

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

66th Legislative Day

June 28, 1989

Speaker Breslin: "Ladies and Gentlemen, the hour of 1:00 o'clock having arrived, I would ask Members to be in their seats. The chaplain for today will be the Reverend William Swaar from the Fifth Presbyterian Church in Springfield. We invite our guests in the gallery to rise and join us for the invocation."

Reverend Swaar: "Let us pray. Eternal and most gracious God, we pause this day to acknowledge our need for Thee, in the midst of vexing and perplexing problems. When all around us seems to be built on shifting sand, You are our only sure foundation, source of wisdom and truth. We thank You for the opportunities of citizenship and freedom we enjoy in this land. Opportunities handed to us by forefathers who have visions of succeeding generations, continuing to build upon their dream. We lift before You now, the Legislature of this state, the Governor, legislative Members, courts of law and all others who hold positions of authority in the administration of the affairs of this state. We pray on their behalf for a wide measure of Your wisdom and direction, so that through their service our state and its people may be blessed. Keep us all true to Your commandments and may the actions of this Body be always for the nation's good, and the record of our civic stewardship be blameless in Your sight. Amen."

Speaker Breslin: "Representative Hannig, would you lead us in the Pledge please?"

Hannig - 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 Breslin: "Roll Call for Attendance. Representative Matijevich, are there any excused absences?"

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Matijevich: "Yes, Madam Speaker, on this side of the aisle let the record reflect the excused absence again of Representative Capparelli due to his injuries."

Speaker Breslin: "Thank you. Representative Piel."

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

Speaker Breslin: "Thank you. Mr. Clerk, would you take the record? On this question there are 117 people answering the Roll Call, a quorum is present. The Chair wants to take a moment to introduce and welcome former Representative Jack Davis, now Congressman Davis, welcome. Former Congressman Davis, welcome. Ladies and Gentlemen, we are going to start the business today on those Bills that you wish to nonconcur in, that appear on the Order of Concurrence for Education and State and Local Government; as well as those Bills on the Order of Concurrences, State and Local Government Supplemental #1. If you have a Bill that you wish to nonconcur in that are on these two Orders, please come to the well and give us the number of the Bill. We are waiting for you. Give us the number of your Bill if you're going to nonconcur on any of these pieces of legislation. Yes, and we will...if you have anyone who wants to make a Motion for Interim Study, we'll take those now, too. Representative McCracken."

McCracken: "Thank you, Madam Speaker. I ask leave to place House Bill 1881 in Interim Study."

Speaker Breslin: "The Gentleman ask leave to place House Bill 1881 into Interim Study. Can you tell us where it is on the Regular Calendar?"

McCracken: "It should be on Concurrence. It's on Concurrence."

Speaker Breslin: "Very good. The Gentleman ask leave for Interim Study. Hearing no objection, leave is granted by use of the Attendance Roll Call. Representative McCracken, we find that we were in error in putting that Bill into

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Interim Study, House Bill 1881. The rule provides that you can only put a Bill into Interim Study prior to the commencement of the debate on Third Reading. So it appears that the Bill has to remain on the Order of Concurrence and should the... you'd have to wait until it's tabled due to the deadline, and then make a Motion to take it from the table and put it into Interim Study. So, remember to do that at the appropriate time. Thank you. On the Order of Concurrences, State and Local Government, Supplemental #1 appears House Bill 2514, Representative McPike."

McPike: "Thank you, Madam Speaker. I move to nonconcur...that the House nonconcur in Senate Amendment #1 to House Bill 2514."

Speaker Breslin: "And can you tell us why, Sir?"

McPike: "Yeah, this is a vehicle Bill sponsored by myself and Representative McCracken. We'd like to have it in Conference Committee."

Speaker Breslin: "Very good. The question...the Gentleman has moved to nonconcur in Senate Amendment #3 to House Bill 2514. On that, is there any discussion? There being none, the question is, 'Shall the House nonconcur in Senate Amendment #3 to House Bill 2514?' 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 3 to House Bill 2514. On the Order of Nonconcurrency, on page six of the Regular Calendar there appears Senate Bill 255, Representative McPike."

