic, authoritarian regimes to an emphasis on representative democracies. The millions of people that reside in these countries want freedom. They want the free market system. The State of Illinois should take the lead, Ladies and Gentlemen, they should take the lead with government and it's business entities in this state to provide more

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business opportunities, to allow for incentives for Illinois companies to do business in countries that have the emerging democracies and wish to participate in the free market system. This is a great idea. I think we should all get behind this and support this. And I ask for your favorable support."

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

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

Speaker Breslin: "He will."

Ropp: "Representative, many of us are very much in support of exporting Illinois products, and I guess the question, that I might ask is, in Appropriations Committee this morning we just proved, now, state offices and I think 12 or 13 different countries around the world, what part will this play in assisting those offices that we currently are not doing under the program that the Lieutenant Governor has, DCCA has, Agriculture has, and other of state origin?"

Novak: "I'm sorry, Representative."

Ropp: "Okay, the question was, in the Appropriations Committee this morning we just approved money for twelve other offices. Total, of not twelve other, but all together. We have programs now in the Lieutenant Governor's office, DCCA, Department of Agriculture, and several others that are helping to do this very thing. And I'm wondering how this will improve, compliment, add to the existing programs that would help expand Illinois exports."

Novak: "Yes, I was there this morning. Yes. Right, right. Correct. Representative Ropp, I'm glad you asked that question."

Ropp: "I thought you would be."

Novak: "I have some information I would like to relate to you. In terms of the technique, the Emerging Democracies Bond

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Bank would make loans to Illinois firms on a longer term basis than the current Export Development Authority. Currently, the Export Development Authority makes only short term loans, no more than 180 days. These...the Export Development Authority loans are usually at the prime interest rate, plus a half or one percent in which today's market would 10.5 to 11 percent. The prime today is roughly 10. We expect the loans from the Emergency Democracies Bond Bank would be for terms up to 10 years at equal to or possibly less than the Export Development Authority, depending on the structure of the initial bond issues to create the pool of loan funds. This does compliment the Export Development Authority. This is a new idea. This is going to enhance our development efforts overseas."

Ropp: "So we establish a new bureacracy as a result of this or is there an exsiting state agency that will administer this program?"

Novak: "There will be...there will be a board developed and established by the Governor."

Ropp: "Why didn't you just consider putting it this let's say as a part of the Lieutenant Governor's activities? Looks like it might have saved some money and both...both the Sponsor of this Bill and the Lieutenant Governor from Kankakee..."

Novak: "Well...well, I know George Ryan quite well and I have high respect for the Gentleman, but the Export Development Authority did not think of this, as Senator Jerome Joyce, my Senator, thought of the idea, and I thought it was great. And he put it together, and I'm over here caring the Bill for him, and out of pride of ownership of this idea, we should pursue it."

Ropp: "Well, okay, I think I'm probably going to support it, but I just think we really get into a situation where we have

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so many darn good programs that we keep adding and establishing new agencies, new bureaucracies, rather than to adjust or change or implement existing programs. And to be real honest, I think this program should have been put in the hands of an existing agency or an existing group of people that are administering these exports. I hate to think that we have so many different agencies that, frankly, may not know what the right hand is doing from the left hand. As a result, I'm not as sure we are better off as a result of so many different agencies attempting to move in the same direction. Thank you."

Speaker Breslin: "The Gentleman from Du Page, Representative McCracken."

McCracken: "Thank you, I...I rise in opposition to this. It is duplicative of what already is the law. It's unnecessary and it appears to be nothing more than more bureaucrats looking for work. Not only does the state guaranteed up to \$20 million in bonds, which puts us at risk by the amount of \$20 million. But the state is authorized to make below interest deposits in accounts of the authority. The state can invest up to \$10 million at a rate of return not to exceed five percent by virtue of this authority. Five percent is less then they can get at other accounts. As a matter, there's nothing to stop the treasurer from investing interest free in the authority. So there's \$10 million of the tax payers monies potentially not even drawing interest, and that's what they want us to vote on. This is absolutely the wrong thing to do. If you want to send a message that Illinois supports eastern democracies, let's create an Illinois Peace Corps, we'll go over to Poland and tell they how much we enjoy what they're doing. Let's not spend millions of dollars to send a message. There's already a bureaucracy in place. There's already

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authority to help these export companies. We do not need this. It's duplicative. It will result in a loss to the state. I vote 'no'."

Speaker Cullerton: "Representative Cullerton in the Chair. Further discussion? The Lady from Cook, Representative Parcels."

Parcels: "Thank you, Mr. Chairman. Ladies and Gentlemen of the House. This legislation is totally unnecessary. If there is truly a need to assist small and medium sized businesses and finding export markets in Eastern Europe, it can be accomplished right now by the Illinois Export Development Authority. This is the kind of thing that our state government is criticized, duplicative, maybe political, overlap. It...it's absolutely needless. We could lose at least \$650,000 annually if we loaned this money at five percent or as Representative McCracken pointed out, it could be up to \$10 million. We've got the authority now that's very good. The treasurer just has make up his mind he want to do it. And he has the sole authority to loan this money if he decides he wants to; therefore if it turns out to be like the hotel caper that just happened recently. We could lose a lot of money. We've got a good Illinois Export Development Authority. We just, this morning, voted out appropriations to open out a Polish trade office. I don't think is necessary legislation, and the kind of thing we're criticized for in state government. And I think the 'no' vote is the right vote on Senate Bill 1877."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It just amazes me sometimes to listen to the rhetoric from the Republican side of the aisle. There is a Bill which is good for the business community in the State

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of Illinois. It's a pro-business Bill. At the same time, while we're helping the businessmen in Illinois, we'll be helping these fledgling countries in Eastern Europe who have finally got that yoke of communist off their shoulders, and they want to emerge as democracies. So what...what are the Republicans trying to say, you're anti-communist, you're pro-business? You should all be voting 'yes' on this Bill. And I would urge all of you to vote 'yes' on this Bill."

Speaker Cullerton: "Representative Novak to close."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let's just say one thing, any state treasurer that would put money or any treasurer put money in noninterest bearing accounts, is not doing his not doing his jobs right, so this is not going to happen under this legislation. This legislation is creative. It enhances business opportunities for small and medium size businesses in the State of Illinois to do business in Emergency Democracies in Eastern Europe. My God, let's get Illinois into the leadership realm of business in Eastern Europe and the continent of Africa when those democracies emerge themselves. Let's get behind this Bill and support this. This is a great idea. I think Illinois will be in the forefront in the international market place by providing these opportunities for our home grown businesses and providing equally important, Ladies and Gentlemen, more jobs for our Illinois citizens. Thank you."

Speaker Cullerton: "The Gentleman has moved for the passage of Senate Bill 1877. The question is, 'Shall Senate Bill 1877 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 77 voting 'yes',

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29 voting 'no', 11 voting 'present'. Senate Bill 1877 having received the required Constitutional Majority is hereby declared passed. Representative Giorgi, Senate Bill 1884. Mr. Clerk, please read the Bill."

Clerk O'Brien: "Senate Bill 1884, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Giorgi."

Giorgi: "Mr. Speaker, I ask leave of the House to move Senate Bill 1884 back to the Bill...Second Reading for the purpose of Amendments. If that was too quick I can do it again."

Speaker Cullerton: "The Gentleman asks leave to bring the Bill back to Second Reading. Leave is granted. The Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

Giorgi: "I think there are a number of Amendments."

Clerk O'Brien: "Amendment #1 offered by Representative Mautino - Giorgi."

Mautino: "I move for the adoption of Amendment #1."

Speaker Cullerton: "Representative Mautino moves for the adoption of Amendment #1. Any discussion? There being none, the question is, 'Shall Amendment #...Representative Hultgren."

Hultgren: "Could the Sponsor explain the Amendment, please?"

Speaker Cullerton: "I thought he did."

Mautino: "It puts an effective date in the Bill. I have another Amendment, I think."

Speaker Cullerton: "Alright. All in favor say 'aye', all opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #1 is adopted. Any further Amendments?"

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

Speaker Cullerton: "Representative Giorgi."

Giorgi: "This is an Amendment to allow the County of DeKalb to ha...to serve liquor, I think, in the court house...or something, but I should tell the House this Bill is going

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to Conference Committee, so I would like to adopt the Amendment."

Speaker Cullerton: "The Gentleman has moved for the adoption of Amendment #2. Any discussion? There being none, the question is, 'Shall Amendment #2 pass?' All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3 offered by Representative Ryder - McCracken."

Speaker Cullerton: "Representative Ryder, Amendment #3."

Ryder: "Yes, they explained to me that..."

Speaker Cullerton: "He's here. He's here. He may want to talk. He doesn't get to talk that much. Representative Ryder."

Ryder: "I associate myself with the remarks of Representative Giorgi. This Amendment..."

Speaker Cullerton: "Thank you. Any further discussion? There being none, the question is, 'Shall Amendment #3 be adopted? All in favor say 'aye', all opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #3 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments?"

Speaker Cullerton: "Third Reading. The Gentleman asks leave to receive...Senate Bill 1884, is leave granted? Representative Black. ...for what purpose do you rise, Sir?"

Black: "Inquiry of the Chair, Mr. Speaker. Staff tells us that we think there might be something done to this Bill...this Amendment that he doesn't intend to do. We think that the Amendment #1 deleted the immediate effective date, and if that is true, then the deadline that he is trying to meet is...he couldn't meet."

Giorgi: "Right. It's the reverse of that. But the plan is to send the Bill to Conference Committee anyway."

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Black: "The July 20th date is no longer your target date?"

Giorgi: "No longer. Doesn't...doesn't..."

Black: "Alright."

Giorgi: "I should explain, I'm not the rotten S.O.B. up there that the sign says."

Black: "Thank you, Representative."

Giorgi: "I think it's a guy on the Republican side of the aisle."

Speaker Cullerton: "So the Gentleman has leave to have the Bill put on Third Reading. So..."

Black: "So, I would like to send the Bill over to the Senate, it will be a good vote. It'll be the Conference Committee."

Speaker Cullerton: "Mr. Clerk, please read the Bill."

Clerk O'Brien: "Senate Bill 1884, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker Cullerton: "Gentleman moves for the passage of Senate Bill 1884. On that is there further discussion? Representative Van Duyne, the Gentleman from Will."

Van Duyne: "Thank you. Thank you, Mr. Speaker and I'm sorry Zeke, but you know this is just one more time an example of what we're doing to the private sector in terms of alcohol, restaurant and really unfair competition. Now, you know, we're going to let this little tavern or whatever it is, cocktail palace emerge in the Rockford Building and somebody is going to get a permit to lease it from whoever it is, the county or the township or whoever it might be. But what is it, what does it do? The only people that can even get anything from this is going to be the county board or the City Council, and they're are going to get a rent from this which puts them actually in open competition, the county or the city, with the neighborhood restaurants and taverns in the close proximity of the City Hall or the County Building. Now I don't think that's what we want to do. The guy that's gonna lease this is going to pay this

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to the city. The city, the city occupies a preferential position in our life. They pay no taxes, they have no investment in the building, they do not upkeep it. The people who are hired by the county keep the place clean, or else some privatized cleaning operation, and the people who operate taverns and restaurants in close proximity to this building have to buy their own building. They have to furnish it themselves. They have to pay a license fee. They have to hire their own people. So I think it's unfair. We've done this now, I've been here for 16 years, which is shortly is going to be terminated, to the happiness and betterment of everybody included here. But never-the-less, I just want to point out to you that we do this periodically and I don't think it's fair to our own people who are in private business. Now I'm saying it's an unfair advantage that we are giving to the people who operate this, these taverns or little cocktail lounges inside of our state building. So, I'm not even going to vote on the Bill. I'm just gonna stay off it but anyway it's been my little crusade over the years to point these things out to the Body as we do them. And I say it's an open encouragement on the people who have their own private businesses in the general vicinity of where we're gonna allow this to happen and it's unfair."

Speaker Breslin: "Representative Giorgi is recognized to close."

Giorgi: "Madam Speaker, I should clear this up. The first part of this Bill had to do with allowing liquor to be served in the State of Illinois Building for any festivities that people might want to contract into that Building, but they're gonna pay dram shop insurance and they're gonna pay whatever caterer that comes in who has a liquor license. That's number one. The other is DeKalb wants to have a one day celebration in their courthouse. Ryder has another

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plan for the Bill. And someone else has a plan for the Bill. None of these, we're gonna put these all on the Conference Committee, and Van Dyne can make that his swan, swan speech when we get back here June 30th. I urge the adoption of the Bill."

