

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

64th Legislative Day

June 26, 1989

Speaker McPike: "...Will come to order. The House will come to order. The Chaplain for today is Reverend Doctor Eugene Greene from the Trinity CME Church of Decatur. The Reverend Doctor Greene is a guest of Representative Dunn. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Greene: "Let us pray. Eternal God, our Heavenly Father, we invoke Thy Spirit to be here with us in this chamber, to touch each and every heart in each and every Congressman, to touch those who are visitors. And let everyone who has something to do with legislation this day, be able to use their godly judgment for they are the leaders of this state. And let them be able to lead, as You would have them do. Be fair, honest, upright and true through Your grace. Amen."

Speaker McPike: "Be led in the Pledge of Allegiance by Representative Hasara."

Hasara - 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. Mr. Piel."

Piel: "Yes, Mr. Speaker, would the record show that Representative Dick Klemm is excused today?"

Speaker McPike: "Yes. Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, on this side of the aisle the excused absence is Representative Ralph Capparelli."

Speaker McPike: "Take the record, Mr. Clerk. One hundred and sixteen Members answering the Roll Call, a quorum is present. Supplemental Calendar, Mr. Clerk."

Clerk O'Brien: "Supplemental Calendar #1 has been distributed."

Speaker Breslin: "Ladies and Gentlemen, we are going to begin

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

64th Legislative Day

June 26, 1989

today on the Order of Nonconcurrences, but before we do that...before we do that, any of you who went home this weekend and need to be reimbursed for travel expenses, please come to the well to fill out the appropriate form. I repeat, anyone who went home over the weekend and needs to be reimbursed for travel expenses, should come to the well now to fill out the appropriate form. Thank you. We would note that on the Order of Nonconcurrences, I'm going to read off the names of the Sponsors. If you are not on the floor, please come to the floor to present your Motions. Representatives LeFlore, Farley, Wolf, Matijevich, Terzich, Keane, Giorgi, Hannig, Jones, Kirkland, Preston, Currie, Curran, Representative Phelps, Homer, Doederlein, Kubik, Churchill, Pullen, Myron Olson, Representative Munizzi, Hicks, and that's about it. So please come and be ready to present your Motion on Nonconcurrency. Ladies and Gentlemen, as we begin the Order of Supplemental #1, I would ask you on your Motion to nonconcur, to tell us what the original Bill does, what the Amendment does and why you wish to nonconcur. Is that clear? Tell us what the Bill did, what the Amendment did and why you wish to nonconcur. Ladies and Gentlemen, before we begin on Supplemental #1, the Chair would ask you to come to the well and identify those Bills on the Order of Concurrence, in which you plan to nonconcur. That's action that we did last week, Saturday, and we still have more Bills in which people want to get the process moving, either to get Conference Committee going or to get Bills back over to the Senate for final passage. So come to the well if you have Bills on the Order of Concurrence in which you plan to nonconcur and we'll call those Bills next. So if everyone is ready, we'll begin on Supplemental #1, Nonconcurrency. We are taking on this Order, only those

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

64th Legislative Day

June 26, 1989

Bills in which Members wish to refuse to recede from House Amendments. Refuse to recede from House Amendments. The first Bill is Senate Bill 16, Representative LeFlore, out of the record. Senate Bill 85, Representative Farley, out of the record. Senate Bill 86, Representative Farley, out of the record. Senate Bill 95, Representative Wolf, do you wish to refuse to recede from the House Amendments? Proceed, Representative Farley. Excuse me, Representative Wolf."

Wolf: "Thank you. Thank you, Madam Speaker, Members of the House. I refuse to recede from House Amendment #1 to Senate Bill 95. The purpose of this Bill is to put it into Conference and it will be an omnibus Bill for pension legislation."

Speaker Breslin: "Representative Wolf has refused to recede from House Amendment #1 to Senate Bill 95 and requests a Conference Committee Report. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion carries. The House refuses to recede from House Amendment #1 and a Conference Committee Report...a Conference Committee will be formed. Senate Bill 112, Representative Matijevich. Proceed, Sir."

Matijevich: "Madam Speaker, Senate Bill 112, I refuse to recede from House Amendment #1 to Senate Bill 112. I thought the Amendment was in the form that the Senate Sponsor wanted it, but Senator Berman said that it is not in the form that he had agreed to. So I would refuse to recede so that the Conference Committee can be formed."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment #1 to Senate Bill 112. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House

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

64th Legislative Day

June 26, 1989

Amendment #1 to Senate Bill 112?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment #1 to Senate Bill 112, and a Conference Committee will be convened. Senate Bill 136, Representative Terzich. Mr. Terzich, out of the record. Senate Bill 169, Mr. Keane. Representative Keane, out of the record. Senate Bill 185, Representative Giorgi. Mr. Giorgi, out of the record. Senate Bill 370, Representative Hannig. Proceed, Sir."

Hannig: "Yes, thank you, Madam Speaker. I would move that we not recede from House Amendment #1 to Senate Bill 370. Basically, the Bill...the Amendment just made it a vehicle Bill. And I've talked to the Senate Sponsor and at least at this time, our thoughts would be let's put it in Conference and let it sit there until the Veto Session."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment #1 to Senate Bill 370. And on that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 370?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The House refuses to recede from House Amendment #1 to Senate Bill 370 and a Conference Committee will be appointed. Senate Bill 374, Representative Lou Jones. Representative Jones. Representative Jones, do you wish to refuse to recede from the House Amendment on this Bill? If so, we will entertain your Motion at this time. Out of the record. Senate Bill 384, Representative Giorgi, out of the record. Senate Bill 487, Representative Kirkland. Is Mr. Kirkland in the chamber? Out of the record. Senate Bill...Senate Bill 414, Representative Preston. Mr. Preston, out of the record. Senate Bill

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

64th Legislative Day

June 26, 1989

690...Senate Bill 692, Representative Keane. Mr. Keane, out of the record. Senate Bill 971, Representative Currie. Representative Currie, out of the record. Senate Bill 1046, Representative Curran, out of the record. Senate Bill 1079, Representative Phelps. Out of the record. Senate Bill 1155, Representative Homer. Mr. Homer. Out of the record. Senate Bill 1271, Representative Doederlein. Representative Doederlein, out of the record. Senate Bill 1322, Representative Kubik. Proceed, Representative Kubik."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would move that the House refuse to recede on House Amendments 1 and 3 to create a Conference Committee. The Conference will...this is a Department of Revenue administration Bill and they want to add a few more provisions in the legislation."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendments 1 and 3 to Senate Bill 1322. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendments 1 and 3 to Senate Bill 1322?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The House refuses to recede from House Amendments 1 and 3 to Senate Bill 1322 and a Conference Committee will be appointed. Senate Bill 1325, Mr. Churchill. Proceed, Sir."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would move that the House refuse to recede from Amendments 2, 3, 4, 5 and 6 of Senate Bill 1325."

Speaker Breslin: "Would you state your reason, Sir?"

Churchill: "We have a major disagreement over the way this Bill was supposed to be structured through the process and we've decided to put it into a Conference Committee Report."

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

64th Legislative Day

June 26, 1989

Speaker Breslin: "The Gentleman has moved to refuse to recede in House Amendments 2, 3, 4, 5 and 6 to Senate Bill 1325. And on that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from the House Amendments on Senate Bill 1325?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendments 2, 3, 4, 5 and 6 to Senate Bill 1325 and a Conference Committee will be appointed. Senate Bill 1333, Representative Pullen, out of the record. Senate Bill 1345, Representative Myron Olson. Mr. Olson. Do you wish to refuse to recede? Proceed, Sir."

Olson, M.: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I refuse to recede from Amendment #1 to Senate Bill 1345. We have a basic disagreement in which way we should go and I would move to put it in Conference."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendments 1 and 2 to Senate Bill 1345. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from the House Amendments on Senate Bill 1345?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendments 1 and 2 to Senate Bill 1345 and a Conference Committee will be appointed. On page three of your Supplemental #1 Calendar...Senate Bill 1375, Representative Munizzi. Do you wish to refuse to recede from the House Amendments? Okay, out of the record. Senate Bill 1421...It means you want to keep your Amendments on. You want to keep the Amendments on, on this Bill? and you want a Conference Committee? Okay, make your Motion then."

Munizzi: "Thank you very much..."

Speaker Breslin: "...Excuse me, Mr. Clerk, this is Senate Bill

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

64th Legislative Day

June 26, 1989

1375. Now, Representative Munizzi."

Munizzi: "Thank you, Madam Speaker. I'd like to state that I refuse to recede this Senate Bill 1375 process, and I'm asking for a Conference Committee."

Speaker Breslin: "The Lady moves to refuse to recede from House Amendment #1 to Senate Bill 1375. And on that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 1 to Senate Bill 1375. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment #1 to Senate Bill 1375 and a Conference Committee will be appointed. Senate Bill 1421, Mr. Hicks. Representative Hicks. Out of the record. Senate Bill 1426, Representative Phelps. Mr. Phelps. Out of the record. Representative Curran and Representative LeFlore, are you ready to proceed on your Bills? Do you want to refuse to recede on these Bills? If you're going to accept the Senate...the Amendments on these Bills, then you don't need to present your Bills at this time. The first Bill is Senate Bill 16, Mr. Clerk. Proceed with your Motion, Mr. LeFlore. Proceed, Mr. LeFlore."

LeFlore: "Thank you, Madam Chairman. I refuse to recede Senate Bill 16. I would like to recommend a Conference Committee on this particular Bill."

Speaker Breslin: "Can you tell us why?"

LeFlore: "Because, we just had a meeting today. We just completed a meeting when I just came out of the meeting and the format of the Bill...the Amendment is not ready as of presented in my statement."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment 1 to Senate Bill 16. And on that question, is there any discussion? There being none, the

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

64th Legislative Day

June 26, 1989

question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 16?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment #1 to Senate Bill 16 and a Conference Committee will be appointed. Is Mr. Farley in the chamber? Representative...fine. Do you wish to refuse to recede on either of these Bills, Mr. Farley? Senate Bill 85 is the first Bill. Representative Farley."

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would move to refuse to recede from Amendment #2 to Senate Bill 85. We'd like to send this to a Conference Committee. It's a vehicle, we'd like to keep it there and go to a Conference."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment #2 to Senate Bill 85. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 2 to Senate Bill 85?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The House refuses to recede from House Amendment #2 to Senate Bill 85 and a Conference Committee will be appointed. Senate Bill 86, Representative Farley, what is your pleasure?"

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The same situation in Senate Bill 86. So I would, therefore, refuse to recede from House Amendment #2 to Senate Bill 86 and ask for a Conference Committee."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment 2 to Senate Bill 86. And on that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from the House Amendment to Senate Bill 86?' All those in favor say



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

64th Legislative Day

June 26, 1989

'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The House refuses to recede from House Amendment 2 to Senate Bill 86. Senate Bill 136, Mr. Terzich. Proceed, Sir."

Terzich: "Yes, I move that we refuse to recede from Amendment #1 to Senate Bill 136 and ask for a Conference."

Speaker Breslin: "Can you tell us why, Sir?"

Terzich: "Yes. This is a...the tax increase...or a tax decrease actually for the...for the seniors and disabled, and there has to be some cleanup done on the Bill."

Speaker Breslin: "The Gentleman has moved that the House refuse to recede from House Amendment #1 to Senate Bill 136. And on that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from the House Amendment to Senate Bill 136?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment #1 to Senate Bill 136 and a Conference Committee will be appointed. Is Mr. Keane in the chamber? Mr. Keane. Mr. Giorgi, Senate Bill 185. Representative Giorgi."

Giorgi: "Madam Speaker, I refuse to...refuse to recede to the House Amendments to Senate Bill 185. Madam, this has got to do with the civic centers and the software tax, so we need a Conference Committee."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendments 1 and 7 to Senate Bill 185. And on that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendments 1 and 7 to Senate Bill 185?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendments 1 and 7 to Senate Bill 185 and a

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

64th Legislative Day

June 26, 1989

Conference Committee will be appointed. Senate Bill 374, out of the record. Senate Bill 384, Representative Giorgi."

Giorgi: "Madam Speaker, this...I also refuse to recede from Amendments to Senate Bill 180...House Amendments 1 and 2 to Senate Bill 384 and I ask that a Conference Committee be formed."

Speaker Breslin: "Can you tell us why, Sir?"

Giorgi: "This is a shell Bill again."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendments 1 and 2 to Senate Bill 384. And on that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendments 1 and 2 to Senate Bill 384?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendments 1 to Senate Bill 374 (sic - Amendments 1 and 2 to Senate Bill 384) and a Conference Committee will be appointed. Representative Kirkland. Is Mr. Kirkland in the chamber? Out of the record. Mr. Preston. Is Mr. Preston in the chamber? Representative Keane. Mr. Keane. Representative Currie. Representative Curran on Senate Bill 1046. Do you wish to refuse to recede on this? Yes. Proceed, Sir, with your Motion."

Curran: "Madam Speaker, I wish to refuse to recede on Amendment #1 and to recede on Amendment #2. Are those separate Motions?"

Speaker Breslin: "You...you may do them together if you wish."

Curran: "I refuse to recede on Amendment #1 and recede on Amendment #2."

Speaker Breslin: "Oh, I see. Okay, just a second. One takes a Roll Call and the other one doesn't."

Curran: "Fine."

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

64th Legislative Day

June 26, 1989

Speaker Breslin: "Why don't we first move to refuse to recede.

Representative Curran, you do have to do them separately."

Curran: "Thank you."

Speaker Breslin: "So begin with Amendment #1."

Curran: "I wish to refuse to recede from Amendment #1."

Speaker Breslin: "Can you tell us why?"

Curran: "Amendment #1 is the...guts the Bill. It reduces caseload for the Department of Children and Family Services over a period of four years."

Speaker Breslin: "The Gentleman refuses to recede from House Amendment 1 to Senate Bill 1046. And on that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 1 to Senate Bill 1046?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment #1 to Senate Bill 1046. And on House Amendment #2, Mr. Curran."

Curran: "I wish to recede on Amendment #2. It is technically incorrect."

Speaker Breslin: "The Gentleman moves to recede from House Amendment #2 to Senate Bill 1046. This will require a Roll Call vote, Ladies and Gentlemen. Is there any discussion? There being none, the question is, 'Shall the House recede from Amendment #2 to Senate Bill 1046?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. On this question...Mr. Clerk, take the record. On this question there are 110 voting 'aye', none voting 'no', and the House recedes from Amendment #2 to Senate Bill 1046. Mr. Clerk, please note that a Conference Committee should be appointed because we refused to recede from House Amendment #1. Mr. Curran, what is your pleasure on Senate Bill 1070? Are you going to refuse to recede..."

Curran: "I wish to refuse to recede on Amendment #1 to Senate

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

64th Legislative Day

June 26, 1989

Bill 1070."

Speaker Breslin: "You have to tell us why. Give us your reasons."

Curran: "The...the Amendment was the guts of the Bill. What it allowed, is the teachers who have been in for twenty years, didn't have to pay a small annual fee to renew their license. I wish to keep that in the law."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment #1 to Senate Bill 1070. And on that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 1 to Senate Bill 1070?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from the House Amendment on Senate Bill 1070 and a Conference Committee will be appointed. Senate Bill 1079, Representative Phelps. Mr. Phelps, out of the record. Mr. Homer, do you wish to proceed on Senate Bill 1155? Only if you want to refuse to recede. Proceed, Sir."

Homer: "Thank you, Madam Speaker. I move to we...that we refuse to recede from House Amendment #1, and I would ask for the appointment of a Conference Committee."

Speaker Breslin: "Can you tell us why, Sir?"

Homer: "This Bill, as I explained when it passed, is a...is really a vehicle Bill that's purpose is to implement recommendations of a...of a study that's currently being done on the feasibility of constructing a Chicago to Kansas City tollway. It's contemplated that the results of that study will not be completed until this Fall. And so the Senate Sponsor and I have agreed that we would put this Bill into Conference Report and have it there, so that if in fact, there is a recommendation from this study, we'll have a Bill available for that purpose."