McPike: "Thank you, Madam Speaker. I move that the House refuse to recede from House Amendment #4 to Senate Bill 255 and ask for a Conference Committee. This is an RTA vehicle Act."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment 4 to Senate Bill 255. Is there any

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discussion? There being none, the question is, 'Shall the House refuse to recede from this Amendment to this Bill?' 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 4 to Senate Bill 255, and a Conference Committee will be appointed. Is there anyone in the Assembly that wishes to pursue in nonconcurrency or a refuse to recede Motion on the Bills on the Special Order? If so, please come to the podium and let us know about it. Ladies and Gentlemen, since no one else has sought to move Bills back to the Senate or to a Conference Committee, we are prepared now to go to the Order of Concurrences. We will start at the top with the Order of...Special Order of Education. The first Bill is House Bill 114, Representative Steczo. Out of the record. Senate Bill 1885, Representative Novak."

Novak: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 on...to House Bill 1885. A few days ago we discussed this Amendment in detail and I believe the Amendment was supported by the Illinois State Board of Education. It made some technical changes in the truancy law and I move for its adoption."

Speaker Breslin: "What does the...you have to tell us what the main Bill does as well, Sir."

Novak: "Oh, the main Bill requires school dropout rates to be reported annually to the State Board of Education from every educational service region."

Speaker Breslin: "The Gentleman has moved to concur in the Senate Amendment on House Bill 1885. On that question, the Gentleman from Vermilion, Representative Black."

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

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Speaker Breslin: "He will."

Black: "In...in Senate Amendment #1, Representative, it...it addresses a rather stiff fine for each day of absence without valid cause. Is that fine in the excess of five dollars, but not exceeding one hundred dollars for each day of absence, is that going to be assessed on the truant minor or on the parent or guardian of the truant minor?"

Novak: "Just one second, Representative. Let me get to the analysis, please..."

Black: "...Okay, thank you..."

Novak: "Well, according to our analysis it says it orders the minor to pay a fine between five and a hundred dollars per day for each day of absence without cause. It may order the parent or guardian to pay some or all of the fine. So I guess it must be permissive."

Black: "Okay. So in other words, it would be up to the judge..."

Novak: "...Yes..."

Black: "...Whether or not the judge wants to levy that...that fine..."

Novak: "Right, I guess they would take in consideration mitigating circumstances."

Black: "And it...if you'll look a little further down it says, 'the minor's driver's license or privilege suspended'. Is it your understanding or your intent that that is also permissive? Or if that minor truant ends up in court, does that mean the minor's driver's license will or shall be suspended?"

Novak: "No...Representative, that is permissive. The court may order these...these sanctions against the individual or the parents. It's permissive."

Black: "Okay. So for purposes of intent, as far as you're concerned, Senate Amendment #1 on all of the punitive Sections under that, it's your intent that this be at the

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discretion of the court. In other words, permissive at the discretion of the court?"

Novak: "Right. For the record, you're correct."

Black: "Thank you very much."

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

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

Speaker Breslin: "He will."

Davis: "Sir, I would just like to know if a minor drops out of school according to this Amendment, do you really think he's going to have the money to pay a fine of five dollars or more up to one hundred dollars per day for each day of his absence?"

Novak: "Well, Representative, I think when this case gets before a court, I believe...I believe the judge is going to have...is going to take in all those mitigating circumstances. It's permissive. There's no mandates in here."

Davis: "When you say it's permissive, you mean it's permissive that the judge will order...it's possible that if a minor drops out of school or does not attend or is absent regularly, and once this goes to court, are you saying that the judge can say to that parent and also to that minor child that you must pay a fine for each day that you are not in school?"

Novak: "Well, I don't think a judge in his right mind is going to order a destitute or indigent person to pay five or...five dollars a day if they don't have the money. I mean, it says the court may."

Davis: "Well, I..."

Novak: "...And that's the key word. It's not shall, it's may."

Davis: "But yet and still, do you think the court should have that kind of leeway? You know, you might get a judge in there who's a little hung over one day or who's mad at his

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wife and his kids. Don't you think this kind of provision just might possibly force young people into crime? Here you might have a person whose only crime is being absent from a classroom and all of a sudden, Representative, this person is going to be fined between five dollars and one hundred dollars per day. You know, that might just force him to decide to take somebody's purse in order to get that five dollars."