Speaker Breslin: "The question is, 'Shall Senate Bill 1884 pass?' All those in favor vote 'aye' opposed vote 'no'. Voting is open. Sixty votes are required for passage. Representative Breslin in the Chair. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 93 voting 'aye' 9 voting 'no' and 10 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1949, Representative Cullerton. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1949, a Bill for an Act relating to cemeteries. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Bill is the result of meetings between the Illinois Cemetery Association and the Office of the Comptroller. And is an Agreed Bill with regards to those two entities. The purpose of the Bill is to help avoid the potentially serious problem of inadequate funds to provide long-term care for cemeteries covered under the Act. The legislation sets forth minimum amounts of money that must be set aside in trust for the transfer of certain rights and there's fees that are described in the Bill. The cemetery authorities selling or giving away rights or other merchandise and service would be prohibited from increasing the sales price on items not requiring a care fund deposit, in order to lower the price or value on items requiring the care fund deposit. There's also a provision here for one

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town in Union Township in Avon, Illinois. Apparently, this town has four private cemetery associations. And in 1959 the citizens approved the use of tax money so this Bill stipulates that taxes levied for the maintenance and purchase of public cemeteries may be used for cemetery maintenance if this usage has been approved by voters of a special town meeting. They also adopted Amendment by Representative Parcells which also was an agreed Amendment. So, I'd be happy to answer any questions and move for the passage of the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1949. On that question is there any discussion? There being none, the question is, 'Shall Senate Bill 1949 pass?' All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye' none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1965, Representative Cullerton. Clerk read the Bill"

Clerk O'Brien: "Senate Bill 1965, a Bill for an Act relating to compulsory retirement of judges. Third Reading of the Bill."

Speaker Breslin: "Senate Bill 1965, Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. The House and the Senate has passed this Bill on two previous occasions or something very similar to it...the Bill repeals the compulsory retirement age of judges. The Federal Age Discrimination and Employment Act, prohibits mandatory retirement of a person based solely upon age. This law covers both private and public sector employees...but does not apply to public

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officials. So there's a certainly precedent set for not having a mandatory retirement. I would urge the House to once again pass the Bill and hope that this time the Governor would sign the Bill. Be happy to answer any questions."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1965. On that question the Gentleman from Cook, Representative Terzich."

Terzich: "Representative Cullerton, on the judges, is there a compulsory retirement now?"

Cullerton: "Yes."

Terzich: "Which age is that?"

Cullerton: "I Believe that...judges who have reached the age of 75 on the date of a certain general election must retire on the first Monday of December following such election."

Terzich: "So, the mandatory retirement now would be 75 and you want to lift that ban?"

Cullerton: "Well, we want to eliminate the mandatory provisions...right. Because when people most of these judges are elected. The people when they vote for them take in account their age...an so that's the reason why we want to eliminate the...mandatory provisions."

Terzich: "Well, I think this is a very good Bill because it's certainly going to save the pension system a hell of lot of money, I think it's a good idea."

Cullerton: "That's another reason for it."

Speaker Breslin: "The Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in opposition and it's some degree of reluctance that I do and I think many of you know that I aspire to one these positions. But I also think we put a risk in our system that somebody who's really not capable

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will maintain a position that's very vital and particularly downstate vital to all of us. And I think that this is one area that it's important for us to make sure that we have people who are capable of handling the duties in a position. A judge has a great deal of power in this state...can commit people to mental institutions, can sentence people to prison, and we all know that we're...we're mortal but even less than mortal we find that we find the...that we become fallible in our older ages and I think that we can also fail in ability to think. We've pushed this back over the years, there was a case Traplet vs. Thompson in the early 80's that went to the Federal Courts and up to the Federal Court of Appeals which upheld a compulsory retirement statute at age 70 and we pushed it back to 75. As much as it might hurt some people I think 75 is long enough to be there and I think we have to make a judgement which is based upon balance and the balance is we may have to force some people who are still capable of working to retire, in order assure the public that those people sitting on the bench are capable of handling the duties. And for that reason I urge you to vote 'no'."

Speaker Breslin: "The question is, excuse me, the Gentleman from Cook, Representative Young."

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I, too, reluctantly rise to oppose this Bill. It dawns on me that this General Assembly passed judicial redistricting Bill the point of which was to help put more minorities and women into the judicial system. I think the end result of this particular Bill will undo a lot of the work we did last Session, and that it will keep present sitting judges there longer. Therefore, denying the vacancies for the minorities and women to take the bench, and for that reason I, too, oppose this Bill."

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Speaker Breslin: "Representative Cullerton is recognized to close."

Cullerton: "Yes, with regard to the opponents...The Bill applies to minority judges, as well, if they reach the age of 75 they also do not have to retire. With regard to the previous speaker before...on the Republican side I believe that he is going to be elected a judge, and he will be a fine judge. And I think he going to rue the day that he opposed this Bill because I think he's going to become 75 someday...in fact it might not be that far away and he's going to wish that he didn't have mandatory retirement. The real purpose of the Bill is the symbolism of having a mandatory retirement for a particular occupation when we don't have it for anything else. And as Representative Terzich said it would, in effect...have some effect on the pension system. But more importantly we should recognize the fact the Supreme Court when they need to call up judges when there's a shortage this, the...frequently call up judges who are, you know, retired from the practice of law and uses some of the finest judges. Seems to me you should be more concerned about having judges who are too young than having judges who are too old. You need their experience and you need temperment and I just think to have an arbitrary age of 75 set is wrong. All the senior citizen organizations in the state are aware of this Bill and have indicated their support for this Bill and we passed this Bill in the past, and sure most everybody has voted for it in the past, and so I would urge an 'aye' vote."

Speaker Breslin: "The question is 'Shall Senate Bill 1965 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 45 voting 'aye', 58 voting 'no', and 11 voting 'present'. The Gentleman would need two more votes in order to keep the Bill on the Order of Postpone Consideration. Does he seek that? Representative McNamara and Woolard vote 'aye'. The Bill will be placed on the Order of Postponed Consideration. Senate Bill 1994, Representative DeLeo. Out of the record. The next Order of Business is Housing, Third Reading. The only person who has a Bill on this Order is Representative Capparelli. The Bill is Senate Bill 722, Representative Capparelli. Ready? Out of the record. The next Order is the Order of Human Services. Third Reading. Senate Bill 1906, Representative Steczko. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1906, a Bill for an Act to amend an Act concerning nursing homes. Third Reading of the Bill."

Speaker Breslin: "Representative Steczko."

Steczko: "Thank you, Madam Speaker, Members of the House. Senate Bill 1906 contains two provisions as they relate to sheltered care. The first, amends the Long Term Care Peer Review Act and it adds quality assessment in assurance to reflect additional funding that can be performed under the law. These are extended, these extend civil immunities of peer view to persons that serve on committees that assess quality conduct and assessment assurance. This is all done because the federal law changed and we're required to use quality assessment and assurance under the federal law so state law has to be changed to address those provisions. Secondly, the Bill exempts nurses aids, orderlies, and technicians employed by sheltered care facilities from state training certification requirements. That came from

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the Senate and it was developed in conjunction with the Illinois Health Care Association and I would move for the passage of the Bill, Madam Speaker, and answer any questions."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1906. On that question is there any discussion? There being none, the question is, 'Shall Senate Bill 1906 pass?' All those in favor vote 'aye' those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye' none voting 'no'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 2050, Representative Lang. Out of the record. Senate Bill 2076, it's a Committee Bill, Representative McGann. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2056, a Bill for an Act to amend the Illinois Horse Racing Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1..."

Speaker Breslin: "Excuse me, Mr. Clerk. The Calendar shows that this Bill is on the Order of Third Reading. Is that incorrect? I see. The Clerk advises us that this Bill is on the Order of Second Reading. Our Special Order Calendar is incorrect. So the Bill is on Second Reading. Are there any Motions or Amendments filed Mr. Clerk?"

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

Speaker Breslin: "Representative Hicks. Mr. Hicks, are you prepared to proceed with this Amendment?"

Hicks: "Yes, I am. Madam Speaker. Amendment #1 to Senate Bill 2056 amends the Rule Diversification, whereby there's..."

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Speaker Breslin: "Excuse me. Mr. Clerk, the Bill number is House Bill 2076 and it's a Committee Bill, presented by Representative McGann. And that's our problem Representative Hicks. We have the wrong Bill up here."

Hicks: "Thank you very much."

Speaker Breslin: "Okay. So our Calendar is not incorrect. It's House Bill 2076. Representative McGann's Bill. Ask Representative McGann if he would like to present this Bill. No? Out of the record. Senate Bill 2187, Representative Daniels. Who's presenting this for Representative Daniels? Representative Wojcik. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2187, a Bill for an Act to amend various Acts in relation to assistance for families. Third Reading of the Bill."

Wojcik: "Thank you, Madam Speaker, Members of the House. Senate Bill 2187 creates the Family Support Amendment of 1990 regarding Education, training and employment programs. It makes changes in procedures for income withholding for child support awards. The reason for the changes is at the Federal Family Support act of 1988 requires states operating federally funded aid to families with dependent children employment and training and child support enforcement programs to implement specific uniform child support enforcement programs. And also, in order to maintain continuing eligibility for federal funding. The Federal Act established a number of welfare reform initiatives, including the job opportunities in basic skill program which replaced the work incentives. The jobs program is targeted toward solving a long term employability problem of many public aid recipients. The old Project Chance was targeted to moving people off the roles as quickly as possible without much concern as to

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whether they stayed off. There's, a fiscal impact for this legislation is 4.4 million and that'll be the cost to implement the new Project Chance. I urge its' favorable passage."

Speaker Breslin: "The Lady has moved for passage of Senate Bill 2187. On that question is there any discussion? There being none the question is, 'Shall Senate Bill 2187 pass?' All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye' none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 2195, Representative Levin. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2195, a Bill for an Act in relation to rehabilitation of disabled persons. Third Reading of the Bill."

Speaker Breslin: "Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 2195 amends the Rehabilitation Services Act to authorize the Department of Rehabilitation Services in its operation of its current statewide clearing house for disabled accessibility housing to include information about the availability of privately owned housing. This Bill is supported by the Department and if there are any questions I'd be able to answer them. Otherwise, it passed the Senate 58 to nothing."

Speaker Breslin: "The Gentleman has moved for passage of Senate Bill 2195. On that question is there any discussion? There being none, the question is, 'Shall House Bill 2195?' All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. Sixty votes are required for 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 100, on this question there are, Representative Bowman, for what reason do you seek recognition?"

Bowman: "Please recognize me after you announce the roll."

Speaker Breslin: "Okay. You don't wish to vote on this Bill? On this question there are 111 voting 'aye' none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Bowman, for what reason do you seek recognition?"

Bowman: "Well to share with the House some goodies. It's not my birthday or anything but Representative Shirley Jones was very nice and gave me a nice fruit basket, I guess as a going away present. And since fruit is much better for you than birthday cake and all the other sugar and sweets that we normally pass around on this Floor, I just wanted to invite everyone to come over to my desk and pick up an apple or an orange or a pear or something and join with me in sharing this fruit basket that Representative Shirley Jones was nice enough to provide. I just want to thank Shirley for that too. Thank you Shirley."

Speaker Breslin: "Thank you. That's very generous of you both, Representative Bowman and Representative Jones. The next Order of Business on Third Reading is Insurance. The Sponsors are Wolf, Hasara, and Mautino. The first Bill is Senate Bill 1568. Out of the record. Senate Bill 1569, Representative Hasara. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1569, a Bill for an Act to amend the State Employees Group Insurance Act. Third Reading of the Bill."

Speaker Breslin: "Representative Hasara."

Hasara: "Thank you, Madam Speaker. Senate Bill 1569 provides

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that the group life insurance coverage for retirees under the state retirement systems for annuitants 60 and older should be raised from \$2000 to \$5000. It also provides that survivors may opt to purchase \$5000 worth of life insurance rather than \$2000 dollars. I would be glad to answer any questions that anyone might have on this Bill."

Speaker Breslin: "The Lady has moved the passage of Senate Bill 1569. On that question, the Gentleman from Cook, Representative Terzich."

Terzich: "Yes. Representative Hasara, you mentioned something about the state ...is this all state employees group insurance?"

Hasara: "Yes."

Terzich: "Not just the universities?"

Hasara: "No. It's general assembly, judges, state employees."

Terzich: "And what does it do? Does it increase the retirees insurance?"

Hasara: "Okay. Right now. Actually, there is a set of two Bills. This is the second in that set. Right now, if you retire, you are entitled to receive only two thousand dollars worth of life insurance."

Terzich: "No you don't. You're beneficiary's entitled to receive \$2000, right?"