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

64th Legislative Day

June 26, 1989

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment #1 to Senate Bill 1155. And on that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 1 to Senate Bill 1155?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The House refuses to recede from House Amendment 1 to Senate Bill 1155 and a Conference Committee will be appointed. Senate Bill 1271, Representative Doederlein. Proceed."

Doederlein: "Yes, Madam Speaker, I refuse to recede from Amendment #1 because there are some big differences to work out and I ask for a Conference Committee."

Speaker Breslin: "Did you tell us why you wish to refuse to recede?"

Doederlein: "We have some more input from the local villages and the local towns that this Bill would affect and we'd like to take this into consideration."

Speaker Breslin: "The Lady has moved to refuse to recede from House Amendment 1 to Senate Bill 1271. And on that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 1271?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The House refuses to recede from House Amendment 1 to Senate Bill 1271 and a Conference Committee will be appointed. Representative Pullen. Is the Lady in the chamber? Out of the record. Senate Bill 1421, Representative Hicks. Mr. Hicks, do you wish to refuse to recede? Proceed, Sir."

Hicks: "Thank you, Madam Speaker. I move to...I move to refuse to recede on House Amendments #1 and #5 of Senate Bill 1421, and request a Conference Committee be appointed."

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

64th Legislative Day

June 26, 1989

Speaker Breslin: "Did you tell us why you plan to refuse to recede, Sir? I couldn't hear you."

Hicks: "It's my intention to see that House Amendments #1 and #5 be part of the final Bill for as...Senate Bill 1421."

Speaker Breslin: "Fine. The Gentleman has moved to refuse to recede from House Amendments 1 and 5 to Senate Bill 1421. All...Is there any discussion? There being none, the question is, 'Shall the House refuse to recede from these Amendments to Senate Bill 1421?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendments #1 and 5 to Senate Bill 1421. Representative Phelps, do you wish to proceed on 1426? Proceed with your Motion."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I refuse to recede on House Amendment #2. This original...part of this Bill was actually gutted and became a different form and so now we want to send it to Conference Committee."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment 1 (sic - 2) to Senate Bill 1426. And on that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from the House Amendment on Senate Bill 1426?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment #2 to Senate Bill 1426 and a Conference Committee will be appointed. Representative Phelps, do you also wish to refuse to recede on Senate Bill 1079? Proceed, Sir."

Phelps: "Thank you, Madam Speaker. I also wish to refuse to recede on this Amendment because the...this deals with other issues concerning proficiency of testing, and the

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

64th Legislative Day

June 26, 1989

original language in the Senate Bill was already in the House Bill. So, we want a Conference Committee."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment #1 to Senate Bill 1075. On that question...1079, rather. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 1079?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment #1 to Senate Bill 1079 and a Conference Committee will be appointed. Representative Pullen, you are the Sponsor of Senate Bill 1333. Do you wish to refuse to recede on that Bill or are you going to recede from your Amendment? Representative Currie, you are the Sponsor of Senate Bill 971. Do you wish to refuse to recede on that Bill? It increases an increase in property tax levees. No. Out of the record. Representative Keane, you are the Sponsor of a couple of Bills on this Order. Do you wish to refuse to recede in any of them? The first Bill is Senate Bill 169. Proceed, Sir. Proceed, Mr. Keane."

Keane: "Thank you, Madam Speaker. I move to nonconcur...oh, we're on Senate Bills?"

Speaker Breslin: "Yes, refuse to recede."

Keane: "I refuse to recede from House Amendments 1 and 6 to Senate Bill 169."

Speaker Breslin: "Can you tell us why, Sir?"

Keane: "Why don't we just see if we can work it this way? House Amendment 1 put in the Metropolitan Civic Support Act to increase the bond limit. And I don't know what House Amendment #6 did, because the digest doesn't have it. But based on the fact that I want to go back to the original Bill, that's my request."

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

64th Legislative Day

June 26, 1989

Speaker Breslin: "Fine. The quest...the Gentleman has moved to refuse to recede from the House Amendments on Senate Bill 169. And on that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendments 1 and 6 to Senate Bill 169?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from the House Amendments on Senate Bill 169 and a Conference Committee will be appointed. On Senate Bill 692, Mr. Keane. Proceed, Sir."

Keane: "Thank you, Madam speaker. I refuse to recede from House Amendment 1 to Senate Bill 692. The Department of Revenue is having some problems with the Bill and it's our intention to put the Bill into a Conference Committee, and try to work out the differences between the Senate Sponsor and the Department of Revenue in Conference. And for that reason, I refuse to recede."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment 1 to Senate Bill 692. And on that question, is there any discussion? The question is...there being none, the question is, 'Shall the House refuse to recede from the House Amendment on Senate Bill 692?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment 1 to Senate Bill 692 and a Conference Committee will be appointed. Representative Harris, for what reason are you seeking recognition?"

Harris: "Thank you, Madam Speaker. For an announcement before you move to the next Sponsor. My seatmate here was informed this morning that there will be a relocation of a small firm from one part of the state into another part of the state, and that other part of the state just happens to be in his district. And he has Sears catalogues here for



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

64th Legislative Day

June 26, 1989

everyone who might be interested in making a purchase. So, just see Representative Kirkland, since that's the new home of Sears."

Speaker Breslin: "Okay. Mr. Sears, you have the next Bill up. You have the next Bill up. Mr. Sears Kirkland."

Kirkland: "Hey, alright. Very good."

Speaker Breslin: "Senate Bill 487, Representative. Proceed with your Motion."

Kirkland: "Would ask to move to not recede from the House Amendment to Senate Bill 487."

Speaker Breslin: "Did you tell us why, Sir?"

Kirkland: "Not a Sears vehicle, no."

Speaker Breslin: "Okay. Why do you wish to put it into Conference?"

Kirkland: "We have an Amendment on another subject, which we've been working on and that we want to add it to the Bill."

Speaker Breslin: "The Gentleman has moved to refuse to recede from the House Amendment on Senate Bill 487. Is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 1 to Senate Bill 487?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment 1 to Senate Bill 487 and a Conference Committee will be appointed. Ladies and Gentlemen, earlier today I requested all Members who wish to nonconcur on Bills on the Order of Concurrence, the House Bills on the Order of Concurrence, to come to the well and give us the number of your Bill. We are ready to go to that Order of Business. So, I hope we have the number of your Bill. Ladies and Gentlemen, we only have three Bills that we've been notified that people wish to nonconcur on the Order of Concurrences. Please, if you are on this Order, bring your Bill to the well. Ladies and

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

64th Legislative Day

June 26, 1989

Gentlemen, on the Regular Calendar under the Order of Concurrences, those Bills in which Members wish to move to nonconcur are sponsored by Representatives Curran, Wennlund, Countryman, McGann, Levin, Mautino and Kubik. The first Bill is House Bill 42, Mr. Curran. Mr. Curran. Out of the record. Senate Bill 386, Representative Wennlund. Mr. Wennlund. Out of the record. We'll go back to Representative Curran's Bill, House Bill 42. Remember to tell us what the Bill does and why you wish to nonconcur, Sir."

Curran: "Thank you, Madam Speaker. The underlying Bill simply allowed for a student to be re-elected as a student member to the Community College Board for a second year. The Amendment was put on, dealt with the setting up a new community college board in the Bloomington area in general. Both the Democratic Leadership and I understand the Republicans had put the Amendment on, wish this Bill to go to Conference. So, I move to nonconcur."

Speaker Breslin: "The Gentleman moves to nonconcur in the Senate Amendment to House Bill 42. On that question, is there any discussion? There being none, the question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 42?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in the Senate Amendment to House Bill 42. The next Bill is House Bill 760, Representative Countryman."

Countryman: "Thank you, Madam Speaker. I move to nonconcur in Senate Amendment #1. The underlying Bill set forth what we thought was a clarity in the law concerning an exemption from the telecommunication's tax for community repeaters, which were operated by businesses communicating within that...that business. An Amendment was placed on it in the Senate to define bad debts. We still need to refine the

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

64th Legislative Day

June 26, 1989

language in the underlying Bill and in my judgment, the language of the Amendment is not sufficiently definite to define bad debts. So, I move we nonconcur."

Speaker Breslin: "The Gentleman has moved to nonconcur in Senate Amendment 1 to House Bill 760. On that question, is there any discussion? There being none, the question is, 'Shall the House nonconcur in Senate Amendment 1 to House Bill 760?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in the Senate Amendment to House Bill 760. House Bill 1508, Representative McGann."

McGann: "Thank you, Madam Speaker and Members of the Assembly. I wish to nonconcur on Senate Amendments #2 and #3 on House Bill 1508, because they are incorrect. There's technical problems because #3 was written in #2, so we have to change both Amendments in order to have them in proper perspective."

Speaker Breslin: "The Gentleman has moved to nonconcur in Senate Amendments 2 and 3 to House Bill 1508. And on that question, is there any discussion? There being none, the question is, 'Shall the House nonconcur in Senate Amendments #2 and 3 to House Bill 1508?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendments 2 and 3 to House Bill 1508. House Bill 1548, Mr. Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would move to nonconcur in Senate Amendment #1 to House Bill 1548. The Senate Amendment #1 changes the effective date and you know, we disagree with that, would like to send it to Conference."

Speaker Breslin: "The Gentleman has moved to nonconcur...nonconcur in Senate Amendment 1 to House Bill

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

64th Legislative Day

June 26, 1989

1548. And on that question, is there any discussion? There being none, the question is, 'Shall the House nonconcur in Senate Amendment 1 to House Bill 1548?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendment 1 to House Bill 1548. House Bill 2030, Representative Mautino. You may proceed, Sir."

Mautino: "Thank you very much, Madam Speaker. I move to nonconcur with Senate Amendment #1 to House Bill 2030. The underlying legislation was the IMA education reform provision, establishing the Department of Public Accountability and prescribing the duties and responsibilities under the Select Committee of Educational Reform and input by the industrial and commercial entrepreneurs of this state. The Amendment that was adopted in the Senate was of a technical nature, and it was intended to send the Bill to the Conference Committee, which...to a Conference Committee, which will continue negotiating the receivership provisions as well as others. And the Speaker's well aware of that since you're a part of it this evening at 6:00. And I move to nonconcur for those specific reasons to continue the discussions."

Speaker Breslin: "The Gentleman has moved to nonconcur in Senate Amendment 1 to House Bill 2030. And on that question, is there any discussion? There being none, the question is, 'Shall the House nonconcur in Senate Amendment 1 to House Bill 2030?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendment 1 to House Bill 2030. House Bill 2784, Mr. Kubik. Proceed."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would move to nonconcur in Senate Amendment #1 and 2 to create a Conference Committee. The Bill that

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

64th Legislative Day

June 26, 1989

the...the underlying Bill deals with estimated tax payments. It's an administration of the Department of Revenue Bill. What we would like to nonconcur and create a Conference for is to include the provisions of a Bill which passed the House, 2786, we'd like to...and did not get out of committee in the Senate, we'd like to include those provisions in this legislation. I'd appreciate your support."

Speaker Breslin: "...Excuse me. Excuse me, Representative Kubik. This Bill is not on the Order of Concurrences. State and Local Government. Yes."

Kubik: "Madam Speaker, it was on the Supplemental Calendar #3 on Saturday and we didn't get to it."

Speaker Breslin: "Number 3. Could you take it out of the record for the moment and we'll get back to you? Ladies and Gentlemen, we are now ready to proceed to the Special Order of Business on Concurrences, under the Special Order of Education. You should have the forms on your desks to follow this Order. The first Bill is Senate Bill 58. Excuse me, Representative Hicks, for what reason did you seek recognition?"

Hicks: "Yes, Madam Speaker, having voted on the prevailing side on Senate Bill 1421, I would ask to reconsider the Motion that was made to reconsider the vote on 1421."

Speaker Breslin: "Okay. You were the maker of that Motion, is that correct?"

Hicks: "That's correct, Madam Speaker."

Speaker Breslin: "Okay. So, the Gentleman has moved to reconsider the vote by which the House refused to recede from the House Amendments on this Bill. He was the maker of the Motion and must have done so in error, correct?"

Hicks: "Yes, Ma'am."

Speaker Breslin: "Is there any discussion on the question? There

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

64th Legislative Day

June 26, 1989

being no discussion, the question is, 'Shall the vote be reconsidered?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the vote is reconsidered. Now, Representative Hicks, what Motion would you make on this Bill?"

Hicks: "I would...I would now move to recede from House Amendments #1 and #5 on Senate Bill 1421. This would place Senate Bill 1421 back in its original form of the Bill, originally."

Speaker Breslin: "And this will be final action?"

Hicks: "Yes, Ma'am, that's correct."

Speaker Breslin: "The Gentleman therefore moves to recede from the House Amendments on Senate Bill 1421. This will be final passage. Is there any discussion on this Motion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. Things are...things are just going too fast around here now. This is final action, right?"

Speaker Breslin: "This is final action."

Cullerton: "Okay. And we're receding from..."

Speaker Breslin: "The two House Amendments."

Cullerton: "Two House Amendments?"

Speaker Breslin: "Both of the House Amendments, yes."

Cullerton: "Those are the only two that were...that were adopted?"

Speaker Breslin: "Correct. One and five."

Cullerton: "So...so that would be the way the... it would go to the Governor the way the Bill passed the Senate?"

Speaker Breslin: "That's correct."

Cullerton: "Okay. Alright. Representative Hicks, could you explain what the Amendments did and why we're taking them off?"

Hicks: "Yes. Amendment #1 was my Amendment, which placed...dealing with asbestos, in which asbestos... all

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

64th Legislative Day

June 26, 1989

manufactures of asbestos would be held liable in the percentage of their actual sales in the state and any type of civil action be brought against them. And Amendment #5 was Senator...was Representative Johnson's Amendment, which dealt with a train of workers, dealing with the asbestos issue."

Cullerton: "Okay, thank you."

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

Johnson: "Why do you want to recede from Amendment #5?"

Hicks: "...The Senate having refused to concur with those Amendments, after a discussion with the Senate Sponsor, and his feeling that the... with the Amendments that are on the Bill, that it would be impossible for either of the Amendments. Either Amendment #1, nor Amendment #5 could be included in the Bill, then it was my judgment to go ahead and take them off and go back to the original Bill that was placed here on the House floor and pass that original Bill."

Johnson: "...Maybe we can jointly sponsor this concept in Amendment #5 next year."

Hicks: "I'd be happy to do that. I also would try to sponsor my Amendment #1 and I'd hope you'd join me in that."

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

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

Speaker Breslin: "He will."

Ropp: "Representative, can you tell me what would happen if the State of Illinois does absolutely nothing relative to this asbestos problem?"

Hicks: "Well, I suppose, Sir, that many things could be happen...could happen. Hope...hopefully, maybe nothing

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

64th Legislative Day

June 26, 1989

would happen. Hopefully, no one would ever become ill. Hopefully, there would never be a lawsuit filed, but knowing the litigation process here in Illinois, dealing with asbestos. And also the current climate, dealing with asbestos as we've seen both in some of our own state office buildings. I don't think that's very likely to happen."

Ropp: "Well, the reason I ask, I...it seems to me like the state and the people in general are going to spend millions and millions. In fact, there's maybe even billions of dollars to attempt to relieve some of these buildings with asbestos, when...when I'm not sure... well, I guess I would think that money would better be spent for educating people, rather than attempt to take care of the asbestos when we have, not an awful lot of proof of the problem that some have indicated this incurs."

Hicks: "Well, I...the intent of Senate Bill 1421 originally, was simply to conform Illinois law to federal law in a relationship to the asbestos problem, and that's the reason for the Indemnification Act of which we're asking in Senate Bill 1421, that passed out of the Senate without a dissenting vote."