Novak: "No, that's not the intent of this legislation, Representative..."

Davis: "...It's certainly not the intention..."

Novak: "...No, it is not..."

Davis: "...But it could be the result, right?"

Novak: "Nope. Well, anything could be the result. We certainly hope our judges don't come in hung over in the morning either. And we have a lot more respect for them than that. But..."

Davis: "Representative, do most rich kids who have five dollars a day drop out of school?"

Novak: "Well, we have problems in the suburban areas...suburban areas with kids dropping out of school..."

Davis: "...Who drops out of school? What...what is usually the economic condition of those people or those students who drop out of school?"

Novak: "Well, a lot of it has to stem with the parents, too. They don't set good role models for their children and I believe they have to take a substantial responsibility about getting their kids to school. So, in that respect, this aspect of the legislation is good. But one thing key to remember that it is permissive. I believe...if I were a sitting judge and a...and a young child had to drop out of school for certain reasons, maybe through his negligence he didn't want to go to school, it's a...it's sort of a good

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incentive for...to get him in a situation like this and let him know that, look, we have the power to do this, the parents realize that we have the power to do this, and that if you don't get your act together and go back to school and learn...learn the basics about schooling so you can compete in this society for jobs, it becomes important that this legislation is affected."

Davis: "Representative, I certainly respect your intent. I recognize the severe importance of keeping young people in school. I recognize the possibility that parents or legal guardians need counseling, because obviously from this...this Amendment they feel that the parent or guardian is not aware of how important schooling may be. But I still have a major problem with the possibility of a judge saying to a parent, who is indigent, or to a child, who is already wayward, that you must pay a five dollar or more fine per day. We, in order to keep people in school, must not revert to creating criminals. Now, even though a person does not attend school, that's certainly a juvenile behaviour, a discipline act, but it certainly is not anything in which a judge should be given the right to fine that student five dollars or a hundred dollars a day. You know, I take issue with people who want to be educators and they don't recognize that education is not something that's a penalty. Education is something that we must teach young people to appreciate and to want, but not to feel that this is a punishment for you, because it certainly is not. Recognizing the good intent that you have, I would suggest that you study other legislation and we must not pass this Amendment. Thank you."

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

Dunn: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would quickly concede that this legislation, as I

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read it, does address itself to truants, and I suppose not everyone who drops out of school is a truant. I...but I'd like to call the attention to the Members to the fact that this is another school drop out driver's license Bill. None of them have passed this General Assembly so far and if you're opposed to that, I hope you'll vote against this concurrence. This...this Amendment, this Senate Amendment provides that if someone is found to be truant and I don't see anywhere in the Bill where it defines how badly truant you have to be, the court may suspend the driver's license privilege of the student. And as the previous speaker has indicated, the court may also impose a fine of between five and one hundred dollars per day to the student. Why do these students drop out in the first place? There are many, many reasons, a lot of them economic as the previous speaker's indicated. A lot of which are dissatisfaction with the schools. One of those reasons of course is that we have somehow failed the students in the school. Why in the name of heaven, can we not provide a positive sanction? If we are willing to take five dollars per day from the student for failing to show up in school when they get themselves in a jam, why in the name of heaven can't we pay them five dollars a day to show up? Fair is fair. If we're going to charge them between five and a hundred dollars a day not to show up, by God let's pay them five to a hundred dollars a day to be there. And if you say we haven't got the money to pay them five to a hundred dollars a day to show up, then by God, we shouldn't take five to a hundred dollars a day from them for not being there. And we've been through this time and time and time again in this chamber this Session about taking away driver's licenses of the people who drop out of school. This is another Bill to do that. Please, please, please vote 'no'.

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Do not concur in this Amendment."