Hasara: "Well, on your behalf that's true. As you can imagine, the original intention of even providing the \$2000 was to provide for burial costs. That, of course, no longer provides burial costs and so we are asking to raise that benefit from \$2000 to \$5000. This has not been raised for almost 20 years and it's intent simply is to raise the cost of what it would cost to bury a annuitant under the, one of the retirement systems."

Terzich: "I assume, this was this approved by Central Management Services or anybody?"

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Hasara: "Central Man..."

Terzich: "Who made the determination that should go from \$2000 to \$5000? Why shouldn't it go from say \$2000 to \$10,000?"

Hasara: "Well, because of the cost."

Terzich: "How was the cost determined? What is the cost?"

Hasara: "The cost would be \$3.5 million dollars. Approximately."

Terzich: "So, this Bill here would be \$3 and 1/2 million dollars?"

Hasara: "That's correct."

Terzich: "And what who, but no one basically made the determination, he just came out with a figure of \$5000. I mean, could we amend it to make it \$10,000?"

Hasara: "Certainly we could. I think the cost was arrived at, I mean the amount to provide that, trying to keep the cost to save as well as possible and yet reaching an amount of money that could provide a burial for someone. Some cases it would not even do that, of course, but you probably could bury someone for \$5000 in this state."

Terzich: "Was this benefit supported by AFSCME who represents the state employees? You know, they have a concern that..."

Speaker Breslin: "Yea, it certainly is. It definitely is supported by AFSCME."

Terzich: "Oh. Alright."

Speaker Cullerton: "Further discussion? The Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Mr. Speaker. I just stand in strong support of what Representative Hasara..."

Speaker Cullerton: "I'm sorry. Representative Cullerton in the chair. Representative Curran proceed."

Curran: "I just stand in strong support of what Representative Hasara is doing. This is really a very small thing for state employees whose pension benefits because of the decrease in the amount of money each year that we have been

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putting into the system. State employees pension benefits now are so low as to make a disgrace for the way we've conducted the pension system. What Representative Hasara is doing is a very good thing, a very small thing, a very fair thing, and I can't imagine anybody being against it."

Speaker Cullerton: "Further discussion, the Gentleman from Cook, Representative Parke."

Parke: "Thank you Ladies and Gentlemen of the House. I have, in the past gone and sold insurance to employees of companies and I've found that in going and in sitting down with people that work for big companies or for state that many times this is the only insurance that they have at all. And quite frankly, most of us realize that it costs us now well over \$2000 for basic burial to provide a respectable funeral and to take care of the needs of someone who has died and to make sure that there is money available. And I happen to think that this legislation is something that is absolutely appropriate, that if people had chosen to work for this state, the state has a responsibility to provide for those employees. And so I rise in support of this legislation and commend Representative Hasara in introducing this fine piece of legislation."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Peterson."

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

Speaker Cullerton: "She indicates she will."

Peterson: "Representative, isn't this kind of benefit subject to collective bargaining? I mean we do have collective bargaining all the employees...in fact seems to me that we, through collective bargaining, to increase the total amount of group insurance available just goes in effect this year."

Hasara: "Well, this isn't going into effect this year under

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collective bargaining. That's why I'm proposing it."

Peterson: "My question is though, we do have a collective bargaining process for benefits for state employees and isn't this a matter for collective bargaining, isn't it something they, that they could and maybe should consider under collective bargaining?"

Hasara: "I wouldn't deny that they could. But, we are not in collective bargaining this year and that's why this has come up this year."

Peterson: "To the Bill, Mr. Speaker. The group two, the notion of group insurance is it's term, it's supposed to be temporary, it's supposed to provide relatively high benefits during those years when your responsibilities are heavy. Many, many group plans do not provide any continuation of term coverage beyond retirement you had the conversion privilege if you really need it. And of course if people are really uninsurable they really do convert it and so you have all those options. Normally, the cost of term insurance goes up astronomically after retirement and because of that, CMS opposes it. They don't have the money in the budget. The Governor is against it for the same reason. I think, maybe, we should relegate this type of legislation to the collective bargaining process where it is intended and I'd urge a 'no' vote."

Speaker Cullerton: "Further discussion? The Gentleman from Will, Representative Regan."

Regan: "Thank you, Mr. Speaker and Members of the House. I also rise in opposition. We shouldn't be legislating benefits. It should be an agreement between management and labor like anything else is. In addition to that fact, the group insurance was never designed to do the total job. People have group insurance, they have individual insurance. It's up to them to decide how much they need and how much they

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should purchase. I would urge a 'no' vote."

Speaker Cullerton: "There being no further discussion, the Lady from Sangamon, Representative Hasara to close."

Hasara: "Thank you, Mr. Chairman. I think you've heard...I'm sorry. Mr. Speaker. I think you've heard several people in support of this Bill. I would certainly agree with all the arguments that have been brought up. I might mention that not all of the retirement systems are included under collective bargaining. So while the state employees might be there are other systems that would not be covered under collective bargaining. And I would like to say that I think if you would compare the state retirement systems with some of the other retirement systems around, you would find the benefits to indeed be very, very meager and very low and I certainly think that this is a very small thing that we could do for those under the state retirement systems. And with those points in mind, I would ask for the adoption of this piece of legislation."

Speaker Cullerton: "The Lady has called for the passage of Senate Bill 1569. The question is, 'Shall Senate Bill 1569 pass?' All those in favor vote 'aye' all those opposed vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 113 voting 'yes' the two people who spoke against the voting 'no' and none voting 'present'. Senate Bill 1569 having received the required Constitutional Majority is hereby declared passed. Supplemental Calendar #2 has been distributed. Representative Hasara, Senate Bill 1578. Mr. Clerk, please read the Bill."

Clerk O'Brien: "Senate Bill 1578, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Hasara."

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Hasara: "Just, I have a inquiry of the Chair. This Bill, it doesn't matter, I can run with it, but it was on, going to be on the Consent Calendar, it had been taken off."

Speaker Cullerton: "Representative Woolard, for what purpose do you arise?"

Woolard: "Yes, Mr. Speaker. I agree with Karen Hasara. It was taken off by her in regards to a concern that I had to place something on it we chose not to Amend it. I would encourage that you're to place this Bill back on the Consent Calendar."

Hasara: "If a Motion has not been filed, I can go ahead with it, now, if you'd rather."

Speaker Cullerton: "Fine. Why don't you proceed with the Bill?"

Hasara: "That's fine."

Speaker Cullerton: "Mr. Clerk, have you read the Bill a Third time? Yes. Representative Hasara why don't you proceed with Consent Calendar Bill, I hope it passes. Wouldn't that be something if it didn't pass?"

Hasara: "My Senator would not be happy."

Speaker Cullerton: "Go ahead."

Hasara: "This Bill is the same Bill that we passed out of the House, I believe unanimously. It raises the limit that someone can receive from the Mine Subsidence Insurance Fund from \$100,000 to \$350,000. This has been noncontroversial. It's private insurance that homeowners may purchase and I move for its adoption."

Speaker Cullerton: "The Lady moves for passage of Senate Bill 1578. On that is there any discussion? Representative Martinez. Do you seek recognition?"

Martinez: "I simply wish to be recorded as 'aye' on this last Bill, 1569 I believe."

Speaker Cullerton: "The table so indicates. Is there any discussion on Senate Bill 1578? There being none the

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question is, 'Shall Senate Bill 1578 pass?' All those in favor vote 'aye' all those opposed vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 117 voting 'yes' none voting 'no' and none voting 'present'. And Senate Bill 1578 having received the Constitutional Majority is hereby declared passed. Senate Bill 1962, Representative Mautino. Out of the record. On the Order of Transportation, Third Reading, Representative Hicks. Is the Gentleman in the chamber? Representative Hicks? The Order we're going to now is Transportation, Third Reading. The Sponsors are Representatives Hicks, Wait, Parcells, Novak, LeFlore, Mautino, and LeFlore. Representative Hicks, on Senate Bill 1491. Out of the record. Representative Wait, Senate Bill 1531. Mr. Clerk, please read the Bill."

Clerk O'Brien: "Senate Bill 1531, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill here would simply say that a municipality could not close a road until or unless the township or county road commissioner gave his authorization to close the road. I'd simply ask for your approval of this. Thank you."

Speaker Cullerton: "The Gentleman has moved for the passage of Senate Bill 1571. On that is there any discussion? There being none, the question is, 'Shall Senate Bill 1531 pass?' All those in favor vote 'aye' all those opposed vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 106 voting 'yes' 5 voting 'no' and 4 voting 'present'. Senate Bill 1531, having received the required Constitutional Majority is hereby declared passed. Representative Parcells, Senate

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Bill 1550. Mr. Clerk, please read the Bill."

Clerk O'Brien: "Senate Bill 1550, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. Ladies and Gentleman of the House. This amends the Illinois Vehicle Code and it allows amateur radio operators who have amateur radio operators special registration plates, to use one sided head set receivers while operating a motor vehicle. Some of you may not be aware that it is illegal to have any kind of a head set on right now and even the Red Cross was not aware of that and they have been using one-sided headsets. They and other constituents who are amateur radio operators would like the right to be able to wear a one-sided headset receiver and I would ask for your 'aye' vote. The State Police incidently are neutral on this. They have no problem with this at all. And I would be happy to answer any questions."

Speaker Cullerton: "The Lady has moved for passage of Senate Bill 1550. On that is there any discussion? The Gentleman from Cook, Representative Kulas."

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

Speaker Cullerton: "She indicates she will."

Kulas: "Representative Parcels, is this a yuppie Bill?"

Parcels: "I don't know. are the Red Cross yuppie?"

Speaker Cullerton: "Further discussion? The Gentleman from DeKalb, Representative Countryman."

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

Speaker Cullerton: "She indicates she will."

Countryman: "Can, can, if you pass this law can you wear one of these headsets riding a motorcycle?"

Parcels: "I beg your pardon?"

Countryman: "If this law passes, will you be able to wear one of

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these headsets riding a motorcycle?"

Parcells: "Well no. They are allowed to wear headsets now."

Countryman: "One-sided or two?"

Parcells: "I believe they have two-sided. And they have in their helmet they may have equipment to have a radio and/or I believe, radio equipment."

Countryman: "Oh, but they got to wear a helmet?"

Parcells: "Yea. Well, they're supposed to wear a helmet. I don't know if Representative Cullerton's passed that Bill yet, for over 18."

Countryman: "How about the Governors..."

Parcells: "What you're asking me is may they now? I believe it's against the law now but I can't tell you about motorcycles."

Countryman: "Well, if we pass this Bill, and I'm driving my pick-up truck and going to Flossmore where I can't drive my pick-up truck or I can't park my pick-up truck but I can wear this, right? Is that right?"

Parcells: "That's up to Representative Didrickson."

Countryman: "Can I park my pick-up truck in your district?"

Parcells: "You surely can. Right in my driveway."

Countryman: "Thank you. I think it must be a good Bill."

Speaker Cullerton: "Any further discussion? There being none, the question is, 'Shall Senate Bill 1550 pass?' All those in favor vote 'aye' all those opposed vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 115 voting 'yes' none voting 'no' none voting 'present'. And Senate Bill 1550 having received the required Constitutional Majority is hereby declared passed. Representative Novak, Senate Bill 2167. Out of the record. Representative LeFlore, Senate Bill 2176. Mr. Clerk, please read the Bill."

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Clerk O'Brien: "Senate Bill 2176, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

LeFlore: "Thank you, Mr. Speaker. Senate Bill 2176 provide that all state colleges and universities may issue a special license plate for their alumnus. With individuals college logos providing each college or university can sell 10,000 plates. This legislation also sets up a scholarship fund for students who are at economic disadvantage. Really, this Bill came before the House last year. The presentor, the Sponsor of the legislation was Representative Mike McPike, it passed the House, went to the Governor, I think he vetoed it. So I'm asking for a favorable vote on this particular measure."

Speaker Cullerton: "The Gentleman moves for the passage of Senate Bill 2176. On that is there any discussion? There being none, the question is, 'Shall Senate Bill 2176 pass?' All those in favor vote 'aye' all those opposed vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 109 voting 'yes' 3 voting 'no' 2 voting 'present'. Senate Bill 2176 having received the requires Constitutional Majority is hereby declared passed. Representative Mautino? Representative Mautino, 2239. Out of the record. Representative LeFlore, 2291. Mr. Clerk, please read the Bill."

Clerk O'Brien: "Senate Bill 2291, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

LeFlore: "Thank you, Mr. Speaker. Senate Bill 2291 expands the definition of essential parts of automobiles. And the parts consist of carburetors, seats, cassette players and compact discs. This Bill passed committee eight to five in the Senate and it passed the Senate forty-seven to two and with that I ask for a favorable vote."