Ropp: "I just thought if we didn't comply with the federal law, are they going to withhold any monies from us or..? I didn't know what they were going to do to us if we didn't comply with the federal law."

Hicks: "Well, let's just hope maybe they come up with some money for the asbestos problem. If...if they in fact, as it appears that they do, think that it's the major problem that it is. And in some cases, very well may be a major problem. I don't think it's a major problem in many areas that we've seen people jumping through hoops on but, certainly if we can comply with the same federal legislation of which this is what my Bill does, then



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

64th Legislative Day

June 26, 1989

hopefully we'll be in good shape in case there is any money available at some point in time down the road."

Ropp: "Thank you."

Speaker Breslin: "The question is, 'Shall the House recede from House Amendment 1 and 5 to Senate Bill 1421?' Mr. Clerk, you only have Amendment #5 up there. You only can show one number, but, Ladies and Gentlemen, we are moving to recede from both Amendments, 1 and 5, and this will be final action. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 107 voting 'aye', 4 voting 'no' and 2 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. And the House recedes from Amendment #1 and 5. And since we are on this Order, Representative Lou Jones, you have a Bill on this Order, Senate... on the Order of Nonconcurrency, Senate Bill 374. You may proceed with your Motion."

Jones, L.: "Thank you, Madam Speaker and Members of the House. I refuse to recede from Amendment #1 of Senate Bill 374."

Speaker Breslin: "Can you tell us why?"

Jones, L.: "The Senate Sponsor nonconcurrent in error and I'm doing this so it can go into a Conference Committee and keep the Amendment on."

Speaker Breslin: "The Lady has moved to refuse to recede from House Amendment #1 to Senate Bill 374. And on that question, the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. I agree with the Sponsor that we should maintain House Amendment #1. But I didn't understand the reason that the Senate didn't concur."

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

64th Legislative Day

June 26, 1989

Jones, L.: "The Senate Sponsor...the Senate Sponsor nonconcurrred in error."

Mautino: "...In error? Okay, fine."

Jones, L.: "... Right."

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

Mautino: "Thank you, Madam Speaker. I wasn't finished. I had one more question. It is your intention then to...to have the Senate Sponsors, Senator Smith, concur with the Amendment and this will be final action on our part then?"

Jones, L.: "Absolutely."

Mautino: "Thank you."

Speaker Breslin: "This isn't final action. They have to go back and accept. It has to go to a Conference Committee and then they have to keep that Amendment on it. The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I too, rise in support of this Motion. In essence, it's a definition of... of part of the Bill. And I think it's imperative that that definition be there."

Speaker Breslin: "The question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 374?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from the House Amendment on Senate Bill 374 and a Conference Committee will be appointed. And now I see that Representative Wennlund has returned to the chamber, so we'll go to his Bill on the Order of Nonconurrence."

Wennlund: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to nonconcur in Senate Amendments 1 and 2 to House Bill 386. What those Amendments are...actually they're an attempt to avoid court litigation. That's now currently pending between some park districts in

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

64th Legislative Day

June 26, 1989

Northwestern... Northeastern Illinois and they're killer Amendments. The basic Bill, I'm sure everybody remembers the Bates decision that put school district bond issues in jeopardy throughout the State of Illinois. Well the purpose of...the main thrust of the Bill is to avoid a Bates decision for park districts throughout the State of Illinois, who have bond issues outstanding and pending under the current legislation. It's an important Bill. These are killer Amendments and it disputes that the private dispute amongst a certain few park districts and I ask for favorable passage."

Speaker Breslin: "The Gentleman has moved to nonconcur in Senate Amendments 1 and 2 to House Bill 386. And on that question, is there any discussion? There being none, the question is, 'Shall the House nonconcur in Senate Amendments 1 and 2... rather...to Senate Amendments 1 and 2 to House Bill 386?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendments 1 and 2 to House Bill 386. Ladies and Gentlemen, on the Order of Concurrences, under the Special Order of Education, there appears Senate Bill 58, Representative LeFlore."

LeFlore: "Thank you, Madam Speaker. Senate Bill...I mean House Bill 58 was amended in the Senate. I refuse to recede from the Amendment #1 that was amended in the Senate because it only restrict the pocket pagers to 299. In my original Bill, it's statewide for pocket pagers to be banned in local schools."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 58. This will be final passage. Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 58?' All those in favor vote 'aye'...You wish to

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

64th Legislative Day

June 26, 1989

nonconcur, Sir?"

LeFlore: "Yes."

Speaker Breslin: "I'm sorry. We were on the Order of Concurrences. We were supposed to do the nonconcurrences earlier. The...Yes, dump this Roll Call, Mr. Clerk. His Motion was to nonconcur. So this will not be final passage. The Gentleman has moved to nonconcur in the Senate Amendment on House Bill 58. On the question, the Lady from DuPage, Representative Cowlshaw."

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

Speaker Breslin: "He will."

Cowlshaw: "Representative, why do you...why do you find this Amendment unacceptable?"

LeFlore: "Because it's limited to Chicago only, Representative, and the original Bill is for statewide."

Cowlshaw: "Indeed. Thank you very much. You're right."

Speaker Breslin: "The question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 58?' All those in favor say 'aye', opposed...out of the record. We are on the Order of Concurrences, Ladies and Gentlemen. If we happen to get to your Bill and you decide to nonconcur, would you come up and tell the podium, please, so that we don't have any mixups? The next Bill is House...is House Bill 74, Representative Barger. Proceed with your Motion."

Barger: "Thank you, Madam Speaker. I move to concur with Senate Amendment #1 to House Bill 74. The Bill originally was in regards to youth in drugs and revoking the drivers licenses or not issuing drivers licenses to those under 18 who were involved in drugs. The Senate Amendment changes it from 'involved in drugs' to 'convicted of a drug offense', and I feel that although that is far more restrictive, that it is well within the scope of what I had hoped for. Thank you."

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

64th Legislative Day

June 26, 1989

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 74. This will be final action. Is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Madam Speaker. Will the Gentleman yield?"

Speaker Breslin: "He will."

Black: "Thank you. Representative, Senate Amendment #1 states that, 'refuse to issue a driver's permit', is that language you're acceptable...you're accepting that language? Because that's not a driver's license."

Barger: "... Well, there were licenses and permits and several things involved in it. So, this is no major problem."

Black: "Okay, alright. Are we then in Senate Amendment #1, giving the Secretary of State some...it appears to me, you enlighten me. It appears to me that we're giving the Secretary of State extreme leeway in whether or not the Secretary of State's Office will decide to issue that person a regular driver's license, after he or she reaches the age of 18?"

Barger: "We have to allow in cases like this for discretion on the parts of those people who are involved in the control of the issue. If we set these up rigidly and then there is no right to discretion, we can end up with excessive punishments in certain cases. So, I strongly favor the idea of discretion."

Black: "Let me ask you just one further question, because I know you to be a man of extreme integrity. Are you satisfied that the Bill insures a reasonable right of due process to the individual who has run afoul of the law?"

Barger: "It is absolute...it absolutely does because now it will require a conviction rather than having been involved in."

Black: "Thank you very much, Representative."

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

64th Legislative Day

June 26, 1989

Barger: "You're welcome."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 74?' Excuse me, Representative Countryman."

Countryman: "Thank you, Madam Speaker, I'm sorry you didn't recognize my light was on. I didn't mean to...I do have a few questions. When you talk about conviction, Representative, what about the Sections of Probationary Sentence, what we call 7-10, which is a probationary sentence without a record and under the Controlled Substance Act, the corollary Section is 14-10. Would that have the same effect as a conviction under this Act?"

Barger: "No, it doesn't. The Senators felt that it was desirable not to include station adjustment or probation, or court supervision, so they wanted it to go the whole way. And I figure that if we get half a loaf this year, that's better than none, and next year we'll try for the balance."

Countryman: "Alright, then it says...our analyst says, once a person reaches the age of 18 they may apply for a restricted driver's license?"

Barger: "That's right."

Countryman: "Does the Secretary have to grant that or is it discretionary?"

Barger: "The Secretary still has the discretion as to determine whether or not to do that."

Countryman: "What basis would he use to make a determination, whether the person was...having a problem with drugs or cannabis or..."

Barger: "I would think he would use the same type of discretion that any Circuit Court judge would. He would review the case, determine what he thought was desirable. He does have hearing boards now that hears this type of problem. And I feel that we are far better off allowing for

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

64th Legislative Day

June 26, 1989

discretion then we would be setting up mandatory punishment."

Countryman: "Well, that's true. He does, but usually in those cases he looks to see whether or not that person's been rehabilitated. Is that the same criteria that you want him to use here?"

Barger: "I think that is a very good criteria to use. If the person had been involved and over a period...I think it says in the Amendment, which I have here and shall read to you. Let see, 'a restricted driving permit issued hereunder shall be subject to cancellation if they are further involved'."

Countryman: "Is that restricted driving permit, does he have to drive on that for a year?"

Barger: "That would be as I interpreted it, something that he would have to adhere to or the driver would have to adhere to, if he were with...beyond the 2 year term that we had originally figured. We figured that a person 16 would have to go until they were 18."

Countryman: "Alright, so once he becomes 18, this is where I want to be clear, he can apply for a driver's...he can't apply for a driver's license, but he can apply for the license subject to the restrictive permit. Is that right?"

Barger: "Right, right."

Countryman: "And then he has to drive on that permit for a year before he can get a full blanket driver's license."

Barger: "Right. And if he keeps out of trouble he would have no problem."

Countryman: "Well, is he...is he to be considered if he has not had a license for 2 years? Say he was convicted when he was 16, if he hadn't had a driver's license for 2 years or is he...is it...is this discretionary thing to be some sort of penalty after he reaches the age of 18?"

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

64th Legislative Day

June 26, 1989

Barger: "Upon reaching the age of 18 such person may apply to the Secretary, and if the Secretary is satisfied that the person applying will not endanger the public safety or welfare, he will issue a restricted driving permit granting the privileges of driving only between the hours of 5 a.m. and 9 p.m. for a period of 1 year."

Countryman: "Well at that point in time, aren't these people going to be useful citizens maybe working in society and rehabilitated? Why...why would we want to specify the hours in the law?"

Barger: "I don't happen to have written this Amendment and I don't know why the Senator who did write it did mention these time limits, but I am willing to accept them, because I don't feel that they are excessive."

Countryman: "You don't think you ought to nonconcur in this and send it back to see if we can work out some of that language?"

Barger: "I don't think so. I think I'd rather change the language next year and make sure that the Bill passes this year."

Countryman: "Well, thank you. Madam Speaker, to the Motion. I reluctantly rise in opposition to this. I don't think it's well drafted and I don't think it really applies what we want to apply. From what Representative Barger has told us here today is that it says, once you reach the age 18 for a year you must have a restricted permit and it even specifies the hours. It takes away...it gives no discretion to the Secretary of State, considering the hardship. Somebody may be working from midnight until eight in the morning and he can't issue a restricted permit for him to go to and from work, because the hours are in the Bill. We don't do this sort of specified... specific legislation in the DUIs. The other thing is it doesn't



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

64th Legislative Day

June 26, 1989

seem to have a sufficient correlation between the offense committed and the restricted permit and the rehabilitation of the person who's driving privileges has been suspended and revoked, and for that reason, I seriously question the constitutionality. Unfortunately, he didn't want to nonconcur and send it to see if we could work this out, and for that reason I'd urge the Members to vote against this Concurrence Motion."

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

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

Speaker Breslin: "He will."

Dunn: "Does this Bill contain a revocation provision for possession of alcohol?"

Barger: "No. At least it didn't in the original Bill."

Dunn: "Well I don't know, I...in its present form as amended, does it relate only to cannabis or does it include alcohol related offenses?"

Barger: "Cannabis and controlled substances, drugs."

Dunn: "And do I understand that if someone is under age 18 and...there are Amendments on this Bill, which said that if you were somehow connected with a cannabis offense, you lose your license. Does the Senate Amendment change that so that you have to be convicted?"

Barger: "Yes, John. The Senator's determined in their infinite wisdom that being involved in drugs didn't...the word 'being involved in', that phrase did not appear in Black's Law Dictionary and therefore it was a nonlegal term and they couldn't let the law go through that way."

Dunn: "So they took that term out?"

Barger: "Right."

Dunn: "So, as the Bill now stands, you have to be convicted?"

Barger: "Right."

Dunn: "But the conviction does not necessarily relate to an

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

64th Legislative Day

June 26, 1989

offense involving driving a motor vehicle, does it?"

Barger: "No. It involves a cannabis or drug conviction."

Dunn: "Thank you. Madam Speaker, Ladies and Gentlemen of the House. To the Bill. I join with the...the previous speaker in opposition to the legislation. There seems to be no reasonable connection between the...the driving of a motor vehicle and what may arise as a subject of conviction under this proposed legislation. And furthermore, it seems that there is no connection whatsoever between a driving permit between 5 a.m. and 9 p.m. upon attaining age 18, that doesn't have any special significance to someone who may be working a night shift or to someone who...who...for whom those hours may not fit a work schedule and so, this Bill, while, maybe well meaning, is one that we should all join together and defeat. I urge a 'no' vote."

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

Barger: "Madam Speaker, I agree with those two Gentlemen, and I was hoping to get this Bill passed through as the Senate accepted, and that I would bring it back in its original form next year. Considering there's going to be strong objection to it, I move that we nonconcur."

Speaker Breslin: "The Gentleman has changed his Motion to a Motion to nonconcur in Senate Amendment #1 to House Bill 74. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendment #1 to House Bill 74. He changed his Motion to nonconcur. And the House has agreed with his Motion to nonconcur. The next Bill is House Bill 77. Mr. Klemm, out of the record. Senate Bill 114, Representative Steczo. Representative Steczo. Out of the record. Senate Bill 124, Representative Preston. Excuse me, House Bill 124. Do you wish to concur in the Senate Amendments on this Bill? Come back to it. Out of the

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

64th Legislative Day

June 26, 1989

record. House Bill 317, Representative Cowlshaw. Proceed with your Motion."

Cowlshaw: "Thank you, Madam Speaker. I would move to concur in Senate Amendment #1 to House Bill 317. House Bill 317 as it emerged from the House, consists of a definition of the term, 'proficiency' for the purposes of the...the Consumer Education Proficiency Test. That definition was approved by the State Board of Education, requested by the Statewide Association of Consumer Education Teachers. In the Senate an Amendment was added, which provides that after a...an election for school board members, that the canvass of the vote shall be done by the secretary of the school board, rather than by the Board of Education; which seemed like a logical thing since some them...members of that current Board of Education might indeed have been the candidates for re-election. And therefore, the...it seems to me that it makes sense that the secretary of the board, rather than the board itself should be responsible for the canvass of the votes. Therefore, I move to concur in Senate Amendment #1 to House Bill 317."

Speaker Breslin: "The Lady has moved to concur in Senate Amendment #1 to House Bill 317. If adopted, this will be final passage. Does anyone wish to speak on the Bill? The Gentleman from DeKalb, Representative Countryman."

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

Speaker Breslin: "She will."

Countryman: "Representative Cowlshaw, this canvass is going to be done by one person? Just the secretary, just the one person or is it more than one person?"

Cowlshaw: "That is the person who is responsible for seeing that the canvass is done."

Countryman: "Well, usually in a canvass you have two or three people who may have had divergent interest in the election,

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

64th Legislative Day

June 26, 1989

review the election totals and sign the canvass. You know, in a general election we use the.. the Election Authority, which is generally the county clerk, but can be a Board of Election Commissioners, and the Republican and Democratic county chairmen or the major political party county chairmen, sign off on a county. Now, in this instance you're going to say, that whoever this board appoints is the secretary, signs the canvass?"

Cowlshaw: "The secretary of the board would be responsible for seeing that the canvass is conducted...conducted and for...for verifying that the canvass is correct."

Countryman: "Well, shouldn't the Election Authority be a part of this?"