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

Ropp: "Thank you, Madam Speaker. I can assure you I won't get hoarse and totally red in the face with my deliberation on this issue. One of the reasons that we allow young people to drop out of school is that this Body, including the court system, is not firmly committed on the importance of young people getting an education. This Amendment attempts to address that in somewhat of a passive way and certainly is a good approach in stating that now the Legislature, finally, and now the court system, finally, is in a unified effort to make sure that young people complete an education that we feel the importance of getting a degree, so that you are well prepared to go into the work force and being a contributor to our society rather than a recipient. I'm a little bit concerned about Members of this Body who do not feel that it is important that we insist as a society that people get through a school. And yet, they're continually willing to support legislation to help those people on public aid, on unemployment that have no burning desire to want to help themselves do something. It's time that this Body realize the importance and send that message, and I urge a favorable vote on this Amendment. Thank you."

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

Bugielski: "Madam Speaker, I move the previous question."

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

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

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House. Let's set the record nice and clear. The Senator...the Senator that sponsored this Amendment is Senator Richard Newhouse. A Gentleman that served in the Senate for a number of years with distinction. A man of foresight and vision that has represented his constituents very well. This is legislation that's not a mandate. It gives the courts a little leeway to say, 'Hey, look, hey look, son, look daughter, look family, parents. Your kid's in trouble at school. They're dropping out, so we want to try to correct this. We do have some remedies that we have at our disposal to mandate upon you and your behavior.' That's all we're saying. We have this out here to use. This is an incentive for you to go back to school, go back to learn the basic R's, go out and get a high school diploma and compete in our ever competitive society for a good job. And I ask for its concurrence. Thank you."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1885?' This is final action. The board is open. Have...All those in favor vote 'aye', opposed vote 'no'. Voting is open. Representative Shirley Jones, one minute to explain your vote."

Jones, S.: "Thank...thank you, Madam Speaker. I would just like to explain my vote. I was told from one of the Representatives that this was Senator Newhouse's Amendment. I just went over to the Senate to talk to Newhouse. Newhouse told me that it was not his Amendment, it was a Committee Amendment. And I wish that everybody would vote 'no' on this Amendment. Thank you."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? Representative Novak, one minute to explain your vote."

Novak: "Well, I just...Madam Speaker, I just want you to take the record and then I'll take it from there."

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Speaker Breslin: "Okay. Take the record, Mr. Clerk. On this question there are 36 voting 'aye', 77 voting 'no', 1 voting 'present'. Representative Curran votes 'aye'. There are therefore 37 voting 'aye'. This Bill...this Motion has failed. Representative Novak is recognized for another Motion."

Novak: "Yes, Madam Speaker, I now move to nonconcur in Senate Amendment #1."

Speaker Breslin: "The Gentleman has moved to nonconcur in Senate Amendment 1 to House Bill 1885. Is there any discussion? There being none, the question is, 'Shall the House nonconcur in the Senate Amendment to this Bill?' 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 1885. On the Order of Concurrences, State and Local Government appears several Bills. The Sponsors are Cullerton, Ackerman, Preston, Giorgi, Ryder, Hensel, McPike, Levin, Richmond, Ryder, Terzich, Countryman, Klemm, Bowman, Brunsvold, Cowlshaw, Homer, et cetera. The first Bill is House Bill 112, Representative Cullerton. Out of the record. House Bill 156, Representative Ackerman. You are recognized to present your Motion, Sir."

Ackerman: "Thank you, Madam Speaker. House Bill 156 provides for three new categories eligible to use vanity plates. Senate Amendment #1 is a technical Amendment dealing with the weight of these vehicles. Senate Amendment #2 deals with sheriff's license plates and allows a one time fee of eight dollars for a permanent sheriff's plate. I move to concur with Senate Amendment 1 and 2."

Speaker Breslin: "The Gentleman has moved to concur in both of the Senate Amendments on House Bill 156. On the question, is there any discussion? There being none, the question

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is, 'Shall the House concur in Senate Amendment 1 and 2 to House Bill 156?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no'... Representative Cullerton, for what reason do you seek recognition?"

Cullerton: "Well, Madam Speaker, was the Sponsor of the Motion Representative Ackerman?"

Speaker Breslin: "Yes, he is."

Cullerton: "Was it...he's the Sponsor of the Bill and he also made the Motion?"

Speaker Breslin: "Yes."

Cullerton: "Representative Ackerman, we have an indication on our file that there was a request for this to go to a Conference Committee for a particular provision to be included. Perhaps that's an error."