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Speaker Cullerton: "The Gentleman moves for the passage of Senate Bill 2291. On that is there any discussion? There being none the question is, 'Shall Senate Bill 2291 pass?' All those in favor vote 'aye' those opposed vote 'no'. The voting is open, this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 112 voting 'yes' 3 voting 'no' none voting 'present'. Senate Bill 2291 having received the required Constitutional Majority is hereby declared passed."

Speaker Young, A.: "Representative Young in the Chair. We will go to the Special Order of Children, Third Reading. Representative Parke, for what purpose do you seek recognition?"

Parke: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Being today that is Flag Day in case anybody's going home tonight and wants to give a speech on Flag Day, I happen to have some speeches here. Maybe over the weekend you may be needing them. So, I'll be going around passing our Flag Day speeches. I also want to commend Representative Lee Daniels on presenting each of us with an American Flag. I might want to also say that let this be the symbol of the eventual opportunity of each of us legislators to vote for the Constitutional Amendment to protect our country's flag and I look forward to that day."

Speaker Young, A.: "Representative Parke, let me remind you. We are in session tomorrow. I'm sure no one's going home tonight. The next Bill is Senate Bill 1593, Representative Trotter. Out of the record. Senate Bill 1612, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1612, a Bill for an Act to amend the Child Passenger Protection Act. Third Reading of the Bill."

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Speaker Young, A.: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You may recall that we passed the Bill dealing with Child Passenger Protection Act. A House Bill. An identical Bill was introduced in the Senate, by Senator Daley. And what happened in the Senate was that Representative (sic - Senator) Hawkinson came up with a compromise and then, virtually everyone supported the Bill and what his compromise was, to say that in order for someone who's driving and transporting their child to be in violation of this Act, the parent must have provided a car seat for that child. If the parent had not provided one, then a person transporting the child would not be liable. And I've agreed to that compromise. However, there was one Amendment which we did add in the House. That's because the Senate's version either inadvertently or intentionally, I'm not sure, but they had the word 'medical emergency' which we had passed on the House Bill, that was struck in the Senate. So we added the term medical back into the word emergency otherwise it would be too broad of a loophole. So I'd be happy to answer any questions and I'd move for the passage of the Bill and I'd remind you that if you had, when we first passed this Bill, we had the benefit of testimony in committee, both the House and the Senate of a Christine Mিকেletti, a Lady from Bloomington Illinois who suffered a loss of her child when the child was removed from a car seat by the child's grandmother because the baby was fussing and then only a mile or so later, the lady, the lady's child was killed in a car accident and that kind of underscores the need for this law to be expanded to include everybody who is transporting a child, birth through the age three, must be in a car seat. But we have accepted, as I have indicated, Representative Senator Hawkinson's

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compromise and I think, as a result, it's a fair Bill and appreciate your support."

Speaker Young, A.: "The Gentleman moves for the passage of Senate Bill 1612. On that question the Gentleman from Cook, Representative Harris."

Harris: "Thank you, Mr. Speaker. Question of the Sponsor?"

Speaker Young, A.: "Yes."

Harris: "Yes. Representative, I think I understand the purpose of the Bill. But let me ask you a question, if I can get your opinion on this Amendment. Do you think this Amendment opens up a significant loophole in the Bill?"

Cullerton: "No, I...let me say this. The way the Bill was back from the Senate who amended these things to just say in cases for emergency, I felt that that was too broad of a loophole. Now in the case in the Bill we passed we said if there was a medical emergency now, I think, however, for purposes of legislative intent we can say that medical emergency can be broadly construed and if you have a situation where you know, some DCFS gets a call that some children are being abused and the police go over to take babies out of the home, that can be considered a medical emergency. And you're not going to wait around for those children to get a car seat although I would point out, under Hawkinson's compromise if the car seat was not provided by these abusing parents then there would be no liability anyway. That might be an extreme example but I want to say for purpose of legislative intent a medical emergency can be construed broadly but to just have the word 'emergency' that's so broad that it can virtually be applied in every case."

Harris: "Well, I appreciate that. I appreciate the answer. A second question. Do you think the child seatbelt law is being enforced by the police in the state?"

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Cullerton: "The law is, unlike the seatbelt law, it is a primary enforcement. Unfortunately, our compliance in Illinois is somewhere around 45 percent, whereas in other states, as in California for example, it's up around 85 percent. So, you know, part of the reason is the fact that the law, the way it was originally drafted; how does a police officer know whether or not the owner, whether the driver is a parent since the law only applies to the parent? So by passing this law we might make it easier certainly make it easier for the law enforcement agencies to enforce it and hopefully will increase it's compliance. Again, this is a \$25.00 fine. And if you come to court with a receipt for a car seat you don't have any fine at all. The purpose of it is to inform and educate people and hopefully it will."

Harris: "Well, to the Bill Mr. Speaker. If, indeed, this Bill, this Amendment and this Bill helps enforce the Child Seatbelt or Child Restraint Law that we have on the books right now, by all means we oughta send it out without a negative vote. I would encourage the Representative to come back next year and do something about the law enforcement agencies that really are not enforcing the Bill, enforcing the law, recognizing the difficulty that they have. If an 18 year old or an adult does not chose to wear a seatbelt, well we can argue that maybe he has that right, but the protection of those children is indeed needed and if the parents won't do it then we oughta step in and we oughta encourage it. I think this Bill goes along way in that regard. I'm just fearful that the Amendment might even get too big of a loophole but let's send it out of here, if it strengthens the law let's send it out of here without a negative vote."

Speaker Young, A.: "The Gentleman from Vermilion, Representative Black."

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Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Young, A.: "Indicates he will yield."

Black: "Hey, Representative, I perhaps I'm hung up on the schematics problem here. But can you define a noncommercial motor vehicle?"

Cullerton: "The Amendment for that language was specified by the Department of Transportation to make it clear that we weren't covering buses."

Black: "So, you're not covering school buses, correct?"

Cullerton: "No."

Black: "Alright. Let me ask you. A question has come up. Because it's, the Bill says every person transporting a child between the ages of four and six in a noncommercial motor vehicle some of these nursery schools who are operated by churches, perhaps the Salvation Army, has vans. Ten to Twelve or fourteen passenger vans, and they were asking me if that meant they had to either buy, some seatbelts are in them, but perhaps may also have to purchase restraint systems for the younger children in the nursery."

Cullerton: "No. Children ages four, five and six have to be in a seatbelt. That's what the law is right now."

Black: "So this doesn't expand the..."

Cullerton: "No."

Black: "...restraint. Okay, that's what we need. Thank you very much."

Speaker Young, A.: "Further discussion? Hearing none the question is, 'Shall Senate Bill 1612 pass?' All those in favor vote 'aye' those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 voting 'yes' 5 voting 'no' 2 voting

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'present'. This Bill having received the required Constitutional Majority is hereby declared passed."

Speaker Cullerton: "Representative Cullerton in the Chair. Next Order of business is State Government Administration. Third Reading. Representative Capparelli? Is the Gentleman in the chamber? Representative Capparelli? There's two Bills, 1496 and 1497. Both out of the record. Representative Phelps, 1700. Out of the record. Representative Myron Olson, 2150. Senate Bill 2150. Mr. Clerk, please...out of the record. Representative Jesse White, Senate Bill 2217. Out of the record. On the Order of Public Utilities, Representative Hoffman. Out of the record. On the Order of Labor, Second Reading. We were going to go on the Order of Labor, Second Reading. Representative Kulas, on Senate Bill 1501. Second Reading. Out of the record. Representative McPike, 1638 on the Order of Labor, Second Reading. Unemployment Insurance. Out of the record. Representative Saltsman, Senate Bill 1704. Mr. Clerk, please read the Bill."

Clerk O'Brien: "Senate Bill 1704, a Bill for an Act concerning leave for firefighters. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Cullerton: "Any Motions filed with regard to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendments #2 offered by Representative Saltsman."

Speaker Cullerton: "Representative Saltsman on Amendment #2."

Saltsman: "Yes, thank you, Mr. Speaker. Amendment #2 I agreed to add, this is an agreement by the Illinois Manufacturers Association and Administration. The Administration of the court systems and it involves the reinstatement of

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employees that have been discharged for reason of serving jury duty and I'd ask for its passage."

Speaker Cullerton: "The Gentleman moves the adoption of Amendment #2. All in favor say 'aye' all opposed say 'no'. In the opinion of the Chair...I'm sorry. Representative Hasara do you have a question? In the opinion of the Chair the 'ayes' have it and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "Amendment #3 offered by Representative Levin."

Speaker Cullerton: "Representative Levin on Amendment #3. Representative Levin on Amendment #3."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 is identical to a Bill that we passed out here a couple of weeks ago on the Consent Calendar and which, in fact, got out of Senate Rules but got referred too late to committee. It deals with child actors and would make Illinois child actors more employable. It comes from a situation that exists in the Chicago area where Oprah Winfrey attempted to put together a program using some Chicago area actors, and because of our existing law that provides that minors who enter into a contract, that contract is void when they turn 18. We've had a situation where we've not been able to employ Illinois young people as actors because they don't want to employ people who's contract at age 18 are no longer valid. This Amendment copies the California Law. There was no opposition to it. It helps employ Illinois young people as actors and I simply ask for its adoption once again."

Speaker Cullerton: "The Gentleman moves for the adoption of Amendment #3 to Senate Bill 1704. On that is there any discussion? The Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Madam...Mr. Chairman...Mr. Speaker. Not

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Madam Speaker. Representative Levin?"

Speaker Cullerton: "Mr. Speaker. Yes. Mr. Levin.
Representative Levin."

Levin: "Yes."

Didrickson: "A question. You say that this patterns California
legislation?"

Levin: "This is law not only in California but in the vast
majority of the states around the country. And it provides
that at age 18 a court may review the contract and may
validate the contract so it continues in..."

Didrickson: "So what you're saying is that the vast majority in
the country has similar legislation to this? That it's
patterning that..."

Levin: "That is correct."

Didrickson: "And. But there was a particular incident with
regards to a television show in Chicago?"

Levin: "Yea. This initially came from the producers who work for
Oprah Winfrey when they were doing Brewster Place and they
wanted to employ Illinois young people as actors. And if
the show took off, they would want to make sure that those
actors continue to be under contract after they were 18.
And the result is that you know, they're discouraged as our
other people in the acting, in that field, from hiring
Illinois young people. The result has been, in fact, that
some Illinois young people's families had to move to other
states and take a domicile, for example, Indiana in order
to be able to be employed as actors. This is silly and
this corrects that kind of situation."

Didrickson: "Alright. No further questions. Thank you."

Speaker Cullerton: "Yes. Speaking of Oprah Winfrey, Ladies and
Gentlemen, I'd like to announce the presence of the Cook
County Recorder of deeds and former Member of the House
Carol Mosley Brown. Carol in the center aisle. The

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Gentleman has moved for the adoption of Amendment #3. All in favor say 'aye' all opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Third Reading. The Gentleman asks leave to present the Bill on Third Reading. The Gentleman has leave. Leave is granted. Representative Saltsman you want to do it tomorrow, you don't need leave. On page 13 of the Calendar, on the Consent Calendar, Senate Bill 1905. We're awaiting a printing of an Amendment. Mr. Clerk, would you please read that Bill on Second Reading?"

Clerk O'Brien: "Senate Bill 1905, a Bill for an Act to amend the Local Government Debt Reform Act. Second Reading of the Bill. No committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative McCracken there's somebody in your chair, Representative McCracken."

McCracken: "Yes there is. I'll just lean over. Thank you. Amendment #1 would change the double barrel Bond Backdoor Referendum from a 15 percent voter requirement for petition to 7.5 percent and from a 21 day period from the date of ordinance to 30 days from the date of ordinance. I move its adoption."

Speaker Cullerton: "The Gentleman moves the adoption of Amendment #1 to Senate Bill 1905. Is there any discussion? There being none the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye' all oppose say 'no'. In the opinion of the Chair the 'ayes' have it. Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Cullerton: "The Bill will remain on Third Reading and remain on the Consent Calendar. I think we need leave for that. Does anyone object to leaving this Bill on the Consent Calendar? There being no objections, the Gentleman has leave and the Bill remains on the Consent Calendar. Representative Steczo on House Bill 1532. You ask leave to bring the Bill back to Second Reading for the purposes of an Amendment? This Bill is also on the Consent Calendar? The Gentleman has leave to go back to Second Reading. Mr. Clerk, please read the Bill."

Clerk O'Brien: "Senate Bill 1532, this Bill has been read a second time previously. Floor Amendment #1 offered by Representative Steczo."

Speaker Cullerton: "Representative Steczo on Amendment #1."

Steczko: "Thank you, Mr. Speaker. Amendment #1 is purely technical and is offered by the Department of Professional Regulation. I move for its adoption."