Cowlshaw: "Representative, I think you need to understand what the current law is. The current law does not involve any Election Authority. The current law says, the canvass of school board elections shall be conducted by the Board of Education."

Countryman: "Well, didn't...we have that prior to the time we went to consolidated elections and just never changed it?"

Cowlshaw: "That is correct."

Countryman: "But, I guess my problem is, is who's the check and who's the balance here? If you have one person sign off, what could keep that one person from wanting to make some sort of fraudulent change in the numbers or the outcome? And the other thing, which is kind of ingrained in this, is my election experience, I've seen the Election Authority make mistakes for whatever reason. They've transposed numbers or something of that nature. Wouldn't it be a wise idea to have more than one person responsible for it? Say the secretary and two incumbent board members who are not up for re-election at that time?"

Cowlshaw: "Representative Countryman, I think you raise some

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

64th Legislative Day

June 26, 1989

very...some very good questions. And of course, because of your background with the State Board of Elections, you would be aware of those kind of things. Obviously, this whole question of who is going to be responsible for the canvass of votes in the election of school board members, is more complex than I had envisioned. I do think, Representative Countryman, that you would agree that the current law, which simply says that the Board of Education is responsible for the canvass of votes, is not a good law."

Countryman: "That...with that, I agree."

Cowlshaw: "Alright. We need to try and get this..."

Countryman: "... But, I...I...I just worried that we changed this thing on an Amendment in the Senate and sent it over here, without any debate on our part. And it seems to me that just more than one person ought to be involved and that somebody ought to be the check and the balance. That's...I really don't even care who they are, but there just ought to be that check and balance in this system of government."

Cowlshaw: "Representative Countryman, you're absolutely right. I change this Motion to nonconcur in Senate Amendment #1 to House Bill 317."

Speaker Breslin: "Mr. Clerk, please note that the Lady has changed her Motion to a Motion to nonconcur. Representative Countryman is being very effective this afternoon. The question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 317?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it, and the House nonconcur in Senate Amendment #1 to House Bill 317. With leave we'll go back to Representative Preston's Bill. Mr. Preston, House Bill 124. Present your Motion, Sir."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of

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

64th Legislative Day

June 26, 1989

the House. House Bill 124 removes the mandatory retirement age for teachers and principals at schools throughout the state. The Senate Amendment that was...Amendment #1 that was put on by Senator Berman was an Agreed Amendment that we were in error in that we didn't include language for superintendents and deputy superintendents to also be included within the parameters of that Bill. That's all HB 124, as amended, does. It passed out of the House overwhelmingly before and I hope it will again."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 124. If adopted, this will be final action. Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 124?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', 1 voting 'no' and 1 voting 'present' and the House does concur in Senate Amendment #1 to House Bill 124 and this Bill having received the Constitutional Majority is hereby declared passed. With leave, we'll also go back to House Bill 58. Representative LeFlore is recognized for a Motion. Mr. LeFlore, proceed."

LeFlore: "Thank you, Madam Speaker. I move to concur to Senate Bill (sic, Amendment) #1 to House Bill 58. They only give the principal the right to remove the pocket pagers from the school and it...the Bill really is statewide. But this only affect 299 that deal with the principals."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 58. If adopted, this will be final action. Is there any discussion? There being no discussion, the question is, 'Shall the House concur in

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

64th Legislative Day

June 26, 1989

Senate Amendment #1 to House Bill 58?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', 1 voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 58 and this Bill having received the Constitutional Majority is hereby declared passed. The next Bill is House Bill 366. Excuse me, Representative Dunn, do you seek recognition?"

Dunn: "I...that Bill's taken out of the record. I just...I'm not sure of the details. I may have had a conflict of interest on that Bill and so I voted my conscience."

Speaker Breslin: "I see. Very good. The record will reflect that. House Bill 366, Representative Satterthwaite is recognized for a Motion. Proceed, Representative. "

Satterthwaite: "Madam Speaker and Members of the House, I move to concur in Senate Amendment #1 to House Bill 366. When House Bill 366 left the House, it was with my assertion that it would be amended in the Senate if there was an agreement between the State Board of Education and the school social workers in regard to language in the statutes dealing with the responsibilities of the school social workers. That is the language that is in Senate Amendment #1. It is in agreement now with the State Board, with the school social workers, with the school psychologists and with anybody else that I'm aware of who had any interest in the Bill and I move to concur with Senate Amendment #1."

Speaker Breslin: "The Lady has moved to concur in Senate Amendment #1 to House Bill 366 and on the question, the Gentleman from Warren, Representative Hultgren."

Hultgren: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

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

64th Legislative Day

June 26, 1989

Speaker Breslin: "She will."

Hultgren: "Do the School Board Association or the School Administrators Association have a position on this after the Senate Amendment?"

Satterthwaite: "Not that I'm aware of. I have heard no opposition from them at all."

Hultgren: "Thank you."

Speaker Breslin: "Any further discussion? The Gentleman from Vermilion, Representative Black."

Black: "Well, thank you very much, Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "She will."

Black: "Thank you. Representative...a little noisy in here. Let me make sure I understand what Senate Amendment #1 does. As it left the House, it provided that the school social worker was responsible for providing the social developmental study. Does Senate Amendment #1 sort of tone that language down a little bit? That, I think, was where the opposition keyed as I recall, in the original Bill."

Satterthwaite: "That's right. I think that as the Bill went through the House, what we were seeking to do was to put into law something that is currently in the rules and regulations of the State Board. However, in the conversations that developed between the school social workers and the staff of the State Board, they have agreed to this language which simply expands the statute that's already in existence on school social workers and it provides among other things that they may make evaluations, recommendations or interventions regarding the placement of children in educational programs or special ed classes. This is language that is very comparable to language that we put into the statutes for school psychologists a few years ago. It helps to clarify what their duties are and



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

64th Legislative Day

June 26, 1989

yet it doesn't get into any battle between the professionals."

Black: "Thank you very much."

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

Levin: "Would the Lady yield?"

Speaker Breslin: "She will."

Levin: "Representative, several months ago the State Board attempted to limit, through rule, the ability of parents to bring in their own social workers into the IEP process. Does this have any effect on that? They subsequently withdrew that rule. Does this pose any limits on parents bringing in their own..?"

Satterthwaite: "No. This makes no limitation on parents and who they can get to help with the evaluation process. All it does is to delineate the role of the school social worker in that process and in any other responsibilities they have to the school system."

Levin: "Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 366?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no' and 1 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 366 and this Bill having received the Constitutional Majority is hereby declared passed. Senate (sic, House) Bill 459, Representative Weaver. Proceed with your Motion, Sir. Mr. Weaver."

Weaver: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, House Bill 459 amends the Higher Education Student Assistance Law. The effects of Senate Amendment #1

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

64th Legislative Day

June 26, 1989

is...really doesn't alter the intent of the Bill, it simply extends the eligibility for veterans' scholarship 2 additional years. I move to concur in Senate Amendment #1 to House Bill 459."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 459. If adopted, this is final action. Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 459?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 115 voting 'aye', none voting 'no' and the House does concur in Senate Amendment #1 to House Bill 459 and this Bill having received the Constitutional Majority is hereby declared passed. Senate (sic, House) Bill 590, Representative Cowlshaw. Proceed with your Motion."

Cowlshaw: "Thank you, Madam Speaker. I move to concur in Senate Amendment #1 to House Bill 590. The only thing the...the other provisions of the Bill remain the same. The only thing that the Senate Amendment does is that it removes from this Bill that portion that would have eliminated the requirement for the renewal of administrative certificates every 5 years. Many of you who worked on the education reform initiatives of 1985 will recall that one of the things we put in that legislation was a requirement that every administrator in a public school in Illinois would have to be recertified once every 5 years. We did that in relation to the Administrators Academy which was also intended to be a part of upgrading the qualifications of the administrators in this State. There were some doubts about whether, in fact, this was really worth the money that it cost to get them recertified, but we have since

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

64th Legislative Day

June 26, 1989

received some additional information that appears that in fact it is worth the money, and frankly, I'm glad that's what the determination has been. Because I think they ought to be recertified once every 5 years, so I move that we concur in Senate Amendment #1 to House Bill 590."

Speaker Breslin: "The Lady has moved to concur in Senate Amendment #1 to House Bill 590. If adopted, this is final action. On the question is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 590?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no'. The House does concur in Senate Amendment 1 to House Bill 590 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 649, Representative White. You are recognized for your Motion, Sir."

White: "Mr. Speaker, Ladies and Gentlemen of the House, I move to concur in Senate Amendment #1 to House Bill 649. The Amendment puts the Bill back into its original form. What I was trying to do in the beginning was to allow individual school districts to report to the General Assembly as to the reasons why an individual student would be exempt from taking physical education. Amendment 1 was placed on this Bill in the Senate and it would now make the State Board of Education responsible for reporting to the General Assembly rather than individual school districts. I move for its adoption."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 649. If adopted, this is final action. On the question is there any discussion? There being none, the question is, 'Shall the House concur in

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

64th Legislative Day

June 26, 1989

Senate Amendment #1 to House Bill 649?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there are 115 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment 1 to House Bill 649 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 815, Representative Levin. You're recognized on your Motion, Sir."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would move that the House do concur in Senate Amendment #1 to House Bill 815. House Bill 815 amends legislation we passed several years ago to require reporting by colleges and universities of foreign government endowments to add private colleges and universities that do business with the State of Illinois. Senate Amendment #1 changed the threshold level for the reporting of the grants by raising it from \$100,000 to \$250,000 to make it conform to federal legislation so that they would...they would be reported on one they would be reporting on our legislation. This is suggested by the independent colleges and universities and I would urge adoption of Senate Amendment #1."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 815. If adopted, this will be final action. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 815?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there are 114 voting 'aye', 1 voting 'no' and none voting 'present'.

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

64th Legislative Day

June 26, 1989

The House does concur in Senate Amendment #1 to House Bill 815 and this Bill having received the Constitutional Majority is hereby declared passed. Senate...House Bill 946, Representative Kirkland. Proceed with your Motion, Sir."

Kirkland: "Excuse me. Thank you, Madam Speaker. Move to concur in Senate Amendment #1. Senate Amendment #1 removes a...an Amendment that was put on in the House, Amendment #4 that was...turned out to be controversial and...with the consent of the person who added the Amendment, I'd..."

Speaker Breslin: "Would you tell us what the Bill does now?"

Kirkland: "Yes. Then the Bill is left with addressing only one issue...to allow that school districts taking title to all school property in a township for which the trustees of schools no longer exist will...will be in the title of the school district. It specifically addresses a problem in...in Cook County, in Barrington 220 School District that's in both Lake and Cook County but has a piece of property it wants to buy in Cook County, but there are...there is no township trustee acting as treasurer at this time."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 946. If adopted, this will be final action. On the question is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 946?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112...113 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment 1 to House Bill 946 and this Bill having received the Constitutional Majority is hereby declared passed. House

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

64th Legislative Day

June 26, 1989

Bill 1244, Representative Curran. Out of the record.

House Bill 1885, Representative Novak. Mr. Novak?"

Novak: "Thank you, Ladies and Gentlemen. Speaker, Members of the House, I move to concur with Senate Amendment #1 to House Bill 1885. Senate Amendment #1 was put on the Bill as...with respect to the Illinois Association for Truancy Prevention. The Amendment provides technical changes in the Juvenile Court Act in regards to truancy. The recodification the Juvenile Court Act unintentionally left out references to a truant minor in need of supervision in the following Sections: adjudicatory hearing, petition, date for adjudicatory hearing, notice by certified mail or publication, guardian ad litem and evidence. It also changes language in the kinds of dispositional orders, Section 803-33. This Amendment was prepared in cooperation with legal and truancy staff of the Illinois State Board of Education. I ask for your support."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 1885. If adopted, this is final action. On the question, the Gentleman from McLean, Representative Ropp."

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

Speaker Breslin: "He will."

Ropp: "Representative, in other pieces of legislation that currently have become law, the County of Cook has been exempt from some of these situations that deal with truancy. Does this Bill exempt Cook County or is it all inclusive throughout the state?"

Novak: "Representative, I haven't had a chance to see if it does include Cook County. I'll take it out of the record and come back and double check if you want me to."

Ropp: "Well, my concern is, I think that we have a portion of the state, which is Cook County that does have a number of

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

64th Legislative Day

June 26, 1989

truants and I think we ought to be dealing with that as part of our problem and I would kind of like to know if the Bill deals with everybody or have they been exempted again unnecessarily."

Novak: "Well, the Amendment was prepared with the cooperation of the Illinois State Board of Education and I spoke to the legislative individual from the Association. Senator Newhouse, the Sponsor of my Bill in the Senate, agreed to put the Amendment on the Bill, and if you can just wait a second we'll look for it. In our analysis to the Amendment, Representative, Cook County is not mentioned. Cook County is not mentioned nor is any other county, so generically it must include the entire state."

Ropp: "Thank you."

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

Cowlshaw: "Thank you, Madam Speaker. Will the Sponsor yield for a couple of questions?"

Speaker Breslin: "He will."

Cowlshaw: "Representative, I'm sure it's not your determination that... you started out here with a very simple Bill that amended the School Code and that is the only part of the statute that it amended. You sent it over to the Senate and they put on an Amendment that amends the Juvenile Court Act and apparently not one single Senator raised the question of germaneness. Be that as it may, we have now reached the point where we have a Juvenile Court Act Amendment on a School Code Bill. It is my understanding that since this is something that amends an Act with which I do not have the same kind of familiarity that I do the School Code, I may not, in fact, understand what this does as clearly as I would like to before we have to vote on it. You are dealing here with a statute that is...a group of

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

64th Legislative Day

June 26, 1989

people that are known as minors in need of supervision. In fact what those are, are runaways. They're kids who've run away from home and the Court or a social service agency or someone must respect...accept responsibility for a minor child who has run away from home. There was a major court case on many of the provisions of that statute having to do with minors in need of supervision that was brought earlier this year through the DuPage County Circuit Court. There was to be a Supreme Court of the State of Illinois decision on that issue sometime in late May or early June. Some of that case was involved with some of the same things that this Amendment are involved with. Are you aware of that court case? Do you know whether the Supreme Court decision has been issued and if so, is this Amendment in accord with that Supreme Court decision?"

Novak: "Representative, with deference to you, I...it's kind of noisy in here and I...could you rephrase that succinctly for me so I can respond to it, please?"

Speaker Breslin: "Her question is, 'Does this legislation, this Amendment, conform with the recent court case on the issue?'"

Novak: "To my knowledge, I don't know."

Cowlshaw: "Well, at least that's a clear cut answer to the question. You really don't know."

Novak: "I just want to indicate to you, Representative, that this Amendment is part of House Bill 2011, which was reported out of your...the Judiciary II Committee without any dissent. However, it wasn't called on Third Reading after the adoption of an Amendment."

Cowlshaw: "Well, we...I don't think there's any real justification at this point in rescuing Bills that have been somehow abandoned along the way. I would suggest that you...you know, if you really do not know the answer to



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

64th Legislative Day

June 26, 1989

whether whatever you may have in this Amendment is in accord with the very recent...or perhaps the end of last month...Supreme Court decision on this issue, then it seems to me that as a very responsible Sponsor, which I know you are, that you probably would want to take this out of the record till you can make sure that..."

Speaker Breslin: "Proceed, Representative Cowlshaw."

Cowlshaw: "...that what you are proposing here is, in fact, in accord with that Supreme Court decision."

Novak: "Madam Speaker, can we take this out of the record, please?"

Speaker Breslin: Surely. Out of the record. Representative Curran, did you want to go back to 1244? House Bill 1244, Mr. Clerk. Representative Curran is recognized to present his Motion."

Curran: "Thank you, Madam Speaker. I wish to concur in Senate Amendment #1 to House Bill 1244. The Amendment is a technical Amendment written by the Senate Democratic Technical Review staff. No substantive change was made by this Amendment. Be glad to answer any questions."