Speaker Breslin: "Representative Ackerman."

Cullerton: "Will you hold...will you hold taking the record for one moment please? Madam Speaker, I understand that that provision is going to be on another Bill and there's no problem with this."

Speaker Breslin: "One hundred and twelve voting 'aye'. The House does concur in Senate Amendments 1 and 2 to House Bill 156, and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 247, Representative Preston. Mr. Preston. Out of the record. House Bill 263, Representative Giorgi. Do you wish to concur in this...the Amendments on this Bill?"

Giorgi: "Madam Speaker, this is a Bill that we heard last week and some of the Republican Members now have found that it's like I said it was, and that is that it takes ten percent of the electors and ten percent of property owners to force

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a referendum on a special service tax that has to do with sanitary districts. And I urge support of the House."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 263. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. I spoke to the lobbyist interested in this and I think Representative Pullen did as well. I thought we were going to put a notice requirement in this Bill and with the notice, let the back door referendum suffice. There's no notice in the Bill if you concur with the Senate Amendment. Would it be alright to put it in the Conference and put the notice in?"

Giorgi: "Alright."

McCracken: "Okay, so..."

Giorgi: "Why don't we change my Motion then to nonconcur to Senate Amendment #1 to House Bill 263?"

Speaker Breslin: "Very good..."

Giorgi: "...And ask for a Conference Committee Report..."

Speaker Breslin: "...The Gentleman moves to...the Gentleman moves to nonconcur in Senate Amendment #1 to House Bill 263. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in the Senate Amendment on this Bill?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does nonconcur in Senate Amendment 1 to House Bill 263. House Bill 283, Representative Ryder."

Ryder: "Thank you, Madam Speaker. I would move to concur in Senate Amendments 1, 2 and 3 to House Bill 283. First Amendment has the usual language for the Christian Science exemption. Second, allows another member of the Long Term Care Facility Advisory Board. The third Amendment allows the Department of Public Health the power to investigate and inspect home health agencies. This was House Bill

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2650. I would move for adoption of this...in this Motion."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendments 1, 2 and 3 to House Bill 283. On that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "Representative, on Senate Amendment #2, offered by Senator Donahue, the Senate added a member to the Long Term Care Facility Advisory Board, is that correct?"

Ryder: "Yes, that is correct."

Cullerton: "And...and how many members are on that board and how are they appointed?"

Ryder: "They're appointed, I believe, by the Governor and I do not know the exact amount. This board was reduced in legislation that we had last year and an error was made excluding a Representative of the Illinois Association of Homes for the Aging..."

Cullerton: "...Okay, so..."

Ryder: "...Who have then asked that this be sponsored..."

Cullerton: "...So, we actually know...we actually know who this person is..."

Ryder: "...I don't think that we know the person, Representative, but we do know the group that that person would represent."

Cullerton: "Okay."

Ryder: "And if I could...I'd be glad to Sponsor you if you're interested in the job."

Cullerton: "What would I have to be?"

Ryder: "...Pardon me?"

Cullerton: "Would I have to be aged?"

Ryder: "You'd have to spend a few days in a long term care facility, maybe making beds or cleaning out..."

Cullerton: "...Does the General Assembly qualify?"

Ryder: "Pardon me?"

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Cullerton: "Does the General Assembly qualify? Is it long term..."

Ryder: "No, that's the Mental Health Advisory Board, Representative."

Cullerton: "I see. Okay. Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House concur in Senate Amendments 1, 2 and 3 on House Bill 283?' All those in favor vote 'aye', opposed vote 'no'. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question...Representative Ropp votes 'aye'. Representative Bugielski votes 'aye'. Can you punch it...there, Representative Bugielski. On the question...Representative Parke votes 'aye'. That's Parke. One hundred and twelve voting 'aye', none voting 'no'. The House does concur in Senate Amendments 1, 2 and 3 to House Bill 283, and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 354, Representative Hensel is recognized."