Speaker Cullerton: "The Gentleman's moved for the adoption of Senate...of Floor Amendment #1 to Senate Bill 1532. Any discussion? There being none the question is, 'Shall Amendment #1 be adopted? All in favor say 'aye' all opposed say 'no'. In the opinion of the chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "And the Bill will be on Third Reading. Is there leave for leave this Bill on the Consent Calendar? Leave is granted by the attendance roll call. Representative John Dunn? Is Representative John Dunn in the chamber? Representative Dunn, do you wish to call on Civil Law, Senate Bill 1767 on Third Reading? Adoption marriage visitation? Mr. Clerk, please read the Bill. This is Third Reading, Civil Law, 1767."

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Clerk O'Brien: "Senate Bill 1767, a Bill for an Act in relation to grandparent visitation rights. Third Reading of the Bill."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill was amended yesterday with significant debate. As the Bill now stands it provides for adoption measures only. There was a controversial grandparents provision in the Bill which was amended out, to the best of my knowledge at this time, I know of no opposition to the Bill. I'll be candid, there may be a request to make a further change in the adoption portion in the Bill, but it will be noncontroversial, if it takes place, and this Bill has to go back to the Senate anyway, now since it has been amended. So I would ask for your favorable vote and send it back to the Senate."

Speaker Cullerton: "The Gentleman has moved for the passage of Senate Bill 1767. On that is there any discussion? The Lady from Lake, Representative Stern. You have to ask me your question on the microphone for us to hear it."

Stern: "I withdraw."

Speaker Cullerton: "You withdraw your question. Any further discussion? There being none, the question is 'Shall Senate Bill 16...Shall Senate Bill 1767 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 107 voting 'yes', 2 voting 'no', 5 voting 'present'. Senate Bill 1767, having received the required Constitutional Majority is hereby declared passed. Ladies and Gentlemen, we're also joined today by a member of the...it used to be called the Metropolitan Sanitary District now it's called Water Reclamation District, Commissioner Joe Gardner. Joe

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Gardner's on the Democratic side. Thank's for coming down Joe. Okay, we're going to go back to the beginning of the Special Orders and do Second Readings for some people who are waiting for Amendments to be printed. Some are printed and some Members had their Bills taken out of the record, they wish to have it called. Representative Hicks, the Banking...out of the record. Representative Kirkland, Representative Kirkland. On the Order of Education, Second Reading, Senate Bill 1766, out of the record. On the Order of Environment, Second Reading, Representative Balanoff. Vehicle Code, Loud Sound System, on Second Reading. Is the Amendment...alright. How about Representative Breslin, 2001. Out of the record. Representative Currie, Senate Bill 2253, Representative Currie. That's out of the record. Moving right along...On the Order of State Government Administration there was a Bill that was taken out of the record. We want to go back to that. House Bill...Senate Bill 2217, Representative Jesse White. It's on Third Reading. Mr. Clerk, please read the Bill, 2217."

Clerk O'Brien: "Senate Bill 2217, a Bill for an Act in relation to the establishment of medical center districts. Third Reading of the Bill."

Speaker Cullerton: "Representative White."

White: "Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2217 is a shell Bill. It's an outgrowth of the health summit. We have been actively involved in negotiations on this piece of legislation. I'd like to get this Bill passed out of here and put it in a committee, put into conference so that negotiations can be made in order to come up with a meaningful piece of legislation. I move for its adoption."

Speaker Cullerton; "The Gentleman moves for the passage of Senate Bill 2217. On that is there any discussion? There being

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none the question is, 'Shall Senate Bill 2217 pass?' All in favor vote 'aye' all those opposed vote 'no'. The voting is open, this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 94 voting 'yes' 12 voting 'no' 11 voting 'present'. Senate Bill 2217, having received the required Constitutional Majority is hereby declared passed. Now we are going to go back to the Calendar on Second Reading, on the Special Orders and pick up any Bills that were taken out of the record. Representative Anthony Young, on the Order of Criminal Law, Third Reading. Out of the record. State and Local Government, Second Reading. Senate Bill 1617, Representative Steczo? Representative Steczo? Out of the record. Representative Hicks, Senate Bill 1649. Mr. Clerk, please read that Bill."

Clerk O'Brien: "Senate Bill 1649, a Bill for an Act to amend the Real Estate License Act. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Hicks Amendment #1."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1649 is a Vehicle Bill amending the Real Estate Licensing Act. The Bill was introduced at the request of the Illinois Association of Realators for two reasons. One, to clean up the provisions of the license law enacted by license law rewrite last year. And also to serve as the possible vehicle for changes at the federal level on the praise of provisions. It's my intent to put this Bill into a conference committee which can be held over until the fall once we see that what the federal

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changes are in the law after we adjourn and when we come back in in the fall we'll have a vehicle ready to make those changes that could possibly take effect as early as July of '91 with the federal changes. So it's my intent to keep it over until then and I'd ask for passage of the Amendment."

Speaker Cullerton: "The Gentleman's moved for the adoption of Amendment #1 to Senate Bill 1649. Is there any discussion? There being none, the question is, 'Shall Amendment #1 pass?' All in favor say 'aye' all opposed say 'no'. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Third Reading. That was on Second Reading. It has to be...can't be passed until tomorrow. Hasn't been read a third time. Was not read a second time."

Speaker Young, A.: "Representative Young in the Chair. The next Bill is Senate Bill 1750, Representative Brunsvold. Out of the record. Senate Bill 2012, Representative Peterson. Representative Peterson? Out of the record. Senate Bill 2036, Representative Saltsman. Representative Saltsman? 2036, out of the record. Senate Bill 2084, Representative Ewing. Representative Ewing on Senate Bill 2084. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2084, a Bill for an Act to amend the Illinois Lottery Law. Second Reading of the Bill. No Committee Amendments."

Speaker Young, A.: "Are there any Floor Amendments?"

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

Speaker Young, A.: "Representative Ewing."

Ewing: "Mr. Speaker, Floor Amendment #1 changes the wording in the Bill to conform with the suggestions of the Judiciary Committee. I would call it clean up language. It adds the

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word 'knowingly' which we think is a safeguard to protect anyone from being falsely charged with trying to pass a fraudulent ticket. This is, I think, agreed to by everyone who considers this Bill and I would ask for it's adoption."

Speaker Young, A.: "The Gentleman has moved for the adoption of Floor Amendment #1 to Senate Bill 2084. On that question, is there any discussion? Hearing none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye' those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 2131, Representative Kirkland. Out of the record. Senate Bill 2171, Representative Keane. Out of the record. On the Order of State and Local Government. Senate Bill 1484, Representative Bugielski. Out of the record. Senate Bill 1571, Representative DeJaegher. Out of the record. Senate Bill 1994, Representative DeLeo. Senate Bill 1994. Out of the record. On the Order of Housing, Senate Bill 722, Representative Capparelli. Out of the record. On the Order of Human Services, Senate Bill 2050, Representative Lang. Out of the record. Senate Bill 2076, Representative McGann. Out of the record. Senate Bill 2099, Representative Countryman. Out of the record. Senate Bill 1568, Representative Wolf. Out of the record. Senate Bill 1962, Representative Mautino. Out of the record. Senate Bill 1974, Representative Homer. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1974, a Bill for an Act in relation to Transportation. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Are there any Floor Amendments?"

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

Speaker Cullerton: "Representative Saltsman."

Saltsman: "Yes. Thank you, Mr. Speaker. This just includes a prevailing wage in the program."

Speaker Cullerton: "The Gentleman has moved for the adoption of Floor Amendment #1 to Senate Bill 1974. And on that question the Gentleman from DuPage, Representative McCracken."

McCracken: "I suppose I should check with the Sponsor of the Bill to see if he wants the Amendment or has a position. One of the reasons we want to privatize transportation or we want the option of private sector industry is so that it can deal flexibly and fairly within its particular sphere of activities. We do not begrudge the worker of Illinois a fair wage. We begrudge state mandates which ruin productivity which makes Illinois not competitive which hurts the taxpayers. We do not want to see the prevailing wage extended further so that in effect this privatization would not have the benefit of that flexibility that others in the private sector feel. Without that flexibility, the privatization is that much harmed in its efforts to bring private industry to what had traditionally, been public activity. This goes against what we're trying to do. It will undoubtedly be counter productive. It's a state mandate where it's not necessary. I rise in opposition."

Speaker Young, A.: "Further discussion? The Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. While this Bill right now, the underlying Bill is still a Vehicle Bill, I think we all ought to be aware that what we're really talking about here is not just some small project. This is where I understand this is the Chicago Kansas

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Tollway that we're gonna be talking about here. And we have also discussed and debated over the last year or so why roads are so expensive. And here we have a private effort which is going to be projected to about 3.1 billion dollars to build with a partnership with a private sector and then we're gonna slap on prevailing wage whereby the 3.1 billion dollars will just be a pitch when we start talking about prevailing wage on such a project as this. And I think that we ought to be very careful and very concerned about the expansion into this project just like we expanded last year the Build Illinois Program with regards to prevailing wage. I think we should be very cautious and I for one do not support this Amendment based on that."

Speaker Young, A.: "The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Mr. Speaker, Ladies and Gentleman. I'm the House Sponsor of this Bill and Sponsored in the Senate by my Senator, Senator Luft. We support the Gentleman's Amendment. It simply requires that prevailing wage rate apply in the case of the construction of a privately owned toll road. The concept of a private toll road is a good one. Because it brings together a partnership of government in the private sector to accomplish a purpose that would be beneficial to all. But it certainly was never our intention as the Sponsor of this Bill, to allow for nonprevailing wages to be paid to those who work on the project. And so I think it's a good Amendment and ought to be adopted."

Speaker Young, A.: "Further discussion? Representative Saltsman to close."

Saltsman: "No, all this does is what the prevailing wage is for the county in which this construction goes. The people

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will be payed the same scale as people building roads in that area. There's nothing wrong with this. If you're antiunion vote no. If you're for a prevailing wage and a decent wage then keep things fair to not have any strikes, no lock-outs, no walk offs, no wars out in the field, then if you're against all that you're gonna vote yes on this Amendment. It's a very good Amendment and it should be on this Bill."

Speaker Young, A.: "The question is, 'Shall Floor Amendment #1 be adopted?' All those in favor vote 'aye' those opposed vote 'no'. Voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question there are 69 voting 'yes' 47 voting 'no' 2 voting 'present' and the Amendment is adopted. Further Amendments?"

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

Speaker Young, A.: "Representative Homer."

Homer: "Thank you, Mr. Speaker. All that this Amendment does is put in a January 1, 1991 effective date. I would move for its adoption."

Speaker Young, A.: "The Gentleman has moved for the adoption of Floor Amendment #2 to Senate Bill 1974. On that question the Gentleman from DuPage, Representative McCracken."

McCracken: "I have no objection to the Amendment. Our staff tells us it's out of order with the adoption of number one. If it isn't that's fine."

Speaker Young, A.: "Representative Homer."

Homer: "Yes, I would ask leave to amend the Amendment #2 on its face to read Section 6 instead of Section 4. And I believe that would then make it in order."

Speaker Young, A.: "The Gentleman has asked leave to amend Floor Amendment #2 on its face. Does the Gentleman have leave? The Gentleman has leave by the use of the Attendance Roll

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Call. The question is, 'Shall Floor Amendment #2 as adopted on its face, as amended on its face, be adopted?' All those in favor say 'aye' all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young, A.: "Third Reading. On the Order of Transp...no, no. On the Order of State Government Administration, Senate Bill 1904, Representative Stern. Out of the record. Senate Bill 2229, Representative Munizzi. Out of the record. On the Order of Labor, Second Reading. Senate Bill 1501, Representative Kulas. Out of the record. Senate Bill 1638, Representative McPike. Out of the record. On the Order of Civil Law, Second Reading. Senate Bill 1736, Representative Breslin. Out of the record. Senate Bill 2267, Representative Cullerton. Out of the record. Senate Bill 2308, Representative Cullerton. Out of the record. On the Order of Revenue, Second Reading. Senate Bill 1565, Representative Bugielski. Out of the record. Senate Bill 2210, Representative Currie. Out of the record."

Clerk O'Brien: "Representative Leverenz, Chairman on the Committee of Appropriations I to which the following Bills were referred, action taken June 14, 1990, reported the same back with the following recommendations: 'do pass' Senate Bill 1489, 1796, 1804, 1808, 1817, 1820, 1926 and 1930. 'Do pass as amended' Senate Bill 1795, 1799, 1801, 1805, 1806, 1807, 1814, 1819, 1823, 1825, 1833, 1824, 1802, 1803, 1798, 1809, 1589, 1812 and 1818."