Speaker Breslin: "Tell us what the original Bill did."

Curran: "The original Bill dealt with the...the set of circumstances under which the Department could revoke a school bus driving cert...Okay. What the original Bill did was provide that the Department...that a school bus driver could, if they were able to drive a school bus, they could drive for a day care center and then the other part of it was that the child care facility license could be revoked and renewed within 12 months."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 1244. If adopted, this is final action. Is there any discussion? There being none the question is, 'Shall the House concur in Senate Amendment 1

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

64th Legislative Day

June 26, 1989

to House Bill 1244?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', none voting 'no'. The House does concur in Senate Amendment 1 to House Bill 1244 and this Bill having received the Constitutional Majority is hereby declared passed. On the Special Order of Concurrences on State and Local Government there are some Bills on which Members wish to nonconcur. If you have one and you have not come to the well and given us the number of your Bill, please do so. We have only 3 Bills in which Members have indicated they wish to nonconcur on this Order. The first one is House Bill 1131, Mr. Levin. Representative Levin. Out of the record. House Bill 2351, Representative Keane. Mr. Keane. You are recognized for your Motion."

Keane: "Thank you, Madam Speaker. I move to nonconcur with Senate Amendment 1 to House Bill 2351. It's a...the Department is opposed to it. It's too strict and I'd like to get the Bill in a Conference Committee and work on it."

Speaker Breslin: "The Gentleman has moved to nonconcur in Senate Amendment 1 to House Bill 2351 and on that question is there any discussion? There being none, the question is, 'Shall the House nonconcur in Senate Amendment 1 to House Bill 2351?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in Senate Amendment #1 to House Bill 2351 and a Conference Committee will be appointed. Representative Keane, House Bill 2369. You are recognized for a Motion."

Keane: "Thank you, Madam Speaker. I move to nonconcur with Senate Amendment #1 to House Bill 2369. The Senate Amendment was based on the fact that there would be no

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

64th Legislative Day

June 26, 1989

increase in this...in the line item in the appropriation. There is an increase and the staff tells me they have to take the Bill back, put in language which...technical language which will modify the Bill."

Speaker Breslin: "The Gentleman has moved to nonconcur in Senate Amendment 1 to House Bill 2369 and on that question is there any discussion? There being none, the question is, 'Shall the House nonconcur in the Senate Amendment to House Bill 2369?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in Senate Amendment 1 to House Bill 2369 and a Conference Committee will be appointed. House Bill 1719, Representative Terzich. Mr. Terzich, you are recognized for a Motion on 1719."

Terzich: "Yes, Madam Speaker. I'd like to nonconcur with Senate Amendment #1."

Speaker Breslin: "Tell us why."

Terzich: "Don't want the Amendment."

Speaker Breslin: "Why?"

Terzich: "It's not appropriate at this time. We don't want Amendment #1. It's that simple. I mean, what other reason would you like? I mean... it's inappropriate."

Speaker Breslin: "The Gentleman has...okay...the Gentleman has moved to nonconcur in Senate Amendment #1 to House Bill 1719 and on that question is there any discussion? There being none, the question is, 'Shall the House nonconcur in Senate Amendment 1 to House Bill 1719?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in Senate Amendment #1 to House Bill 1719. House Bill 2517, Representative Terzich. You are recognized for a Motion. Representative Terzich, you're recognized for a Motion."

Terzich: "Yes, Madam Speaker. I'd like to nonconcur with Senate

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

64th Legislative Day

June 26, 1989

Amendment #1 to 2517 and the explanation for this is that we had similar type of Bills that this Amendment covers which were soundly defeated in the House and I would move we nonconcur."

Speaker Breslin: "The Gentleman has moved to nonconcur in Senate Amendment 1 to House Bill 2517 and on that question is there any discussion? There being none, the question is, 'Shall the House nonconcur in Senate Amendment 1 to House Bill 2517?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The House nonconcur in Senate Amendment 1 to 2517. Now, Ladies and Gentlemen, we will go to the Order of Concurrence Motions on the Special Order of State and Local Government. You are recognized to present Concurrence Motions. The first Bill is House Bill 33, Representative Hallock. The first Sponsors here are Hallock, Kirkland, DeLeo, Pedersen, Homer and Representative McGann. The first one is House Bill 33. Representative Hallock. You are recognized for your Motion."

Hallock: "Yes. Thank you, Madam Speaker. I move that the House accept and concur with Amendment #1 to House Bill 33. The Bill deals with the Rockford Zoo Authority. The Amendment is primarily technical and corrects some deficiencies and language in the Bill and I would ask that it be adopted."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 33. If adopted, this will be final passage. Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 33?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', none voting 'no' and none voting 'present'.

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

64th Legislative Day

June 26, 1989

The House does concur in Senate Amendment 1 to House Bill 33 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 37, Representative Kirkland. You are recognized to present your Motion."

Kirkland: "I move to concur with Senate Amendment #1 which clarifies that a marriage and family therapist may be among those who counsel a married couple in a situation involving irreconcilable differences where the couple is attempting to get back together. The Bill itself goes beyond allowing a written agreement to do that and allows a couple that in good faith tries to reconcile and participates in marriage counseling by various kinds of counsellors for the time that they have to be...let's see...separated under the Irreconcilable Differences statutes to run during that period."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 37. If adopted this will be final action. Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 37?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', 1 voting 'no and 1 voting 'present'. The House does concur in Senate Amendment 1 to House Bill 37 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 39, Representative DeLeo. Mr. DeLeo, you are recognized for your Motion."

DeLeo: "Thank you Madam Speaker, Members of the House. I move to concur in Senate Amendment #1 and 2. Senate Amendment 1 and 2 was an agreement between the Secretary of State on this Bill and it takes out supervisors in the Bill and it

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

64th Legislative Day

June 26, 1989

only allows the investigators to be in this Act. I ask for its adoption and concurrence in Senate Amendment 1 and 2."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendments 1 and 2 to House Bill 39. If adopted, this will be final action. Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 39?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', 1 voting 'no' and 2 voting 'present'. The House does concur in Senate Amendments 1 and 2 to House Bill 39 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 43, Representative Bill Peterson. You are recognized for your Motion."

Peterson: "Thank you, Madam Speaker. I move to concur with Amendment 1 to House Bill 43. The Bill originally increased the acreage for acquisition for township parks from 10 to 25. The Amendment, which was suggested by the archdiocese of Chicago, would exempt property owned by or leased by a church. I move for concurrence."

Speaker Breslin: "The Gentleman has moved to concur in the Senate Amendment on House Bill 43. If adopted, this will be final action. Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 43?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment 1 to House Bill 43 and this Bill having received the Constitutional Majority is hereby

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

64th Legislative Day

June 26, 1989

declared passed. House Bill 45, Representative Homer. Mr. Homer, do you wish to proceed? You are recognized to present your Motion."

Homer: "I take it I'm on. I'd like to ask the electrician to replace my light bulb, it's apparently burned out. When you get a chance. House Bill 45 was amended in the Senate. Senate Amendment 1 added a provision that specifies the responsibilities of area agencies on aging shall include the development and designation of course...of case coordination units according to uniform standards as defined by the Department on Aging and rules. The legislation initially addressed a conflict that existed between the Department on Aging and the area agencies on aging with respect to who shall select these case coordination units and the Bill as currently amended in the Senate is a resolution of that dispute and insofar as I understand it is supported by all of the parties. Accordingly, I would move at this time that we concur in Senate Amendment #1."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 45. If adopted, this will be final action. Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 45?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 108 voting 'aye', none voting 'no' and 1 voting 'present'. The House does concur in Senate Amendment 1 to House Bill 45 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Keane in the Chair."

Speaker Keane: "House Bill 69, Representative McGann."

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

64th Legislative Day

June 26, 1989

McGann: "Thank you Mr. Chairman and Members of the Assembly. On behalf of the Mental Health Committee I move to concur with Amendment #1 to House Bill 69. This...the Amendment further clarifies that no rights or entitlements are established under the Bill except as they may be provided by the General Assembly under future legislation and this has to do with the developmental disability people of the State of Illinois. I ask for its concurrence."

Speaker Keane: "The Gentleman has moved for concurrence of Amendment #1 to ...Senate Amendment #1 to House Bill 69. Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 69?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 80 voting 'aye', 29 voting 'no', 2 voting 'present' and the House does concur in Senate Amendment #1 to House Bill 69 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 72, Representative McPike. Take it out of the record. House Bill 90, Representative Leverenz. Representative Leverenz, House Bill 90.

Leverenz: "I thank you, Mr. Speaker. I wish to concur in Senate Amendment #5. One, three...is rolled into five. It would provide that any HMO that has a pharmacy of their own would not be included in the Bill, they would be exempt. I would move for the adoption of a Concurrence Motion."

Speaker Keane: "The Gentleman has moved for the adoption of Senate Amendments 1, 3 and 5 to House Bill 90. Is there any discussion? There being none the question is, 'Shall the House concur in Senate Amendments 1, 3 and 5?' The voting is open. All those who wish to vote 'aye', vote 'aye', opposed vote 'no'. Have all voted who wish? Mr.



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

64th Legislative Day

June 26, 1989

Clerk, take the record. On this Bill there are 86 voting 'aye', 24 voting 'no', 3 voting 'present' and the House does concur in Senate Amendments 1, 3 and 5 to House Bill 90 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 100, Representative Novak. Representative Homer. I'm sorry, Representative Novak on House Bill 100"

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1. Senate Amendment #1 excludes the insurance that is provided under the federal crop insurance program. The text of the Bill...House Bill 100 simply was a response to the drought situation we had last year and the catastrophic CHUB insurance offering that the insurance company never made good to our Illinois farmers and I move for its concurrence."

Speaker Keane: "The Gentleman has moved for concurrence. Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 100?' All those in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 110 voting 'aye', 1 voting 'no' and 1 voting 'present' and the House does concur in Senate Amendment 1 to House Bill 100 and this Bill having received the required Constitutional Majority is hereby declared passed. Anyone...Could I have the attention of the Membership? Anyone who has a Bill with Amendments that they wish to nonconcur, if you wish nonconcurrence on any issue on the Concurrence Calendar, please come up to the Clerk's desk and let the Clerk know the Bill number and the Amendments. That way we can proceed and get the nonconcurrences into a...back to the Senate. The next Bill is House Bill 108,

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

64th Legislative Day

June 26, 1989

Representative Frederick. Representative Frederick."

Frederick: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House concur with Senate Amendment #1 on House Bill 108. The underlying Bill allows townships to enter into contracts for recycling programs. And actually, Senate Amendment #1 authorizes the township board of trustees to adopt by ordinance, rules and regulations relating to recycling programs. I move that the House concur with Senate Amendment #1 on House Bill 108."

Speaker Keane: "On that, Representative Black."

Black: "Well, thank you very much, Mr. Speaker. Would the Sponsor yield?"

Speaker Keane: "She indicates she will."

Black: "Representative, this Bill as it came back from the Senate, it is still purely permissive in nature. Is that correct?"

Frederick: "It's still what?"

Black: "The Bill is...is still purely permissive. Doesn't mandate any township to do this at all?"

Frederick: "Absolutely."

Black: "Thank you, very much."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 111 voting 'aye', none voting 'no', 1 voting 'present' and the House does concur in Senate Amendment 1 to House Bill 108 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 112, Representative Cullerton. Out of the record. House Bill 126, Representative Preston. Concurrence. Out of the

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

64th Legislative Day

June 26, 1989

record. House Bill 168, Representative Homer. Representative Homer, do you want to proceed with this Bill? Representative Homer on House Bill 168."

Homer: "Thank you, Mr. Speaker. I move to concur in Senate Amendment #1. This Amendment is identical to House...to Senate Bill 1301 which was a Senator DeMuzio Bill sponsored by Representative Phelps in the House and Mr. Speaker, with leave of the Chair I would like to yield to Representative Phelps to explain the Amendment."

Speaker Keane: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I appreciate the courtesy that Representative Homer has extended to DeMuzio and myself. This is another attempt to try to capture support from House Members as we have in the Senate concerning a way to establish primary health care through the Public Health Department and offer grants and all kinds of resources that we don't right now in the state to underserved...medically underserved areas in the state and this is identical to Senate Bill 1301 in the way that it diverts the foreign insurance monies to the primary...the establishment of primary health care in the Department of Public Health. The 69 million that we discussed in 1301. Appreciate your support for this Amendment."

Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Since I think Representative Phelps spoke to the Bill, would he yield for a question?"

Speaker Keane: "He indicates he will."

Black: "Thank you. Representative, even as fast as we're moving, I have a sense of deja vu here. We've seen this before, haven't we?"

Phelps: "Representative Black, I think Representative Homer and

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

64th Legislative Day

June 26, 1989

myself have made it clear this is identical to Senate Bill 1301 and it has the privilege..."

Black: "And Senate Bill 1301 failed twice in this chamber, did it not?"

Phelps: "I believe it failed once."

Black: "I stand corrected. I thought it failed twice, but I could be wrong."

Phelps: "I can't remember if we actually took the record on it before I took it out on postponement."

Black: "Okay. Now, as I understand this, and we're not talking about a removal or anything, but we are talking about a diversion from the insurance premium tax on foreign corporations, a diversion of approximately \$65,000,000 from GRF to the Department of Public Health to set up this program."

Phelps: "That's just what I just said, yes."

Black: "Well, it's a little noisy in here. I just wanted to make sure. I think I heard you but I'm not sure some of the other people I'm concerned about heard you."

Phelps: "We weren't trying to disguise it. We've been very open about it."

Black: "I know it. You know better than that. I have the utmost respect for you and you wouldn't try to hide anything. You did say that and I did hear you say that. I appreciate what you're trying to do here, Representative, and I think you're on the right track, but if I might, Mr. Speaker, to the Concurrence Motion...I think the Gentleman is trying to address a very real problem in many of the rural areas in Illinois and I'm not sure I'm 100 percent opposed to what he is trying to do. I simply rise in opposition to something we've seen before and that is a diversion of 65 or 69 million, depending on whose analysis you want to believe. 65, 69 million dollars in diversion from the

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

64th Legislative Day

June 26, 1989

General Revenue Fund. Now that's got...that has to be made up somewhere and we have about 4 days left to make that up. I just simply don't think that this is the time to pass this out. It's had a hearing, it has failed before. I think the Gentleman is on to an issue that we're going to have to address. I simply submit to you this isn't the time to do that. I would rise in opposition to the Concurrence Motion. And Mr. Speaker, should it get the requisite number of votes, I will ask for a verification."

Speaker Keane: "Representative Regan."

Regan: "Thank you Mr. Speaker, Members of the House. It seems to me that there is a need in this Representative's district, but if there was that strong a need and with the power of the appropriation process that's in place at this time, that that would be the place that he should go for this 65 million. An automatic transfer outside of the appropriation business simply isn't a good idea. Thank you."

Speaker Keane: "The question is, 'Shall the House concur in Senate Amendment #1...' Representative Cullerton."

Cullerton: "Just one quick note...question. Representative, what...is there...did the Senate ask for a fiscal note when it was over in the Senate?"

Phelps: "I'm not sure."

Cullerton: "Do you have any idea how much money would be raised by this?"

Phelps: "69 million."

Cullerton: "60...I'm sorry?"

Phelps: "69 million."

Cullerton: "Oh, 69 million. As opposed to 69 million."

Phelps: "Right."

Cullerton: "69 million."

Phelps: "Right. Emphasize that 9."

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

64th Legislative Day

June 26, 1989

Cullerton: "I was a little thrown off there. I thought it was 67 million. And this goes to rural counties...where they need... the money."

Phelps: "This goes to the Public Health Department to distribute.. establish the primary health care provisions under the 1301."

Cullerton: "Could this...could some of this come back to Cook County? Possibly?"

Phelps: "This is not specifically for rural areas, to my knowledge, and I know that Representative Regan alluded to that, but that's, I think incorrect."