Hensel: "Thank you, Madam Speaker, Members of the House. I move to concur with Senate Amendments #1 and 2 to House Bill 354. The effects of Senate Amendment #1, it authorizes municipalities in DuPage and Will Counties to opt out by ordinance of the current requirements for relocation towing in these counties. This will effectively allow municipalities to set their own requirements for removing vehicles from private property, including setting rates for the associated towing charges. Senate Amendment 2 removes the forty-five dollar tie up on relocater towing charges in Cook, DuPage and Will Counties. Provides instead that the maximum towing fee in the three counties may not exceed the mean average of the five highest rates for police ordered tows within the three county area. The Illinois Commerce

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Commission would certify this rate and the rate cannot be altered more than once a year. This provision will not necessarily cause towing rates to increase everywhere within the three counties as Senate Amendment #1 would still authorize any municipality in Cook, DuPage and Will Counties to opt out and set its own towing rates. I ask for a favorable vote."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendments 1 and 2 to House Bill 354. On that question, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, Madam Speaker, I wondered if the...I would move that we divide the question on these two Amendments. One is much more controversial than the other and I think it's appropriate. Both Amendments stand on there own. They're both...strike everything after the enacting clause, so I would move that we divide the question...divide the Motion."

Speaker Breslin: "Representative Cullerton has moved to divide the question between Senate Amendments 1 and Senate Amendment #2. Now, who seeks recognition on that issue? I don't know who you're pointing to and nobody is seeking recognition. While they are discussing that and while we are considering the issue, does anyone else seek recognition on the issue? Representative Kulas on the question."

Kulas: "No, not on the question, Madam Speaker, on a point of personal privilege. I'd just like to take the opportunity to introduce some young kids from the near Northwest Civic Community Center from Chicago, which is in my district. And I'd like to welcome them all to Springfield."

Speaker Breslin: "Any other discussion? Representative Cullerton, do you wish to pursue your Motion to divide the question? Do you wish to pursue your Motion to divide the

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question?"

Cullerton: "Well, first of all, it...what...did the Parliamentary rule that it's okay to do that? That would be nice."

Speaker Breslin: "We haven't...we don't make it a policy to rule on...on..."

Cullerton: "...Advisory...no advisory..."

Speaker Breslin: "...measures that are not before us."

Cullerton: "I see. No advisory opinions."

Speaker Breslin: "No advisory opinions."

Cullerton: "I see. Well, give me a minute. I'll...I'll contemplate whether or not I want to pursue this Motion."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Well, what I have here is, I have a couple of my colleagues on this side of the aisle, have a difference of opinion on this. So, I think what we'll do is I'll withdraw my Motion and we can proceed on his Motion to take both of them."

Speaker Breslin: "Very good. And Representative Hensel is recognized to close on that Motion."

Hensel: "Thank you, Madam Speaker. I think I explained Senate Amendment #1 and Amendment #2 as adopted in the Senate, and I think...yeah. Basically, the Amendment #2 has the provision in there that it will not necessarily cause towing rates to increase everywhere within the three counties, because any of the municipalities that are not happy with what they're doing could opt out and set their own rates. So I see no real problem with it. I think this is a good compromise between all affected."

Speaker Breslin: "Very good. Representative Hensel has moved to concur in both of the Senate Amendments. For what reason do you seek recognition, Representative Levin?"

Levin: "Madam Speaker, I had my light on to speak before you

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called on the Gentleman to close in terms of the Motion to concur."

Speaker Breslin: "So, do you wish to speak to the Motion?"

Levin: "Yes."

Speaker Breslin: "Do you need more than one minute?"

Levin: "I am opposed to the Motion..."

Speaker Breslin: "Very good. Proceed, Sir."

Levin: "Okay. Well, Madam Speaker, Ladies and Gentlemen of the House, I'm not sure how many people remember the song, 'Lincoln Park Pirates'. This is about Lincoln Park Towing, which ripped off people throughout the City of Chicago for a number of years. We finally got some regulation of Lincoln Park Towing and we established a procedure for some reasonable rates, rather than the astronomical charges they were imposing unilaterally on people. What Amendment #2 would do, would be to vastly increase the rates that Lincoln Park Towing and the other relocater services can charge. We have rates now that are fair. We have rates that reimburse the towing companies for their reasonable efforts, their...and this particular Amendment would allow a tripling of the current rates. This variation of Amendment #2 was defeated in the House Transportation Committee, and I would urge that we nonconcur in these Amendments."