Speaker Young, A.: "On the Order of a Consent Calendar there appears Senate Bill 1676, Representative Pedersen. Representative Cowlishaw asks leave of the Body to return Senate Bill 1676 to Second Reading for purposes of an

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Amendment. Does she have leave? Leave is granted. Read the Bill Mr. Clerk. I think that's 1676, Mr. Clerk. Yes, Second Reading."

Clerk O'Brien: "Floor Amendment #1 offered by Representative B. Pedersen."

Speaker Young, A.: "Representative B. Pedersen."

Pedersen: "Thank you, Mr. Speaker. Amendment #1 is basically the same as House Bill 3745 which passed out of the House 108 to 1. It's a School Code Bill subject to front door referendum authorizes as increase in the maximum authorized annual tax rate for either the educational fund or operations in building purposes. With an equal corresponding tax decrease in the maximum authorized rate for the other tax. Senator Berman has agreed to have this on his Bill. It's an Agreed Amendment, I've asked for approval of Amendment #1 to Senate Bill 1676."

Speaker Young, A.: "The Gentleman has moved for the adoption of Floor Amendment #1 to Senate Bill 1676. On that question is there any discussion? Please, is there any discussion? Hearing none. The question is, 'Shall the Amendment be adopted?' All those in favor say 'aye' those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young, A.: "Representative Cowlshaw now asks leave from the Body for Senate Bill 1676 to the Order of Consent Calendar, Third Reading. She has leave by use of the Attendance Roll Call. On the Order of Supplemental House Calendar #2 appears Senate Joint Resolution 191, Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This is a Resolution to create the two committees that need to write and approve the pro and con arguments on the two

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Constitutional Amendments that will be on the November ballot. I'd appreciate your support for the Resolution and be happy to answer your questions."

Speaker Young, A.: "The Lady has moved for passage of Senate Joint Resolution 191. On that question is there any discussion? Is there any discussion? Representative McCracken."

McCracken: "Was that my que, did I miss it?"

Speaker Young, A.: "You've been missing it Representative."

McCracken: "This is only to come up with the language which will appear in an advisory sent to all registered voters or however it's done advising them of the content of the Constitutional Amendments, if any that will appear in the November ballot."

Currie: "It's the arguments for and against the Amendments that at this point are scheduled to appear."

McCracken: "Well put. Thank you."

Speaker Young, A.: "Further discussion? Hearing none the question is, 'Shall Senate Joint Resolution 191 pass?' All those in favor vote 'yes' those opposed vote 'no'. This Resolution requires sixty votes. Have all voted who wish? Representative Lang votes 'aye'. 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'. Senate Joint Resolution 191, having received the Constitutional Majority is hereby declared passed. Mr. Clerk, on the Order of Consent Calendar appears Senate Bill 1635. What is the status of that Bill?"

Clerk O'Brien: "Senate Bill 1635 has moved to Third Reading."

Speaker Young, A.: "Representative Deuchler asks leave of the Body to return Senate Bill 1635 to Second Reading for purposes of an Amendment. Does she have leave? Leave is granted. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "Senate Bill 1635, this Bill's been read a Second time previously. Floor Amendment #1 offered by Representative Novak and Piel."

Speaker Young, A.: "Representative Novak."

Novak: "Mr. Speaker, please withdraw Amendment #1."

Speaker Young, A.: "Withdraw Amendment #1. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2 offered by Representative Novak and Piel."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 to Senate Bill 1635 addresses a problem in the Willow Brook Estates area of Will County where Representative Piel's district is. The waste water treatment plant is owned by a gentleman that lives in my district by a consumer water company in Kankakee County. The current waste water treatment plant served in the area is overloaded due to rapid growth of homes over the past several years and its been placed under restricted status by the Illinois EPA. This Amendment would bypass county board approval in this individual case only. It only applies to certain counties of certain sizes. Board approval has been requested but fell two votes short of the required three-fourths majority for a Special Use Permit. If this exemption is not granted and a new facility is not constructed the serving utility will have no alternative except to restrict the water supply to current homeowners to bring the treatment flow below the current overflow condition. Not only will this result in no new construction on some 300 home sites, already provided with sewer mains but will be devastating to current homeowners who will be faced with daily water rationing. I simply ask for your support on this Amendment."

Speaker Young, A.: "The Gentleman has moved for the adoption of

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Floor Amendment #2 to Senate Bill 1635. On that question, is there any discussion? Hearing none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye' those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young, A.: "Representative Deuchler now asks leave of the Body to return Senate Bill 1635 to the Order of Consent Calendar, Third Reading. Does she have leave? Leave is granted by use of the Attendance Roll Call. On the Order of Consent Calendar, appears Senate Bill 2067. What is the status of that Bill, Mr. Clerk?"

Clerk O'Brien: "Senate Bill 2067 is on Third Reading."

Speaker Young, A.: "Representative Homer now asks leave of the Body to return Senate Bill 2067 to Second Reading for purposes of an Amendment? Does he have leave? Leave is granted. Read the Bill on Second Reading, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2067, this Bill has been read a Second time previously. Floor Amendment #1 offered by Representative Homer."

Speaker Young, A.: "Representative Homer."

Homer: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Amendment would extend from 33 years to 35 years the maximum time which a Tax Increment Financing Real Estate TIF District would be authorized to issue abonded indebtedness. It only applies to two municipalities because it's limited to municipalities that created a Real Estate TIF prior to 1980 and that would be Peoria and Canton. And it involves only local real estate tax dollars. It does not involve any state money. And I would move the adoption."

Speaker Young, A.: "The Gentleman moves for the adoption of Floor

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Amendment #1 to Senate Bill 2067. On that question, is there any discussion? Hearing none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', opposed...Representative Saltsman."

Saltsman: "Yes, I'd like to adopt this Amendment and leave it on Second Reading."

Speaker Young, A.: "The question is, 'Shall Floor Amendment #1 to Senate Bill 2067 be adopted?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Young, A.: "Mr. Clerk, Representative Homer requests that the Bill remain on Second Reading. We will go back through the Calendar for a Third time to see if anybody has a Bill on Second Reading they'd like to have called. Senate Bill 2083, Representative Hicks. Out of the record. Senate Bill 1766, Representative Kirkland. Out of the record. Senate Bill 1523, Representative Turner. Out of the record. Senate Bill 1508, Representative Balanoff. Out of the record. Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. It's my...my profound fear that perhaps the Speaker is being dilatory. These Bills have been called repeatedly. Some of these Sponsors aren't even here. I suggest we get on to a Motion with some meat in it, like a Motion to adjourn."

Speaker Young, A.: "Representative Giorgi."

Giorgi: "Put it in the record an indication that the Republicans don't want to call their Bills, so that June 30 we don't have to hear the screaming and the anguish of the Republican Party."

Speaker Young, A.: "Senate Bill 1508. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "Senate Bill 1508, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Young, A.: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Young, A.: "Are there any Motions filed?"

Clerk O'Brien: "There is a request for a State's Mandates note requested by Representative Stange."

Speaker Young, A.: "The Bill will remain on Second Reading. Senate Bill 1783...Representative Balanoff."

Balanoff: "I...I would like to move that the State's Mandates Act does not apply. Maybe we could have a ruling from our Parliamentarian there."

Speaker Young, A.: "Representative Balanoff, that's a Motion that requires a majority of those voting. The Gentleman has moved that the State Mandates Act does not apply. On that Motion, is there any discussion? The Gentleman has moved that the State Mandates Act does not apply here. All those in favor vote 'yes', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this Motion, there are 82 voting 'yes', 32 voting 'no', 2 voting 'present'. And the State's Mandates Act does not apply. Are...Third Reading. Senate Bill 1783, Representative Ryder"

Speaker McPike: "Representative McPike in the Chair. Representative Ryder here? Under State and Local Government is Senate Bill 2012, Representative Peterson. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 2012, a Bill for an Act to amend the Statute on Statutes. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. Supplemental Calendar, Second

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Reading. Representative Ryder. I'm sorry. Supplemental Appropriations. Mr. Clerk, 1783. Senate Bill 1783. Read the Bill."

Clerk Leone: "Senate Bill 1783, a Bill for an Act making appropriations to various agencies. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. The..."

Speaker McPike: "Mr. Clerk, are there any Amendments?"

Clerk Leone: "Amendment #1 was adopted previously."

Speaker McPike: "No Motions. Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 offered by Representative Ryder and Stephens."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This Amendment clears up some technical problems that we had in committee on this Supplemental Appropriations. I would ask it's adoption."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', oppose 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3 offered by Representative Stephens and Ryder."

Speaker McPike: "Representative Ryder."

Ryder: "This Amendment authorizes some transfers in the Department of Aging for operation of a toll free number adult day care, court of claims, expenses and operations. This re...includes some restoration."

Speaker McPike: "No discussion. The question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4 offered by Representative Leverenz."

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Speaker McPike: "Representative Leverenz."

Leverenz: "This is a...thank you, Mr. Speaker. The Amendment #4 would transfer \$25,000 to the Legislative Reference Bureau. I would move for the adoption of the Amendment."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leon: "Floor Amendment #5 offered by Representative Black."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. The department has answered the concerns that I had with the budget. I withdraw Amendment #5."

Speaker McPike: "Further Amendments?"

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

Speaker McPike: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. Amendment #6 would restore in the Department of Labor 30,500 and...for the Public Safety Division, and 14,400 would be transferred, and 16,100 would go into the Fair Labor Standards Division for Electronic Data Processing. Move for the Adoption of the Amendment."

Speaker McPike: "The question is, 'Shall Amendment #6 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

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

Speaker McPike: "Representative Leverenz."

Leverenz: "Thank you. Amendment #7 would put \$4,150,000 in federal funds into Supplemental to DASA."

Speaker McPike: "The question is, 'Shall Amendment #7 be adopted?' All in favor say 'aye', opposed 'no'. The

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'ayes' have it. The Amendment's adopted. Further Amendments?"

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

Speaker McPike: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. This would appropriate \$250,000 in General Revenue Funds through the Illinois College of Optometry for health care to public aid recipients. I move for the adoption of the Amendment."

Speaker McPike: "The question is, 'Shall Amendment #8 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

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

Speaker McPike: "Representative Ryder."

Ryder: "Alright, this is a GRF transfer of 22,200 from personal services, contractual, travel, and telecommunications. No new GRF."

Speaker McPike: "The question is, 'Shall Amendment #9 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments. There are no further Amendments."

Speaker McPike: "Third Reading. Special call, Labor. House...Senate Bill 1639, Representative Saltsman. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1639, a Bill for an Act to amend certain Acts regarding injuries. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk Leone: "No Motions filed."

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Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Third Reading. Does anyone have a Bill on Second Reading that they would like called? Constitutional Amendments, First Reading. Representative Hannig. Mr. Clerk, read the Resolution. Read the Constitutional Amendment."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #23, offered by Representative Hannig - Curran - Novak. Whereas, the 101st Congress of the United States of America, at it's Second Session, 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. Joint Resolution, proposing an amendment to the Constitution of the United States authorizing the Congress of the States to prohibit the physical desecration of the Flag of the United States. Whereas, the flag of the United States of America ia a national symbol of such stature that it must be kept inviolate. Whereas, the physical desecration of the flag should not be considered constitutionally protected speech, and whereas, physical desecration may include, but is not limited to, such acts as burning, mutilating, defacing, defiling or tampering of the flag, or displaying the flag in a contemptuous manner. Now, therefore be it resolved, by the Senate and House of Representatives of the United States of America in Congress Assembled (two-thirds of each House concurring therein), that the following Article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several states within seven years after the date of its submission for ratification.

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Article, the Congress and the states shall have the power to prohibit the physical desecration of the flag of the United States, and 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 proposed Amendment to the Constitution of the United States of America be in the same is hereby ratified, and be it further resolved, that a certified copy of this resolution be forwarded by the Secretary of the State of Illinois to the Archivist of the United States, to the President pro tempore of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each Senator and Representative from Illinois in the Congress of the United States. First Reading of the Constitutional Amendment."

Speaker McPike: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker, and Members of the House. I would now move that we suspend the posting requirement for House Joint Resolution Constitutional Amendment 23, so that we can hear this Resolution tomorrow at 9:00 in Executive Committee."

Speaker McPike: "Alright, the Gentleman has asked leave to waive the posting requirements for an Executive Committee meeting tomorrow at 9 a.m. Does anyone stand in opposition to the Gentleman's Motion? Representative McCracken."

McCracken: "We don't stand in opposition. We would like to see this document. When was this filed, Representative Hannig, do you know?"

Hannig: "Representative it was just read into the record."

McCracken: "Was it just filed today?"