Cullerton: "Okay. Well, some of my Members over here were asking me to ask that question, so I thought, I'm..."

Phelps: "It really targets medically underserved areas and the Public Health Department is supposed to identify where that is. And I think rural has the biggest part, but it's..."

Cullerton: "Who determines who gets...which counties get the money?"

Phelps: "I think the standards in which is outlined in the Bill. Public Health will determine the areas that will receive certain disbursements."

Cullerton: "Is this money supposed to go for a...in medically underserved areas?"

Phelps: "Yes."

Cullerton: "Like where there's not enough doctors?"

Phelps: "Yes, that would be part of it. Manpower shortages, nurse shortages and so forth."

Cullerton: "Okay. Thank you."

Phelps: "The community health centers are 60...would also get 25 percent of these funds."

Speaker Madigan: "Mr. Phelps, let me interrupt for a minute and we can take this matter out of the record and come back to it in just a few minutes. We're very privileged to have a

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

64th Legislative Day

June 26, 1989

very distinguished visitor with us today. A former Member of this House of Representatives, a former Member of the House of Representatives in Washington now serving as the Secretary of the United States Department of Veterans' Affairs under the direct appointment of President Bush, former Member of the House, Congressman Ed Derwinski."

Ed Derwinski: "Thank you. Thank you, Mr. Speaker. Things were dull in Washington, so I thought I'd spend a day in Springfield seeing where the real action is, but I hate to admit it...the term I served here was 33 years ago and there've been a few minor changes since then. I don't even remember the pages any more. But I see the House hasn't changed. You're all ready for a friendly marathon session Friday. The Speaker's been kind enough to give me a little bit of his time and show me his Irish charm. I wish sometimes you'd give more of that to the Republicans, Mr. Speaker. But we... there's nothing like the end of a good legislative session, so good luck to all of you and God bless you."

Speaker Keane: "Is there any further discussion? The question is, 'Shall the House concur in Senate Amendment...' oops, Mr. Clerk, put the... 168. There being no further discussion, the question is, 'Shall the Senate... shall the House concur in Senate Amendment 1 to House Bill 168?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 38 voting 'aye', 60 voting 'no', 5 voting 'present' and the House does not concur in Senate Amendment #1 to House Bill 168. Representative Homer."

Homer: "Thank you, Mr. Speaker. At this time I would move to nonconcur Senate Amendment #1, House Bill 168."

Speaker Keane: "The Gentleman has moved for nonconcurrency to

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

64th Legislative Day

June 26, 1989

House...to Senate Amendment #1 to House Bill 168. All those in favor vote 'aye', all those opposed vote 'no'. The voting is open...All those say 'aye', all those opposed say 'no'. The 'ayes' have it and the House nonconcur in Senate Amendment #1. House Bill 1859, Representative Martinez. Representative Martinez."

Martinez: "Thank you, Mr. Speaker. I move to nonconcur with Senate Amendment #1 to House Bill 1859. Do I have to give an explanation now, or should I wait for...?"

Speaker Keane: "Do it now."

Martinez: "This Amendment is much too severe and it does not at all conform to the tone of the legislation passed by this body. I believe that if we move this legislation to Conference Committee we can work out these differences and I thank you and I ask for your favorable vote."

Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. Is this Bill on our Special Order of Call?"

Speaker Keane: "You're correct, it does not appear on our Special Order."

Black: "Thank you."

Speaker Keane: "Take it out of the record."

Black: "Mr. Speaker, I have no particular objection. We were just trying to see where you were, that's all."

Speaker Keane: "Okay. We'll just go right back to it."

Black: "Okay."

Speaker Keane: "Representative Regan."

Regan: "Thank you Mr. Speaker, Members of the House. Will the Speaker yield for a question, please? The Sponsor?"

Speaker Keane: "Yes, he indicates he will."

Regan: "Representative, the Senate Amendment, is it #1 that indicates that forcible felony related to activities of organized gang would be non-probationable and do you find



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

64th Legislative Day

June 26, 1989

that offensive?"

Martinez: "Yes. I didn't draft...I didn't have nothing to do with the Amendment, it's just put on the Bill, and yes, it does bother me some."

Regan: "It sounds like a very good idea to me. I hope you don't water it down too badly."

Speaker Keane: "The Gentleman has moved to nonconcur in Senate Amendment...All those in favor vote 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and we nonconcur in Senate Amendment #1. House Bill 72, Representative McPike. Representative McPike."

McPike: "Thank you, Mr. Speaker. I move to nonconcur in Senate Amendment #1."

Speaker Keane: "Is there any discussion? There being none, the question is...all those in favor of the Gentleman's Motion say 'aye', all opposed 'no'. The 'ayes' have it and the House nonconcur in Senate Amendment #1. House Bill 2373, Representative McPike."

McPike: "Thank you, Mr. Speaker. I move to nonconcur in Senate Amendment #1."

Speaker Keane: "Any discussion? The question is, 'Shall the House nonconcur in Senate Amendment #1?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House does not concur with Senate Amendment #1 on House Bill 2373. House Bill 2374, Representative McPike."

McPike: "Thank you, Mr. Speaker. I move to nonconcur in Senate Amendment #1."

Speaker Keane: "Any discussion on the Motion? There being none, the question is, 'Shall the House nonconcur in Senate Amendment #1?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the House does not concur with Senate Amendment #1. Senate Amendment...or, House Bill 2798, Representative McPike. 27...House Bill 126, Representative

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

64th Legislative Day

June 26, 1989

Preston."

Preston: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 to House Bill 126. What the Bill does itself, is to have meetings of police pension boards where the pension board is considering the mental...the medical condition of the police officer, to have those meetings closed when they're looking...when they're hearing matters concerning pension or disability benefits. Under the Senate Amendment, which has been agreed to, the meeting will be closed unless the police officer involved wants it to be an open meeting. I know of no opposition to the Bill or to this Amendment. It passed out of the House overwhelmingly and I hope it will again and I move for your concurrence vote."

Speaker Keane: "Is there any discussion? There being none, the question is...' Representative McCracken."

MCCracken: "I thought since it's Representative Preston's Bill, I'd use this as an excuse to rail...against some cause or other."

Speaker Keane: "You're recognized for that purpose."

MCCracken: "What does the Amendment mean? The Senate Amendment? I like the Bill and I suppose I'll like the Senate Amendment, but what does it mean?"

Preston: "Well, first of all Representative McCracken, the Illinois Public Action Council neither supports nor opposes the Bill with or without the Amendment. Secondly, what the Amendment does is to leave to the discretion of the police officer who is the subject of the disability or pension hearing, the option as to whether or not the hearing will be open or closed. If the person wants it closed it'll be closed, if it's open it'll be open...if he wants it open it'll be open and I would very much take it as a personal favor if you would vote in favor of this Bill. I have

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

64th Legislative Day

June 26, 1989

never seen you vote in favor of anything since I've been here."

McCracken: "Never met a cause I liked. Okay. Thank you. I'm all for it."

Speaker Keane: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 126?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 109 voting 'aye' none voting 'no', 1 voting 'present' and the House does concur in Senate Amendments...Senate Amendment 1 to House Bill 126 and this Bill having received the required Constitutional Majority is hereby declared passed. Senate (sic, House) Bill 207, Representative Cowlshaw. House Bill 225, Representative Phelps. Representative Phelps."

Phelps: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendments 1 and 2 to House Bill 225. The two Amendments make changes in the fact clarifies that where the dealer should stand with registration when he sells to a buyer that it's exempt from the altering vehicle registration and it also makes changes for the age in which a person may operate altering vehicle under direct adult supervision. Changes from 10 through 12. Now it's 6 to 16 and also makes other changes to deletes the engine size requirements. It also pertains to public owned, maintained land, those who are exempt from operating on their own private property and the second Amendment actually clarifies for the automotive repair and the automotive parts recycler, where he stands in the way of complying with the applications and the laws set or the rules set up for doing business on the property in which the applicant chooses according to the zoning laws, et cetera. I move for concurrence."

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

64th Legislative Day

June 26, 1989

Speaker Keane: "The Gentleman has moved for concurrence for Senate Amendments 1 and 2. There being no discussion, the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 225?' Those in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 108 voting 'aye', none voting 'no', 4 voting 'present' and the House does concur in Senate Amendments 1 and 2 to House Bill 225 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 238, Representative Capparelli. Representative Leverenz. Okay, out of the record. House Bill 251, Representative Cullerton. Out of the record. House Bill 257, Representative Giorgi."

Giorgi: "Mr. Speaker, I move to concur to Senate Amendments 1 and 2 to House Bill 257. It deals with the Illinois Landscape Architecture Act. The first Amendment has to do with the fees, certificate of registration increases from 50 to 100 and endorsement 50 to 100 and registration rule from 40 to 100 and the other part of the Amendment has to do with language for renewal or restoration of certificates after you let it lapse and what you do with...where the funds go and what you do in investigatory purposes. I move the concurrence of Amendment 1 and 2."

Speaker Keane: "Any discussion? There being none, the Gentleman has moved for the concurrence of Senate Amendments 1 and 2 to House Bill 257. All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 108 voting 'aye', 3 voting 'no' 1 voting 'present' and the House does concur in Senate Amendments 1 and 2 to House Bill 257 and this Bill having received the required

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

64th Legislative Day

June 26, 1989

Constitutional Majority is hereby declared passed. House Bill 261, Representative Giorgi."

Giorgi: "Mr. Speaker, is this just Amendment #2 adopted on the House Bill 261, Mr. Clerk? Amendment #...?"

Speaker Keane: "Amendments 1 and 2."

Giorgi: "One and 2?"

Speaker Keane: "We'll take the Bill out of the record, we'll come right back to you. Representative Cowlshaw on 207. House Bill 207, Representative Cowlshaw."

Cowlshaw: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 207 is commonly referred to as the Hinsdale Fire Bill. This is identical...with this Amendment it becomes identical to a Senate Bill that we have already passed out of here and sent to the Governor. The Bill... the underlying Bill gives the authority to the Illinois Commerce Commission, the State Fire Marshal and the Emergency Services and Disaster Agency to develop joint rules to provide adequate fire protection and emergency notification systems at telecommunications facilities. The Bill also clarifies that these rules will not be applied to private in-house telephone systems such as the one in use at the University of Illinois. The Senate Amendment simply clarifies even more specifically that the rules required by this legislation do not now, nor will they in the future apply to private in-house telephone systems such as that at the U. of I. I move to concur in Senate Amendment #1 to House Bill 207."

Speaker Keane: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 207?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 113 voting 'aye', 1 voting 'no', none voting 'present' and the House

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

64th Legislative Day

June 26, 1989

does concur in Senate Amendment #1 to House Bill 207 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Giorgi on House Bill 261."

Giorgi: "Mr. Speaker, I move to concur to Senate Amendments #1 and 2 to House Bill 261. Senate Amendment #1 gives the Board of Trustees of a river conservancy district the authority to transfer real property by gift to the state and Amendment #2, current law requires a court hearing on a drainage districts financial report even if no objection to the report has been filed. The Amendment permits a court to approve a financial report without a hearing if no objections are filed within 3 weeks of the date of the filing of the report. I move for the concurrence of both Senate Amendments 1 and 2 to House Bill 261."

Speaker Keane: "The question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 261?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 115 voting 'aye', none voting 'no' and none voting 'present' and the House does concur in Amendments 1 and 2 to House Bill 261 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 263, Representative Giorgi."

Giorgi: "Mr. Speaker, I move to concur to Senate Amendment #1 to House Bill 263. It provides that after...this is for the Sanitary Districts Act of 1917...it provides that after the final public hearing objecting to the creation of a special service district, if a petition signed by at least 10 percent of the electors in the service area and 10 percent of the owners of the record in the service area has filed with the district clerk, no district can be created, no tax

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

64th Legislative Day

June 26, 1989

can be levied, no bonds can be issued without the referendum. I move for the concurrence of Amendment #1 to Senate (sic, House) Bill 263."

Speaker Keane: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 263?' All those in favor...Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. Will the Sponsor yield for a question?"

Speaker Keane: "Yes, he indicates he will."

Regan: "Does this Amendment do anything to take the realtors objections off of this Bill?"

Giorgi: "I would think that when you only need 10 percent of the electors and 10 percent of the owners, that would be in my opinion, a real concession to the real estate dealers."

Regan: "They didn't indicate to you, though, that this..."

Giorgi: "Not to me."

Regan: "...that they are off of the Bill? Alright, to the Bill. The realtors were opposed to it before and if that have any indication they probably are still opposed to this tax levy, so I would oppose it."

Speaker Keane: "Representative Mautino."

Mautino: "Thank you. Will the Gentleman yield?"

Speaker Keane: "He indicates he will."

Mautino: "Representative Giorgi, under the current law, what is the percentage of owners of property of record that will be included in that service area needed for authorization of that service area? Isn't it 50 percent?"

Giorgi: "I'd like to point for the record that Representative Regan said that the Real Estate Board is neutral on this. And I think it might've been 50 percent. It's down to 10 percent now."

Mautino: "So you're reducing the number of property owners that are necessary to establish a service area from 50 percent

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

64th Legislative Day

June 26, 1989

of those people down to 10 percent of those people?"

Giorgi: "No, no. I think it would be easier to get 10 percent of...I think it would be easier to get 10 percent of the owners of record, or 10 percent of the electors in an area than it is to get 50 percent."

Mautino: "Thank you."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 61 voting 'aye', 51 voting 'no', none voting 'present' and the House does concur in Senate Amendment... Representative Woolard? Representative Curran wishes to be recorded as voting 'no'. Representative Woolard wishes to be recorded as voting 'no'. Representative Giorgi...Representative Cullerton wishes to be recorded as voting 'aye'. Representative Wolf...Representative Wolf wishes to be voted as voting 'no'. Representative...Is there anyone else looking to change their vote? Representative Doederlein wishes to be voted 'no'. Representative Novak wishes to be voted 'no'. Is there anyone else looking to change their vote? Representative Curran wishes to be voted 'no'. Mr. Clerk...Have all voted who wish? Have all voted who wish? Record Representative Hicks as 'no'. On this Bill there are...on this Motion there are 56 voting 'aye', 57 'no' and the House does not concur in Senate Amendment 1 to House Bill 263. The Motion fails. Now Representative Giorgi, do you want to move nonconcurrency?"

Giorgi: "Postpone."

Speaker Keane: "Take it out of the record."

Giorgi: "Out of the record."



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

64th Legislative Day

June 26, 1989

Speaker Keane: "Representative Giorgi on 268. House Bill 268."

Giorgi: "House Bill...I move to concur to Senate Amendment #1 to House Bill 268. And this is the one that has to do with the arresting authority to pay for an arresting persons medical care until the person is placed in the custody of the sheriff. There hasn't been much changed in that Amendment except that the body...the unit of government that picks the person up doesn't want to be liable for any...any bills that were incurred from an illness prior to the arrest date. I move for the concurrence of Senate Amendment #1."

Speaker Keane: "The Gentleman moves for the concurrence with Senate Amendment #1. The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 268?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 115 voting 'aye', 1 voting 'no', none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 268 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Cullerton, House Bill 251."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move to concur with Senate Amendment #1 to House Bill 251. The Amendment does two things. Allows a partnership to sue in its own name rather than sue in the names of all its general limited partners. The current law provides that partnerships may be sued in the partnership name but not to sue. And many partnerships have hundreds of partners and it's simply too cumbersome to require that all partners be named as plaintiffs. The second thing that the Bill does is to allow a plaintiff in a civil action to designate respondents in discovery. What

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

64th Legislative Day

June 26, 1989

this passed...what this legislation will do, will be actually to reduce the number of individuals actually made defendants in civil cases, because it will give the plaintiff a mechanism for conducting efficient...discovery before deciding whom to sue. The plaintiff must file against a party as either a defendant or a respondent in discovery within the current statute of limitations period. The time would be extended by 6 months to change the party's status for the time for bringing the suit and naming the party as either a defendant or a respondent, discovery remains the same. So, I think it's a good Amendment and move to concur with the Amendment."