Speaker Breslin: "Representative Hensel, I realize that you had already closed, but under the circumstances, if you wish to make a rebuttal at this time, you are recognized to do so."

Hensel: "Thank you, Madam Speaker. Okay. I would just like to say that although there is a cap placed on the service now, with this new Amendment we're setting up a formula by which the ICC can regulate those rates. And I think this is something that is needed because once you set a cap on a rate then they'll be coming back every year to increase it

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anyway, and this will set it. I don't think it's going to increase it and I think it would be an equitable rate if it is increased. And I ask for a favorable vote."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 354?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Representative Parke, one minute to explain your vote."

Parke: "Thank you, Madam Speaker. In the debate there's confusion on some of our parts on this Bill, and I just...I need one nod of the head of the Sponsor, just...is that Representative Cullerton? Hensel? Okay. Does this include anything to do with the giving up the title of a car after seven years between an insurance company and the owner?"

Hensel: "No, it has nothing to do with that at all."

Parke: "Thank you."

Speaker Breslin: "Have all voted who wish? Representative Leverenz, one minute to explain your vote."

Leverenz: "Well, thank you. I wanted to do it when it was under sixty, but too many people are asking and I'll explain Amendment #2. Tow truck relocaters are capped at forty-five dollars a tow right now. They are going out of business. This provides a formula for the ICC to use to set rates. The formula is the highest..."

Speaker Breslin: "Proceed, Sir. Representative Leverenz is recognized."

Leverenz: "The formula would be, the highest five municipalities in the state on average, if it averaged eighty-five, that is the highest the ICC could use as the highest rate. The probability of the ICC going right to the top is incredibly small, but it allows the industry to have something in a formula form rather than a cap and having to keep coming

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back to the General Assembly. Lincoln Towing is the owner. That guy they wrote the song about, he's dead. He's been out of the business for years. The name...the three names he operated under have been sold off to three other towing firms, and I would appreciate an 'aye' vote to help Representative Hensel and the Senate Amendment 2 that I have an interest in."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 67 voting 'aye', 42 voting 'no' and 6 voting 'present'. And the House does concur in Senate Amendments 1 and 2 to House Bill 354, and this Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 397, Representative Hensel. Out of the record. House Bill 446, Mr. McPike. Out of the record. House Bill 497, Representative Levin. Mr. Levin, you are recognized. Out of the record. House Bill 507, Representative Richmond. Out of the record. House Bill 510, Representative Ryder. You are recognized on the Motion, Sir."

Ryder: "Thank you, Madam Speaker. I would move to concur in Senate Amendment #1, which was adopted in their Judiciary Committee. And that Amendment provides presumption concerning...in the event that no parentage judgment is available."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 510. Did you explain what the original Bill does, Representative Ryder?"

Ryder: "Oh, the original Bill simply compla...simply closes a loophole in a child abduction cases. It was suggested to me by the chief of police in Jacksonville in a very unique circumstance concerning a nonmarital situation in which custody had been determined. Very...it was a very minor content."

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Speaker Breslin: "The Gentleman has moved to concur in the Senate Amendment on this Bill. Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 510?' All those in favor vote 'aye', 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 114 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment 1 to House Bill 510, and this Bill having received the Constitution Majority is hereby declared passed. Representative McPike on 535. House Bill 535, out of the record. House Bill 577, Representative Cullerton. You're recognized on the Motion, Sir."

Cullerton: "Thank you...thank you, Madam Speaker and Ladies and Gentlemen of the House. The...the Bill started off as a House Bill which was a shell Bill and then, I believe on May 25th, we filed and adopted Amendment #1 which became the Bill. This defined terms with regards to the Funeral Directors and Embalmers Licensing Act. And let me just say, it was a result of long hours of negotiation among the parties that came to an agreement and we passed the Bill out of the House, I think without any dissent. I can tell you that the Senate Amendment is merely technical corrections to that Amendment that we had passed in the original House Bill 577 changing...replacing words, 'register' with 'licensed' and various other technical changes, as well as giving the entire Bill an immediate effective date. I would be happy to answer any questions and I would move to concur with Senate Amendment #1 to House Bill 577."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 577. On the question, is there

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any discussion? There being none, the question is, 'Shall the House concur in this Amendment to this Bill?' All those in favor say...vote 'aye', all those opposed vote 'no'. Voting is open. Representative McCracken, one minute to explain your vote..."