Hannig: "That's correct, it was filed today."

McCracken: "Did you consider walking it over and showing anyone over here so we could join you in this?"

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Hannig: "Representative, I'd be happy to have all the Members of the Republican side."

McCracken: "Is it true you're a target? Representative Hannig."

Hannig: "Well, I certainly hope not."

McCracken: "We are glad to see the Democrats join President Bush in his call for an Amendment to the United States Constitution. We're with you buddy, full steam ahead."

Speaker McPike: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I can't find a more fitting time for us to offer this Constitutional Amendment, today is Flag Day, the symbol of respect and honor and dignity for the flag of the United States of America. It is unconscionable, Ladies and Gentleman, for anyone to deface the flag for all those veterans who fought and died for, on our own soil and foreign soils, for the United States of America. So please join with me, I hope I'm a target, I get treated better if I'm a target. But please join with me in supporting this Resolution. Thank you."

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Can we get the hoopla over for a few seconds. Go ahead do your thing. I tell you what it's important that we do this, it's important that we signal today, that we intend to do this. For too long this country has given into a...a sliver of a minority that wish to tell the rest of us what's right and what's wrong. The overwhelming majority of people in this country, favor this Amendment, the overwhelming majority, I think, of the people in this Chamber should favor this Amendment and I ask for a favorable Roll Call."

Speaker McPike: "Representative Johnson. Representative Johnson, please. Will the fifth grade class please come to order?"

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Yeah, you're on Representative Johnson."

Johnson: "Just point of inquiry, is this...this is a State Constitutional Amendment? Could we have a little bit of order? I know this is the end of the day, I'd just like to hear the answer."

Hannig: "No, Representative, this is the preparation for ratifying the Federal Amendment as it comes down the pipe. We want to get the ball rolling and in the pie so we can Act before June 30th, if we do so. And that's what this is about."

Johnson: "No one has any quarrel with it, I just wanted to know as I suppose as a parliamentary matter, is this the proper, we want to make sure we ratify it properly. Is this the proper procedure to prefile before the Congress has voted a Constitutional Amendment out to us?"

Hannig: "Absolutely."

Johnson: "Okay, that's fine."

Speaker McPike: "Now, so the Motion is to suspend the posting requirements and we can adjourn unless, Representative Bowman, and Van Duyne, and Stern and Preston wish to speak on this. Representative, Representative Van Duyne wishes to..."

Van Duyne: "Representative, I mean thank you, Mr. Speaker. I was all for this until I started looking at this flag that they distributed and it says made in Taiwan. Panayotovich will spin over in his grave when he dies."

Speaker McPike: "Representative Stern."

Stern: "Mr. Speaker and Members of the House. I am embarrassed for us, I think this kind of self-served grandstanding in an election year is humiliating to this Body. And for what it's worth I object to the posting."

Speaker McPike: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker. I, too, object and just to

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point out that the behavior that has been exhibited on this floor that prompted the Chair to refer to it as the fifth grade class, shows just how truly superficial this issue really is. And how people here really do respond to it. I think this is the truest, has been the truest mirror, the truest mirror of the attitude that many people on this floor have toward this issue. It is pure grandstanding."

Speaker McPike: "Repre...Represen...Representative Preston."

Preston: "Thank you Mr. Speaker, and Ladies and Gentlemen of the House. I join Representative Stern in objecting to suspending the posting notice, this is only to discuss an Amendment to the Constitution of the United States and I think the public has some comments that they might want to have heard before a committee's hearing of this important Resolution. So I would ask that we not suspend the notice, and at least that we have a vote on that issue."

Speaker McPike: "Representative Williams."

Williams: "Yes, I, too, rise to object. This is probably one of the most disturbing things I've ever had happen to me since I've been hear. I believe today we are about to begin to destroy the freedoms under which we actually believe in. I believe in the Constitution, I swore to protect it and I intend to try to protect it. The protection says we have the right to freedom of speech, and I know this is just a posting notice but I think that this deserves serious consideration and I would hope that in our haste to appease the public and our haste to get good political sort of rhetoric that we actually think about the fact that a person we stand for the Constitution stands for the right to express yourself in whatever manner you please, and once we begin to say which ever manner...and we begin limit the manners we can express ourselves we begin to destroy our freedoms and I think that we gonna take that role let's not

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take it lightly and let's not suspend this posting notice, let's do it in a full fledged hearing. Let's let the people of this state know openly that we intend to destroy our rights openly and not behind back doors."

Speaker McPike: "Representative Olson, on the Motion."

Olson: "This might be premature as far as discussion of the issue, Mr. Speaker. But there was reference made to the light heartedness on this side of the aisle. Let me tell you, the Constitution has been Amended before, and the wisdom of the legislatures of this nation. The flag is a symbol. I had cousins that died in World War II and I had one that was mamed and a lived a lifetime with one leg. I remember high school friends that did not come back from Korea. I remember the night I got on an airplane in Springfield, and did not know if I'd ever see my home and family again, and if you think I'm light hearted about this issue, people, you better study your lesson, there's a lot of people who paid the price for this symbol to wave high and never touch the ground! And I don't know how it's gonna work but if the Constitution is amended, it's the will of the nation and the will of these people. You have your opinion, I have mine, don't make my opinion light hearted. Thank you."

Speaker McPike: "Representative Williams, for what reason do you rise? Representative Williams."

Williams: "I have a question regarding the rules, I was wondering under Rule 20(k), can we suspend these rules on this particular notice without a unanimous vote? Doesn't this require a unanimous vote under Rule 20(k) of our rules."

Speaker McPike: "The Chair believes it's 71 but let me have the Parliamentarian check. We'll get back to you. Representative...Representative Matijevich."

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

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don't think there is anything extraordinary about suspending a posting notice, we do it all the time. I think this is appropriate, I don't think there's any of us here that don't think that Congress is going to Act on this issue. We all know that there are very small minority that are abusing this issue, and I think it is not a Democratic issue, it is not a Republican issue. I...I'm often offended when I hear people who try to make God and Country and the flag a political issue. We are all in this together. We all want to defend all people's rights and we all surely stand against desecration of the flag, but all we're trying to do here is to suspend the posting notice so that this can quickly be expedited before a committee and I think it's right and we all ought to vote for that Motion."

Speaker McPike: "Representative Daniels."

Daniels: "Well, Mr. Speaker, Ladies and Gentlemen of the House. Since you have chosen to have virtually no work during this Session chosen on your own will not to take up important issues, the people of Illinois expect us to act upon. This matter is, at this point, bringing a lot more attention and time consuming than probably should of. We know, that we don't even have work to keep us in tonight, but yet you chose to keep us over till tomorrow spending another \$7,500 dollars of the taxpayer's money. Now, you bring this matter out, a matter of great consequence to Members of this House and Members of the United States Congress, and to the President of the United States. You know and I know that Article XIV, Section IV of the Illinois Constitution disallows us and prohibits us from acting upon a Constitutional Amendment until there is a interventional election prior to the consideration of it. That's clear and you know it. Now, it's interesting when you filed this for public relations, in an effort to make a mockery of a

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very serious matter by some of the Members on the other side of the aisle. This (A) cannot even be considered, and (B) is only time consuming on your part. As to the question of the seriousness of how those of us on this side of the aisle feel about this issue, let me tell you. I for one, have not had to fight for my country in a war, I benefited from the freedoms that we have experienced because of our forefathers actions. My father served in World War II and fought for this country but I believe in the symbol of this country, I believe in the sacred traditions of our flag and I do not believe that anybody should have a right to burn the flag at anytime in this country. And I support, as the President of the United States supports, a Constitutional Amendment prohibiting the burning of our flag. Until the day I die I will respect the symbol of the flag of the United States of America, and I resent people on any side of this aisle making a mockery of the seriousness of the symbol of freedom for the greatest country in this world and in the history of mankind. And I think it's time we put an end to this discussion, because you know and the people that filed this Amendment know that you can't even consider it now. And when you pass out press releases and the minute that you file it, it tells us what you think about the symbol of freedom in this country."

Speaker McPike: "Representative Hannig to...Representative Williams we're checking on your inquiry and before we call this we will have an answer. Representative Hannig."

Hannig: "Yes, thank you Mr. Speaker, Members of the House. I'm not an attorney myself but the staff here that are very knowledgable in these matters have already advised me that there are at least two attorney general opinions and a federal court decision that says that the provisions under

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our Constitution say we cannot hear this Motion are not Constitutional under the Federal Constitution. So the net, bottom line for what Representative Daniels was saying is that there seems to be a great deal of opinion that says that we can hear this Constitutional Amendment here in this Body. Now, when I filed the Motion to discharge I didn't get up and make a big speech about it, we wanted to have a committee hearing tomorrow so that we could hear the pros and the cons on this so that people from both sides could have an opportunity to testify for it or against it as they so choose. You know we're gonna be here tomorrow that's already a decision that's been made, so why not have the Executive Committee meet in the morning, take up this matter to hear the pros and the cons of this issue which I think most of us believe is very important. You know, the flag is indeed the symbol of our country, it's something that we all should take very seriously and very sacred, and I, for one, don't believe that we should be burning the flag. Now, we're gonna be here till June 30th, maybe longer than that, perhaps, why should we not already begin the process of ratification, because we know that the United States Congress will soon be taking up this matter. The Supreme Court has twice said that you can burn the flag, and I think that the Congress has found that there is no law that they can pass to take that power away short of a Constitutional Amendment. So they'll be taking up the debate shortly and if they pass an Amendment and put it out to the states for ratification, prior to June 30th and we're here why should we not be proud to be the first state to ratify? So we filed a Motion to suspend the posting requirements, have the meeting tomorrow at 9:00, let the Executive Committee hear the pros and the cons and then let's let them vote. Let's not discharge committee on June

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29th and vote on it. Let's have a hearing like we all want the process to work, that's all we're asking today is that we have a hearing on this Bill tomorrow, so I'd ask for your 'yes' vote."

Speaker McPike: "Representative Johnson, for what reason do you rise?"

Johnson: "I just...just a couple of questions."

Speaker McPike: "You spoke in debate. You spoke in debate on this Motion. For what reason do you rise?"

Johnson: "Unless you let me, I guess I'm not going to be able to...I had just had a question of the Sponsor."

Speaker McPike: "No. Representative McCracken. Representative McCracken."

McCracken: "We will look at tonight the Constitutional question, we think you're probably wrong and that it just is proof of the publicity nature of the entire stunt. However, because it does consider such a terribly important issue, we are agreeable to suspending of the posting notice and we will look overnight to see if you have the authority to move ahead, and if you do have the authority to move ahead, we're happy to consider it on the merits."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker. I am sure that Representative Johnson has something germane to this issue and I'd yield my time to him."

Speaker McPike: "Mr. Parke, that is not allowed under our rules. Representative Morrow."

Morrow: "Thank you, Mr. Speaker. I rise in a point of personal clarification. It was mentioned that this country is the greatest country in the history of mankind, I don't disagree with the fact that this country is great, but this an example of how history can mislead or people who perceive history can mislead the public, the greatest

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country in the history of mankind happened to have been in the middle east. The country of Egypt, a country that founded mathematics, the country that founded science, astronomy, astrology, so as a point of personal clarification, that is why I have risen just to put that in the record as to which is the greatest civilization of all time."

Speaker McPike: "Mr. Clerk, Supplemental Calendar announcement."

Clerk O'Brien: "Supplemental Calendar #3 is being distributed."

Speaker McPike: "On Supplemental Calendar #3, there is a Motion on HJRCA 23 by Representative Hannig. Representative Hannig, the Chair will recognize you to renew your Motion."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. I think we've heard a lot of debate on both sides of the aisle on this Motion and it's just a Motion..."

Speaker McPike: "No, Representative Hannig, you are recognized to..."

Hannig: "And I would simply renew my Motion."

Speaker McPike: "Renew your Motion. Now, Representative Williams to your point, to your point to the Chair. It will take 71 votes to pass this Motion as it appears on Supplemental Calendar #3. Representative Williams."

Williams: "Is there any requirement that this particular calendar has to be on our desk any given period of time. I'm willing to stay here an hour or two if that's what people want to do to pass this thing."

Speaker McPike: "No, there is not."

Williams: "What?"

Speaker McPike: "No, Sir."

Williams: "This is a mockery, but go on with it."

Speaker McPike: "Yes, Representative Johnson, for what reason do you rise?"

Johnson: "I didn't speak in debate previously, I made a

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parliamentary inquiry, I just had a couple of questions."

Speaker McPike: "Yes, well you can speak now this is a new Motion."