Speaker Keane: "Representative McCracken."

McCracken: "Thank you, I rise in opposition. This...the Senate Amendment addresses what was previously House Bill 249. And House Bill 249 failed on a 53 to 42 vote in the House. This lines up the plaintiffs bar against the defense bar...business defendants, I suppose you could call them. This is an expansion of the respondents in discovery rule from doctors to generally, defendants in tort litigation. That's a tremendous expansion. It's favored by the plaintiffs bar for reasons it gives them tactical advantages, it does not necessarily result in justice. It is...it is a plaintiffs bar initiative and I rise in opposition."

Speaker Keane: "Any further discussion? The question is...'Shall...' Representative Cullerton."

Cullerton: "Yes, I really disagree with Representative...the previous speaker. The reason why it doesn't make sense is that the...the concept of respondents in discovery comes from the...as he indicated, the health care malpractice legislation and that was asked for by the doctors. So, as a favor to the doctors when we did the medical malpractice

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

64th Legislative Day

June 26, 1989

deal we came up with this concept of respondents in discovery and the plaintiffs bar has discovered that it's not a bad concept. It allows for people to avoid being defendants. It...it gives the plaintiff a short period of time, six months, to find out whether someone should be a defendant. And if it turns out that no probable cause exists, these people are exited from the case instead of being dragged in and sued. Now, if there's any selfish motive here, it's the fact that the...the plaintiffs do not like to subject themselves to disciplinary action for suing someone when they don't...who should not be a defendant and that's the reason why...this might be of some advantage to them, but it certainly isn't fair to just hop up and say well, the plaintiffs bar wants it, therefore, we're against it. The defense bar should be for this too...for some reason there are some...well, I just can't understand why anybody would be opposed to it. So...I don't think it's a black and white issue, the plaintiffs bar versus the defense bar, clearly not. This is something which the doctors had asked for, we're trying to extend it to other...potential defendants and for that reason I would ask for an 'aye' vote."

Speaker Keane: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 251?' Those in favor vote 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 82 voting 'aye', 31 voting 'no', 2 voting 'present' and the House does concur in Senate Amendment #1 to House Bill 251 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Cullerton, did you want to call House Bill 112? Representative...283. Representative Ryder. House

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

64th Legislative Day

June 26, 1989

Bill 295, Representative Ronan. Representative Ronan."

Ronan: "Thank you, Mr. Speaker and Members of the House. I move to concur in Senate Amendment #1 to House Bill 295. This was the Bill dealing with the Department of Alcohol and Substance Abuse to improve programs for the deaf. This Amendment just deals with the hiring of a coordinator to give consideration to qualified deaf or hearing impaired individuals. Be glad to answer any questions concerning the Amendment."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 295?' All those in favor vote 'aye', opposed vote 'no' and the voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 115 voting 'aye', none voting 'no', none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 295 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 305, Representative Hasara. Representative Hasara."

Hasara: "Thank you, Mr. Speaker. House Bill 305 permits individuals who qualify for the circuit breaker discount to have 2 years to apply for refunds with the Secretary of State as opposed to 6 months as is currently the law. The Amendment simply corrects a misspelled word 'overpayment', which was in our House Bill...2 words to 'overpayment' as one word, so I move to concur in Senate Amendment #1."

Speaker Keane: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 305?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? On this Bill there are 113 voting 'aye', none voting 'no', none voting 'present' and the House does concur in Senate

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

64th Legislative Day

June 26, 1989

Amendment #1 to House Bill 305 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 308, Representative Countryman. Out of the record. House Bill 359, Representative Stange. Representative Stange."

Stange: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment 1 basically is a cleanup Amendment also adding...the main Bill provides that visitation privileges may be awarded to...respective of whether one or several conditions apply, it's actually giving the grandparents... they need an affidavit to have the privileges of seeing their grandchildren. Again, it's a cleanup Amendment. It's nothing that severe. We could certainly work with it, live with it. I ask for your favorable vote."

Speaker Keane: "There being no discussion, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 359?' All those in favor vote 'aye', all opposed vote 'no', the voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 104 voting 'aye', 5 voting 'no', 5 voting 'present' and the House does concur in Senate Amendment #1 to House Bill 359 and this Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 367...House Bill 367, Representative Hasara."

Hasara: "Thank you, Mr. Speaker. House Bill 367 simply lowered the population requirement for counties to issue bonds for the construction of a new jail. Senate Amendment #1 permits a county with a population of under 100,000 to levy an economic development tax with a front door referendum. Amendment #2 simply clears up a question of whether the original Bill provided for a front door referendum. The intention certainly was to provide for a front door referendum and Amendment #2 does clarify that, so I move to

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

64th Legislative Day

June 26, 1989

concur in Senate Amendments #1 and 2."

Speaker Keane: "Shall the House concur...Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Keane: "She indicates she will."

Cullerton: "Representative, when this Bill passed it was subject to a referendum, was it not?"

Hasara: "Yes. My intention, Representative, was certainly that it be a front door referendum."

Cullerton: "A front door or a back door?"

Hasara: "Front...My intention was that it be a front door. Evidently, some of the Senate staff questioned whether it was written that way and that was the reason for Amendment #2."

Cullerton: "Well, my file indicates that when we first passed it, it was subject to a back door referendum."

Hasara: "It certainly was never my intention and it was never in our analysis, but evidently when it got to the Senate..."

Cullerton: "Is there a limit at all on the tax rate? In the current law? Or a limit on the amount of bonds that they can issue for the construction of county jails?"

Hasara: "As I read the Bill, it states that it's limited to the amount provided by law, which I assume is in another part of the statute."

Cullerton: "Is the overall effect of this to allow counties under 80,000 to do something?"

Hasara: "That's right."

Cullerton: "And it should be...This specifically would be to allow them to, by now, a front door referendum to establish a tax to pay for bonds to..."

Hasara: "That's right. That's right."

Cullerton: "Okay. And this is for county jails?"

Hasara: "Right. County jails and sheriff's residences."

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

64th Legislative Day

June 26, 1989

Cullerton: "Sheriff...?"

Hasara: "In little counties, Representative, Sheriffs sometimes live right in the county jail and the statute is written to combine those two."

Cullerton: "They get free...these sheriffs that we just gave this big pay raise to...they also get their free homes?"

Hasara: "My understanding is in some of the very small counties that they do live right..."

Cullerton: "Do all counties have county jails?"

Hasara: "I believe so."

Cullerton: "Okay. In all of the Senate...the second Amendment in the Senate, that was Senator Watson's."

Hasara: "Right. He was the Senate Sponsor and it was staff that wanted to clear up the fact that it was indeed a front door referendum."

Cullerton: "Okay. What was the first Amendment again?"

Hasara: "The first Amendment provides that a county with a population of under 100,000 may levy an annual tax for promoting economic development, with a front door referendum. This is very important also, in some of the smaller counties."

Cullerton: "How about a county above 100,000, can they levy a tax to..."

Hasara: "Not at this time. My guess is, not at this time. My understanding from Senator Dunn that it was to help many of the smaller counties that are trying very hard to promote economic development and do not have the funds to do so."

Cullerton: "Thank you."

Hasara: "Thank you."

Speaker Keane: "Representative Homer."

Homer: "Will the Lady yield?"

Speaker Keane: "She indicates she will."

Homer: "Representative Hasara, just so that it's clear...Under

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

64th Legislative Day

June 26, 1989

current law, counties of more than 80,000 can build a county jail with a back door referendum under this provision."

Hasara: "Representative, when I draft...had the legislation drafted, I was under the impression that it was a front door referendum. I've just realized that I'd been wrong, evidently."

Homer: "Okay. Alright. Well, I think that the current law is...is as I've indicated. Your Bill would not change current law with respect to counties of more than 80,000."

Hasara: "Not as Senate Amendment #2 is drafted."

Homer: "Well, your Amendment would not require those counties to issue bonds only with a front door referendum, it leaves them alone, right?"

Hasara: "Counties over 80,000, yes."

Homer: "It only affects counties under 80."

Hasara: "That's right."

Homer: "And it says there must be a front door referendum."

Hasara: "That's right."

Homer: "But under current law, under other provisions, those counties already can do that with a front door referendum."

Hasara: "My understanding is that counties under 80...in fact, this was a problem in one of the counties in my district, Representative. The county board had an advisory referendum...and then the county board turned around and did exactly the opposite of what the voters had requested, so the constituents in that county could not have a back door or front door referendum."

Homer: "Okay. Alright. Well, Mr. Speaker, just briefly...I commend the Lady for working on a serious problem, but I think as the Senate amended her Bill, it doesn't do anything. Not against it, but under current law, counties under 80,000 have authority in the Code to petition the



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

64th Legislative Day

June 26, 1989

voters through referendum to build a county jail and the voters already have that authority. The value of this provision that you sought to amend was that it could be done in a facilitated way by allowing the county board to adopt an ordinance which would require a certain number of people to sign a petition to make it a referendum, that being the back door referendum, and your county perhaps wanted to proceed according to that methodology and wanted to be able to utilize the advantages of a back door referendum. They already could've done it with a front door, that's already the law. And so I think by your Amendment, or by the Senate Amendment, you're not really doing anything for them. I think that...I think that you're just putting in another area of the statute what they already have the authority to do elsewhere in the Code. But I have no objection to doing that, but I think it would be wrong to suggest that we're really doing anything for those counties. I don't think that we are."

Speaker Keane: "Representative Matijevich."

Matijevich: "Mr. Speaker, I'd only like to make sure that the body also knows that on Senate Amendment #1, which relates to economic development, this would allow 84 counties, even though they must go to a referendum, there is no provision to any limit on the maximum tax rate. So I'd just like to point that out because very often local governments like to say, 'Well, it's not our fault, the General Assembly gave us that power', even though they go to a referendum. So I think it's kind of open ended. I'm not sure how I'm going to vote. My county's surely above that limit, but it's something that the rural counties ought to look at."

Speaker Keane: "Representative McCracken."

McCracken: "Thank you, Ladies and Gentlemen. I am reading the Amendments and I know there may be some confusion out of

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

64th Legislative Day

June 26, 1989

this, but it appears that these are both front door referenda now, the Senate Amendments. Will the Sponsor yield for a question?"

Speaker Keane: "She indicates she will."

McCracken: "Will you...will you explain the status of the Senate Amendments? What is the final effect, relative to referendum?"

Hasara: "Representative, both of the Amendments provide for a front door referendum."

McCracken: "So that all taxing authority encompassed in the Bill is subject to a front door referendum?"

Hasara: "That's right."

McCracken: "And is that the reason you're concurring?"

Hasara: "I have not been under the impression that counties are...already had this authority, as Representative Homer stated."

McCracken: "I don't know about that, but I think there is some confusion over the...the election requirements. These are both... these are subject to front door referenda in each case."

Hasara: "That's true."

McCracken: "There is no back door referendum, there is no taxing authority absent a front door referendum."

Hasara: "That's true."

Speaker Keane: "Representative Hasara to close."

Hasara: "Okay. Again, Amendment #1 provides the opportunity for small counties under front door referendum to provide a very important service for their county and that is to try and beef up their economic development to keep themselves alive and in small counties this is really a big issue now. And Amendment #2 provides that counties under 80,000 may hold a front door referendum for the issuance of bonds to build jails, so I move to concur in Senate Amendments #1

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

64th Legislative Day

June 26, 1989

and 2."

Speaker Keane: "The question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 367?' All those in favor vote 'aye', all opposed vote 'no', voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 106 voting 'aye', 6 voting 'no', 1 voting 'present' and the House does concur in Senate Amendments #1 and 2 to House Bill 367 and this Bill having received the required Constitutional Majority is hereby declared passed. Senate... House Bill 308, Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 308, the underlying Bill as we amended it in the House provided that an application for automobile insurance would be issued in the amount of the bodily injury limit for uninsured and underinsured unless the application was initialed for a lesser limit by the insured. Senate Amendment was placed on there to satisfy the concerns of State Farm insurance that it was the intention of the limits of uninsured motorists and underinsured motorists issued above the minimum requirements to be identical and I move its concurrence."

Speaker Keane: "Representative Cullerton."

Cullerton: "Representative, will you yield for a question?"

Speaker Keane: "He indicates he will."

Cullerton: "I don't know what it was. Of all the Bills I read, and I read all the Bills over the weekend, this was the one that I just couldn't figure out. Could you explain this Bill?"

Countryman: "I will try. I just did."

Cullerton: "I know you did. I know you..."

Countryman: "Let me try to get it down to..."

Cullerton: "You triggered a couple of buzz words and I said well,

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

64th Legislative Day

June 26, 1989

I'm going to ask you about this. Now, first of all, what did the Bill do that we passed out of here?"

Countryman: "Alright. The Bill as we passed it said when you go in to apply for auto insurance you get an application that you have to fill out dealing with all the aspects. Your name, address, telephone number and so forth. On that application there'll be a little box form that what you want to elect with regard to the amount of uninsured, underinsured limits. And unless you elect an amount less than your bodily injury limit, the company will be compelled to issue you underinsured and uninsured in the amount of your policy limits. Let's just assume for instance that you have \$100,000 bodily injury limit. All they have to issue you, under current law is the minimum, 20-40, right at the moment. Alright, if you want a lesser limit, you're going to have to initial it, just as you would when you rent a car when you get that collision damage waiver, you're going to have to initial it. The hope is that the agent then will take the time to explain to you the benefits of this coverage and what it does for you and how reasonable it is in terms of price. But if he doesn't take the time to explain it to you and you don't initial it then the company has to issue it to you in the amount of that limit. Now, it's been my experience, I've dealt with this quite a bit on behalf of people who were injured in automobile accidents, that they didn't understand what it is they were buying. You know, they went out and bought a \$100,000 policy and they get hit by some guy who's got a \$20,000 policy and they got \$80,000 worth of medical bills and they say, 'But all he's got to pay me is \$20,000.' And you say, 'Well, you know, if you had underinsured, you would've been able to pick up the difference between what your damages were and what his

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

64th Legislative Day

June 26, 1989

company had.' It's the best little buy in the marketplace, and this just makes them have to offer it to you and have to explain it to you. There were some objections from some insurance companies after we came to this. When we got to the Senate, we had pretty much all of them in agreement. I would say all of them but State Farm."

Cullerton: "I think those insurance lobbyists just wait over there in the Senate. Don't they? It seems like they always catch all these good Bills..."

Countryman: "Well, we worked this out in the House with everybody but State Farm, but the fellow at State Farm was concerned that we were amending the language to say that you were splitting uninsured motorist and underinsured motorist in that you couldn't have them in the same amount, and generally it sold. Matter of fact, we define it in the law as one coverage. So, Senator Berman said he'll put an Amendment on this that says it's our intent that they be sold as one coverage because they're sold for one premium and it's easier, you know, on all the computers and things that they have today to do it and I agreed with that, so...I still don't think we've changed the underlying Bill by this Amendment."

Cullerton: "Alright, so you said the underlying Bill's advantage is that...well, these guys will actually sell more insurance."

Countryman: "Well, you would think they would want to, but this...this is a...a something..."

Cullerton: "A consumer...it's a consumer protection Bill by helping people understand what a great deal underinsured/uninsured motorist coverage is."

Countryman: "I believe that's true, and I hope you do."

Cullerton: "Alright. Okay, thank you."

Speaker Keane: "Any further discussion? There being none, the

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

64th Legislative Day

June 26, 1989

question is, 'Shall the House concur in Amendment...Senate Amendment #1 to House Bill 308?' All those in favor vote 'aye', all opposed vote 'no', the voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 112 voting 'aye', none voting 'no', one voting 'present' and the House does concur in Senate Amendment #1 to House Bill 308 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 353, Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 353, the underlying Bill provides that in counties under... 1,000,000 ...excuse me, in counties population under 3,000,000 in which jury commissioners have been appointed that the...which would mean every county other than Cook County...that the Supreme Court shall use a... which meaning the office of the administrative...office of administrative courts there, shall combine the list of registered voters and drivers license holders through the administrative office of the courts. The Amendment in the Senate was fairly simple and what it did is, it set forth a little more detail that in complying the list, duplications of names shall be avoided, which can be done in the computer program. It made sure that, I believe, that people were citizens and that they did...rather than doing it every year, they did...every 4 years, they did it each year to keep it up to date with the voter regis.. or with the drivers license limits and made certain other technical Amendments to the Bill, all of which are good and I move its concurrence."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 353?' All those in favor vote 'aye', all opposed vote

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

64th Legislative Day

June 26, 1989

'no', the voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 113 voting...114 voting 'aye', none voting 'no', none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 353 and this Bill having received the required Constitutional... Senate Amendment #1...and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 397, Representative Hensel. Out of the record. House Bill 412, Representative Leverenz. Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. The Senate Amendments to...Senate Amendment #1 to 412 provided and made the Bill agree with the credit card slips used by Sears, Montgomery Wards, where it's an interleaf form. If you have any questions...and I'd ask we concur in Senate Amendment #1."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 412?' All those in favor vote 'aye', all opposed vote 'no', the voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 115 voting 'aye', none voting 'no', none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 412 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 413, Representative Johnson. Representative Johnson. Representative Johnson."

Johnson: "I move to concur in Senate Amendment #1 to House Bill 413. The Amendment inserts an additional Section which amends the Hospital Licensing Act to include police officers. And the category of persons are to be notified when they have provided emergency care to a patient diagnosed as having a dangerous communicable or infectious

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

64th Legislative Day

June 26, 1989

disease. Doesn't change the Bill a lot, it got an overwhelming vote the first time and I'd appreciate your support this time."

Speaker Keane: "Representative Cullerton."

Johnson: "Anybody that votes against it is a left winger."

Cullerton: "Yes...will the Sponsor yield? When we passed the Bill out of the House, there was Amendment #1 that went on the Bill. What was the purposes of that Amendment?"

Johnson: "What was the question?"

Cullerton: "Amendment #1..."

Johnson: "Senate Amendment #1?"

Cullerton: "No, the House Amendment #1. I just couldn't figure out how the House Amendment fit in."

Johnson: "I don't even remember what it was. Oh, I know what it was, that was Lou Lang's Amendment, because he was concerned that it was too broad. So, this...at Representative Lang's behest, this narrowed the scope of the Bill so that the police officer had to actually have been involved in apprehension or police activity before the Bill would come into play."

Cullerton: "Oh, so, in other words, if the...if the police officer was...not on duty...maybe he was at a bar or something..."

Johnson: "Right."

Cullerton: "And...somebody..."

Johnson: "Spit on him or something."

Cullerton: "Spit on him."

Johnson: "Right. In a gay bar and somebody spit on him, then he wouldn't have to be..."

Cullerton: "Well, that's an interesting question. If someone is spit upon, would this allow for the performance of the AIDS test."

Johnson: "No. No, I don't think so. No, it wouldn't cover that



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

64th Legislative Day

June 26, 1989

situation."

Cullerton: "What kind of...situation are you covering here?"

Johnson: "Where somebody...as in Champaign, was in the line of the course of committing an arrest or effecting an arrest and he was bitten by a person who is an intravenous drug user. And then wasn't able to obtain a test later and his family didn't know whether he was going to die or not."

Cullerton: "I see. And then, what did the Senate do?"

Johnson: "Senate put on some Amendment by Senator Dudycz, I don't even understand the Amendment. Didn't look too significant to me."

Cullerton: "That's what I was afraid of. That's why I'm trying to figure out what it does myself. Maybe he will recede from it."

Johnson: "What?"

Cullerton: "I wonder if he would recede from it."

Johnson: "Probably not. Apparently, I'm informed that Representative McAuliffe had a Bill that was similar, if not identical to what Senate Amendment #1 is. It passed almost unanimously here and this just revitalized that concept."

Cullerton: "The current law allows...the current law requires hospitals to notify paramedics and ambulance personnel that an individual they have treated has AIDS."

Johnson: "Right."

Cullerton: "And apparently this says that...the same notification would go to police officers?"

Johnson: "It just adds police officers to the categories."

Cullerton: "But it doesn't say anything about them having to have a test...being required of the person that they treated, does it?"

Johnson: "I'll defer to Representative McAuliffe, but apparently this Bill is identical to House Bill 1447. Representative

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

64th Legislative Day

June 26, 1989

McAuliffe, could you elucidate us."

Speaker Keane: "Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker. Well, I don't see why it's wrong to notify the police because they notify the firemen and the ambulance attendants. What's the matter with the policemen?"

Cullerton: "I'm not objecting to it, I'm asking questions. The Sponsor said he didn't even know what the Amendment did. We just want you to explain it, that's all."

McAuliffe: "It said...The Bill that I had said that if you handled someone who had AIDS, and later on the hospital found out about it, they had to notify the policemen that handled him. It didn't say that he had to have a test but the policemen could have a test to make sure he didn't bring it home and give it to his wife or his kids."

Cullerton: "They have to find out that the person has AIDS, right?"

McAuliffe: "The hospital found out...the hospital found out that a person had AIDS, they had to notify the policeman that transported him to the hospital."

Cullerton: "Right."

McAuliffe: "That's all."

Cullerton: "And that's already a House Bill?"

McAuliffe: "It was a House Bill that we passed out of here, I think about 105 to 10."

Cullerton: "Right. And that didn't pass in the Senate and they added this on as an Amendment. Okay. Thank you."

Speaker Keane: "The question is, 'Shall Senate Amendment 1 to House Bill 14...' 'Shall the House concur in Senate Amendment #1 to House Bill 14 (sic, 413)?' All those in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this

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

64th Legislative Day

June 26, 1989

Bill there are 107 voting 'aye', none voting 'no', 8 voting 'present'. And the House does concur in Senate Amendment 1 to House Bill 413 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 421, Representative Phelps. House Bill 4...Representative Phelps."

Phelps: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1."

Speaker Keane: "Do you want to give us a brief explanation?"

Phelps: "Senate Bill Amendment 1 to House Bill 421 deletes non-germane provisions that the Southern Illinois University Commerce Development Center at Carbondale be established. That's the only thing it does."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 421?' Those in favor vote 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 116 voting 'aye', none voting 'no', 2 ...none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 421 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 440, Representative Hallock. Out of the record. House Bill 446, Representative McPike. Out of the record. House Bill 470, Representative McCracken. Representative McCracken on House Bill 470."

McCracken: "Thank you, Mr. Speaker. I move to concur in the Senate Amendments to House Bill 470. The underlying Bill extended from 14 to 21 days the duration of an order of protection in juvenile court. The first Amendment in the Senate allows the effectiveness to be between 14 and 21 days. The second Amendment adds by Amendment the Uniform Premarital Agreement Act which passed out of this House as

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

64th Legislative Day

June 26, 1989

a Bill. I don't know why it was not called in the Senate. The third Amendment creates tenancy by entirety which would be a statutory means by which only homestead property can be owned. Its difference between joint tenancy, which is the most common current form of ownership is that in tenancy by the entirety there may not be one party destroying the tenancy or alienating the tenancy...his undivided interest in the homestead. I move the concurrence of Senate Amendments 1, 2 and 3."

Speaker Keane: "Representative Cullerton."

Cullerton: "I would have a request of Representative McCracken. On the issue of the tenancy of the entirety, you may recall there was some concern expressed by the Chicago Title Insurance Company and they said that they had an Amendment if the Bill was going to pass in the House, they said they had an Amendment. We have had a chance to...I don't know if you have...to find out whether or not the Amendment that was put on in the Senate contains those...that language that Jake Toronto, who we talked to in Committee, had suggested. I wonder if you...unless you have an answer to that...if you would mind..."

McCracken: "No, I don't have an answer. I believe the answer is yes, but we should probably take a look at it."

Cullerton: "Okay, cause I'm not opposed to the concept. So maybe you can take it out just for a...until tomorrow...we'll find out."

Speaker Keane: "Out of the record. Mr. Clerk, Agreed Resolutions."

Clerk O'Brien: "Senate Joint Resolution 80, offered by Representative Curran. Senate Joint Resolution 81, Black. Senate Joint Resolution 82, Barnes. House Resolution 754, Hultgren. 755, Hultgren. 756, Ryder. 757, DeJaegher. 760, Granberg. 761, DeJaegher. 762, DeJaegher and 763,

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

64th Legislative Day

June 26, 1989

DeJaegher."

Speaker Keane: "Representative Matijeovich."

Matijeovich: "Yes, Mr. Speaker. We have examined the Resolutions, they are all agreed to. I move the adoption of the Agreed Resolutions."

Speaker Keane: "The Gentleman has moved the adoption of the Agreed Resolutions. No discussion. The question is, 'Shall they be adopted?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it, the agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 758 offered by Representative Woolard."

Speaker Keane: "Committee on Assignments. Death Resolutions."

Clerk O'Brien: "House Resolution 759 offered by Representative Williams with respect to the memory of Donna Lee Schultz Tambarino."

Speaker Keane: "Representative Matijeovich."

Matijeovich: "Was that the adoption of House Joint? Or the Death Resolution?"

Clerk O'Brien: "Death Resolution."

Matijeovich: "Move the adoption."

Speaker Keane: "The Gentleman has moved the adoption of the Death Resolution. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the Death Resolution is adopted. An agreed Resolution."

Clerk O'Brien: "House Joint Resolution 67, offered by Representative Giorgi, et al."

Speaker Keane: "Representative Matijeovich."

Matijeovich: "I move the adoption of the Resolution. I believe this is the one for Mike Christano who is going on to private enterprise. I move the adoption."

Speaker Keane: "The Gentleman has moved the adoption of the Agreed Resolution. All in favor say 'aye', all opposed

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

64th Legislative Day

June 26, 1989

'no'. The 'ayes' have it and the Resolution is adopted. Representative Matijevich now moves that the House adjourn until 9:30...9:30 a.m. tomorrow. There was a handout made, but I thought all of you looked a little tired, so I'd give you another half hour, so it's 9:30 tomorrow."

STATE OF ILLINOIS  
86TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 26, 1989

HB-0033	CONCURRENCE	PAGE	52
HB-0037	CONCURRENCE	PAGE	53
HB-0039	CONCURRENCE	PAGE	54
HB-0042	NON-CONCURRENCE	PAGE	18
HB-0043	CONCURRENCE	PAGE	54
HB-0045	CONCURRENCE	PAGE	55
HB-0058	REFUSE TO RECEDE	PAGE	27
HB-0069	CONCURRENCE	PAGE	56
HB-0072	NON-CONCURRENCE	PAGE	65
HB-0074	CONCURRENCE	PAGE	28
HB-0074	NON-CONCURRENCE	PAGE	34
HB-0090	CONCURRENCE	PAGE	56
HB-0100	CONCURRENCE	PAGE	57
HB-0108	CONCURRENCE	PAGE	58
HB-0124	CONCURRENCE	PAGE	37
HB-0126	CONCURRENCE	PAGE	66
HB-0168	CONCURRENCE	PAGE	59
HB-0168	NON-CONCURRENCE	PAGE	63
HB-0207	CONCURRENCE	PAGE	69
HB-0225	CONCURRENCE	PAGE	67
HB-0251	CONCURRENCE	PAGE	73
HB-0257	CONCURRENCE	PAGE	68
HB-0261	CONCURRENCE	PAGE	70
HB-0263	CONCURRENCE	PAGE	70
HB-0268	CONCURRENCE	PAGE	73
HB-0295	CONCURRENCE	PAGE	76
HB-0305	CONCURRENCE	PAGE	76
HB-0308	CONCURRENCE	PAGE	83
HB-0317	CONCURRENCE	PAGE	35
HB-0317	NON-CONCURRENCE	PAGE	37
HB-0353	CONCURRENCE	PAGE	86
HB-0359	CONCURRENCE	PAGE	77
HB-0366	CONCURRENCE	PAGE	39
HB-0367	CONCURRENCE	PAGE	78
HB-0386	REFUSE TO RECEDE	PAGE	26
HB-0412	CONCURRENCE	PAGE	87
HB-0413	CONCURRENCE	PAGE	87
HB-0421	CONCURRENCE	PAGE	91
HB-0459	CONCURRENCE	PAGE	41
HB-0470	CONCURRENCE	PAGE	91
HB-0470	OUT OF RECORD	PAGE	92
HB-0590	CONCURRENCE	PAGE	42
HB-0649	CONCURRENCE	PAGE	43
HB-0760	NON-CONCURRENCE	PAGE	18
HB-0815	CONCURRENCE	PAGE	44
HB-0946	CONCURRENCE	PAGE	45
HB-1244	CONCURRENCE	PAGE	49
HB-1508	NON-CONCURRENCE	PAGE	19
HB-1548	NON-CONCURRENCE	PAGE	19
HB-1719	NON-CONCURRENCE	PAGE	51
HB-1859	NON-CONCURRENCE	PAGE	64
HB-1885	CONCURRENCE	PAGE	46
HB-2030	NON-CONCURRENCE	PAGE	20
HB-2351	NON-CONCURRENCE	PAGE	50
HB-2369	NON-CONCURRENCE	PAGE	50
HB-2373	NON-CONCURRENCE	PAGE	65
HB-2374	NON-CONCURRENCE	PAGE	65
HB-2517	NON-CONCURRENCE	PAGE	51
HB-2784	NON-CONCURRENCE	PAGE	20
HB-2784	OUT OF RECORD	PAGE	21
SB-0016	REFUSE TO RECEDE	PAGE	7
SB-0085	REFUSE TO RECEDE	PAGE	8
SB-0086	REFUSE TO RECEDE	PAGE	8
SB-0095	REFUSE TO RECEDE	PAGE	3

STATE OF ILLINOIS  
86TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 26, 1989

SB-0112 REFUSE TO RECEDE	PAGE	3
SB-0136 REFUSE TO RECEDE	PAGE	9
SB-0169 REFUSE TO RECEDE	PAGE	15
SB-0185 REFUSE TO RECEDE	PAGE	9
SB-0370 REFUSE TO RECEDE	PAGE	4
SB-0374 REFUSE TO RECEDE	PAGE	25
SB-0384 REFUSE TO RECEDE	PAGE	10
SB-0487 REFUSE TO RECEDE	PAGE	17
SB-0692 REFUSE TO RECEDE	PAGE	16
SB-1046 REFUSE TO RECEDE	PAGE	11
SB-1070 REFUSE TO RECEDE	PAGE	12
SB-1079 REFUSE TO RECEDE	PAGE	14
SB-1155 REFUSE TO RECEDE	PAGE	12
SB-1271 REFUSE TO RECEDE	PAGE	13
SB-1322 REFUSE TO RECEDE	PAGE	5
SB-1325 REFUSE TO RECEDE	PAGE	5
SB-1345 REFUSE TO RECEDE	PAGE	6
SB-1375 REFUSE TO RECEDE	PAGE	7
SB-1421 REFUSE TO RECEDE	PAGE	13
SB-1421 MOTION	PAGE	21
SB-1426 REFUSE TO RECEDE	PAGE	14

SUBJECT MATTER

HOUSE TO ORDER - REPRESENTATIVE MCPIKE	PAGE	1
PRAYER - REV. DR. EUGENE GREENE	PAGE	1
PLEDGE OF ALLEGIANCE - REPRESENTATIVE HASARA	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
REPRESENTATIVE BRESLIN IN THE CHAIR	PAGE	1
REPRESENTATIVE KEANE IN THE CHAIR	PAGE	55
AGREED RESOLUTIONS	PAGE	92
GENERAL RESOLUTIONS	PAGE	93
DEATH RESOLUTIONS	PAGE	93
AGREED RESOLUTION	PAGE	93
ADJOURNMENT	PAGE	94