Johnson: "I was going to ask the Sponsor, we're gonna have a hearing on something tomorrow that Congress hasn't approved yet. My question is what are we gonna discuss tomorrow if we don't know what it's ultimately going to be? How are we gonna discuss and issue if Congress hasn't even approved it yet?"

Hannig: "Representative, we are trying to anticipate what the Congress is going to be debating. We certainly know that the Congress is taking up the matter of the flag and that the Constitutional Amendment will be debated."

Williams: "Well, the thing is, there is a number of forms that have been suggested, some want to add a broad Constitutional Amendment that would cover a variety of forms of desecration and beyond the flag, other very narrow, there is a variety of forms I don't know how we can have a hearing and hear testimony on something that the Congress and neither chambers have even submitted to us yet."

Hannig: "Well, Representative, we certainly can talk about the subject matter and flag burning, whether or not we need a Constitutional Amendment or should be ratifying a Constitutional Amendment. We cannot obviously pass a ratification until they have given it to the states for our consideration, but I certainly think we could get the ball rolling and that we can have some hearings on it in the Executive Committee and we could even hopefully approve it and put it on the Calendar at Second Reading and at some point, when they do give us the Constitutional Wording we can then be in a position to very quickly Act upon it and if it is the will of this Body to then ratify to send that

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on to the Senate."

Johnson: "You will concede whatever Attorney Generals opinions say that Article XIV, Section IV, of the Illinois Constitution just clearly prohibits our doing what we are doing. You may say that there has been some question about the application of that Constitutional Provision, but clearly the language of that provision of this Constitution, of our Constitution, would prohibit our doing this, wouldn't you agree?"

Hannig: "No, Representative because we have two Attorney Generals opinions..."

Johnson: "I said the language of the Constitution..."

Hannig: "Well, Representative, up until last year the language of our Constitution said you had to be 21 to vote, but we had court opinions that said to the contrary, we had a federal opinion, Constitutional Amendment and that was what we we're bound by and I think this is a very similar situation."

Speaker McPike: "Yes, well you have heard the Gentleman's Motion and there will be a Roll Call that requires 71 votes to carry. So the question is, 'Shall the House suspend Rule 20(k), so that the Committee on Executive can meet on June 15, 1990 to hear HJRCA 23?' All in favor of the Gentleman Motion vote 'aye', opposed vote 'no'. Representative Williams to explain his vote."

Williams: "Again, I rise you know because I guess people say I didn't serve in the Army, I'll admit that. But I live in this city and this country all my life I believe in the right to protest. The right to protest has brought a lot for the ability of my people to say what's wrong in this country. And now we gonna tell us which levels of expressions are appropriate and which levels are not. I'm sorry, this is much more serious than the political stunt

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that we are about to do. It has much more implication than what we are about to do. And I just feel in my heart that this is a step towards the destruction of what this country is about. In an attempt to so call 'save the symbol,' we destroy the country, so, so be it. If you decide you wish to destroy the country in order to save the symbol, than be so wise in your own foolishness. A penny wise and a dollar foolish and have it your way."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House. It is true that we frequently suspend the rules in order to comply with needs of the State of Illinois in a timely fashion so that we can get work accomplished while we are in Session. However, there is absolutely no urgency for us to do something on this subject when there has not, in fact, been any action by Congress to come before us to act upon. And so we certainly cannot use the excuse of this being something that has to be rushed through. The reason that we have to post things ahead of time is so that there can be adequate public notice and that there can be adequate input. We are, in fact, violating every concept of a democratic society if we rush this through a committee hearing and expect that we have given good public notice on this so that the public can have input. This is certainly not timely, if it comes to us from Congress, then we should deal with it, but it has not come from Congress and there is no action that we should take on it at this time."

Speaker McPike: "Representative Preston"

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I urge the Members of this House not to do this in the so precipitous a manner as this. There are organizations and individuals who want to have there say every bit as much as their politicians want to have their

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press releases handed out, and some of the comments that we've heard, frankly on both sides of the aisle from people who would greatfully die for their country and it's very impressive and I guess in some of their districts the recruiting offices during the Vietnam War weren't open. But they are individuals who want to come to committee and speak on this issue, and there are certain organizations, even veterans organizations who want to come and speak on this issue. And to allow them an opportunity to do so, seems to make great sense to me and Mr. Speaker, should this get the number of votes, 71 votes required I'd ask for a verific...a verification of the Roll Call."

Speaker McPike: "Representative Stern."

Stern: "Mr. Speaker and Members of the House. I recognize that I am not speaking to the choir or that I am going to be overridden here. But I think it's important for us to examine what we are doing here tonight. Anyone who has watched us from the gallery this evening or from the press box or who will watch us as they read their newspapers tomorrow is going to recognize that what we are doing is not done in the spirit in which we are trying to clothe ourselves. We are not here as patriots we are here as publicity seeking, self righteously spouting rhetoric that is totally political, in it's tenor. Yes, we have amended the Constitution, the U.S. Constitution in the past and it, yes, it is perhaps it is the most urgently important thing we could be discussing here, but we have never amended the first Amendment, the Amendment that guarantees freedom to Americans and for us to hurry to judgement in this shameful way, I think is a...is going to be a continuing embarrassment to the Illinois House of Representatives. I ask you to re-examine your vote and to think very carefully about what you are doing here

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tonight."

Speaker McPike: "Representative Hicks."

Hicks: "Representative Stern, I believe your comments are very, very right. You know, we sit here and we listen to people that talk about that they did fight in the war and they didn't fight in a war, there father did and everything else. And maybe that's the issue that's before us, I don't know. I don't really think it is. I did fight in the war, I fought in Vietnam, I got shot down four times in Vietnam. Thirteen months in that country. And there is a reason that we went to Vietnam and the reason what some of these people I believe have been saying there's no hurry for this. I believe the publicity that we've seen in the newspapers for several days and I've been reading about it and even been asked about it from the press, and I didn't know how to respond to it and I really didn't know how to say even what I want to say even here today to you. But the reasons we go to war and the reasons we do things in this country and the fine country we live in, are special and are taken so lightly by most of us even myself at times. And yet we sit here and we have an action of 86 votes 'yes', to suspend the rule, maybe that's the right thing to do, but really the vote's on the issue. That's where we're at right now, and if you believe in the country as Representative Stern has just so well put and the freedoms that have been guaranteed by the Constitution, philosophically, I am opposed to Constitutional Amendments period, for any reason, because I think we have a Constitution we can live with as is and I think everyone has that freedom to do and express themselves and thank God for a country like that. I've been real fortunate the last couple of years to be able to travel all over the world and see so many, many less fortunate than I, and all of us here

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in this House tonight. And I...there is no hurry to do this, I wish the Sponsor would take the Bill out of the record and be done with it. And we wait till the proper time when we can address it and do it right. I'd urge everybody to slow down and think."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker, and Members of the House. I stand in support of this Motion for a couple of reasons. Primarily because we have fought and died for the preservation of freedom and the fact that it has been stated, with that freedom goes responsibility and to me we, as Americans, have a certain responsibility that we have not shown, it has also been said that my liberty as an American ends where your nose begins. And everytime somebody burns an American flag, my nose gets bloodied and I think it's important an it's time that we address that situation by allowing this Motion to pass and urge a Constitutional Amendment to be enacted. I throughly support this Motion."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 81 'ayes', 20 'nos'. Representative Williams has asked for a verification. I'm sorry, Representative Preston has asked for a verification. Mr. Clerk. Representative Jesse White. Alright, Representative Hannig has asked for a Poll of those not voting, Mr. Clerk."

Clerk O'Brien: "Poll of those..."

Speaker McPike: "Mr. White. Representative White, I'll get to you in just a second. Just wait."

Clerk O'Brien: "Poll of those not voting. Lou Jones. Mautino. Ronan. And Sutker. No further."

Speaker McPike: "Now, before we proceed with the Poll of those voting 'aye', we've asked leave for verification from

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Representative White. Mr. Preston are you listening to these? Representative White. Representative Novak. Representative Capparelli. Representative Saltsman. Who else, anyone. Representative Santiago. Representative Homer. Yes, so far we have White, Novak, Capparelli, Santiago, Homer and Saltsman. And now Wolf, Martinez, and Curran, and Richmond. Mr. Clerk, proceed."

Clerk O'Brien: "Poll of the Affirmative. Balanoff. Barger. Barnes. Black. Brunsvold. Bugielski. Capparelli. Churchill. Cowlshaw. Curran. Daniels. DeJaegher. DeLeo. Deuchler. Didrickson. Doederlein. Edley. Ewing. Farley. Flinn. Virginia Frederick. Giglio. Giorgi. GoForth. Granberg. Hallock. Hannig. Harris. Hasara. Hensel. Hoffman. Homer. Keane. Klemm. Krska. Kubik. Laurino. Leitch. Martinez. Matijeich. McAuliffe. McCracken. McGann. McNamara. McPike. Mulcahey. Munizzi. Novak. Noland. Then Novak. Bob Olson. Myron Olson. Parke. B. Pedersen. W. Peterson. Phelps. Piel. Regan. Richmond. Ropp. Ryder. Saltsman. Santiago. Shaw. Sieben. Stange. Steczo. Stephens. Tenhouse. Terzich. Van Duyne. Wait. Weaver. Weller. Wennlund. White. Williamson. Wojcik. Wolf. Woolard. Zickus, and Mr. Speaker."

Speaker McPike: "Yes, this is the last issue of the evening and we will be coming in at 10 a.m., so Representative Preston, proceed."

Preston: "Thank you. Representative DeJaegher?"

Speaker McPike: "Mr. DeJaegher. Is the Gentleman here? DeJaegher here? Remove him from the Roll."

Preston: "Representative Flinn?"

Speaker McPike: "Representative Flinn. Mr. Flinn. Not here."

Preston: "Representative Giglio?"

Speaker McPike: "Remove Representative Flinn from the Roll."

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Representative Giglio. Mr. Giglio here? The Gentleman is not here, remove him from the Roll."

Preston: "Representative Goforth?"

Speaker McPike: "He's here."

Preston: "Would you ask him to leave? Representative Harris?"

Speaker McPike: "Representative Harris. Representative Harris. The Gentleman is not here, remove him from the Roll."

Preston: "Representative Hoffman?"

Speaker McPike: "Gene Hoffman. Representative Hoffman. Is he here? He is not. Remove him from the Roll."

Preston: "Representative Keane?"

Speaker McPike: "Mr. Keane. Jim Keane. Jim Keane here? He is not. Remove him from the Roll."

Preston: "Representative Klemm."

Speaker McPike: "Representative Klemm. Dick Klemm. The Gentleman's not here, remove him from the Roll."

Preston: "Representative Krska?"

Speaker McPike: "Representative Krska. Is he here? Mr. Krska. The Gentleman is not here, remove him from the Roll."

Preston: "Representative Kubik?"

Speaker McPike: "Representative Kubik. Jack Kubik. Gentleman here? He is not, remove him from the Roll."

Preston: "Representative Laurino?"

Speaker McPike: "Representative Laurino. Mr. Laurino. Mr. Laurino, here? He is not, remove him from the Roll."

Preston: "Representative Martinez?"

Speaker McPike: "He was verified."

Preston: "Representative McGann."

Speaker McPike: "Representative McGann. Andy McGann. Mr. McGann here? He is not, remove him from the Roll."

Preston: "Representative Munizzi?"

Speaker McPike: "Representative Hoffman has returned, Mr. Clerk vote Representative Hoffman 'aye'. Representative Munizzi.

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Is the Lady here? She is not, remove her from the Roll."

Preston: "Representative Santiago."

Speaker McPike: "He was..."

Preston: "Oh, I'm sorry."

Speaker McPike: "Was verified."

Preston: "Representative Shaw?"

Speaker McPike: "Representative Shaw. Mr. Shaw here? He is not,
remove him from the Roll."

Preston: "Representative Stange?"

Speaker McPike: "Representative Stange. Mr. Stange here? I see
people pointing, I don't see Mr. Stange. He is not here,
remove him from the Roll."

Preston: "Representative Stephens?"

Speaker McPike: "Representative Stephens here? Ron Stephens, is
he here? Is the Gentleman here? Ron Stephens.
Representative Stephens here? Remove Representative
Stephens from the Roll."

Preston: "Nothing further. Please take the Roll, Mr. Speaker."

Speaker McPike: "Alright, the Gentleman has nothing further. Is
there any additions to this? Representative Mautino.
Votes 'aye'. Is there any further? On this Motion there
are 68 'ayes' and 20 'nos' and the Motion fails. We will
be in at 9:30 in the morning. Representative Matijevich
now...Representative Matijevich moves that the House stand
adjourn until tomorrow at the hour of 9:30 a.m. All in
favor say 'aye', opposed 'no', the 'ayes' have it and the
House stands adjourned."

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