McCracken: "Yes, I was...Yes, I...I was distracted, would you just nod your head. Is everyone in agreement on this? Okay. Thank you."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment 1 to House Bill 577, and this Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 728, Representative Terzich. You are recognized to present your Motion to concur on this Bill. 725. We'll do the other Motion to nonconcur if you're...if you're ready? The Bill on the Calendar is Senate Bill 725 and that's a Motion to concur. Excuse me, House Bill 725. Representative Terzich."

Terzich: "Yes, Madam Speaker, I move that we concur with Senate Amendment #1 to House Bill 725. This is a...the Amendment is similar to legislation that we passed in the House unanimously and I would move for its adoption."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 725. On the question, the Lady from Cook, Representative Parcels."

Parcels: "Thank you, Madam Speaker. This is a Bill we've seen several times before and defeated. We had...we in the House had put in a two percent line item limitation on the transfer of funds, just so that they would be very careful there as we are here in the state and most of your municipal governments do not transfer more than two

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percent. We in the House thought that was a good idea. We voted it out and sent it over there. Now the Senate has deemed to remove that two percent transfer and that is not a good thing to do, because they could transfer whole accounts without that. Furthermore, in the salaries, if you remember I had presented an Amendment to make the President earn no more than the Speaker of the House, nobody works harder than the Speaker of the House. And the Vice President of the MSD to receive the same as the Majority Leader and the other Members to receive the same salary that we receive. That would be an increase for them and certainly they don't work any harder and it's so easy to just tamper with these numbers. We might as well pay them seventy-five thousand or a hundred and twenty-five thousand. How do you put a price on it? I think a good price would be those prices...I mean, those salaries that our Speaker and our Majority Leader and the Members of this House who work very hard receive, and neither of those...both of those Amendments were changed with this Senate Amendment #1. And therefore, I would suggest that we nonconcur to be consistent with what we sent over to the Senate from the House, and I would ask for your 'no' vote on this concurrence."

Speaker Breslin: "The Lady from Cook, Representative Jones. Are you seeking recognition? She indicates she is not seeking recognition. Representative Terzich is recognized to close."

Terzich: "Yes, as I mentioned, we passed this legislation out of the House unanimously. The statements are very fallacious statement that the basic... the salary simply establishes for the new elected officials in 1990. The total amount is approximately two thousand dollars adjustment, which is less than three percent, and at the same time as that the

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transfer the funds still require two-thirds vote by the commissioners. And I would urge your support of concurrence of Senate Amendment #1."

Speaker Breslin: "The question is, 'Shall the House concur in the Senate Amendment on House Bill 725?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Representative Kulas is recognized to explain his vote."

Kulas: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I don't understand the 'red' votes on this Bill. First of all, there is no state funds involved here. The pay raise is coming out of the county's fund there. So there's no state money involved. These people have...I don't understand why these people have to come to us for a pay raise anyway. I think that law should be changed, but I think we need a couple more 'green' votes. These people deserve a raise and I would ask for an affirmative vote."

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

Tate: "Yes, Madam...yes, Madam Speaker, in the event this gets sixty votes, I'd ask for a verification."

Speaker Breslin: "Very good. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 62 voting 'aye', 51 voting 'no', 2 voting 'present'. Poll the Absentees and then proceed with a Poll of the Affirmative."

Clerk O'Brien: "A poll of those not voting. Barnes and McAuliffe. No further. Poll of the Affirmative. Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Cullerton. Curran. Currie. DeJaegher. DeLeo. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Keane. Krska. Kulas. Lang. Laurino. LeFlore.

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Leverenz. Levin. Martinez. Matijevich. Mautino.
McNamara. McPike. Morrow. Mulcahey. Munizzi. Phelps.
Preston. Rice. Richmond. Ronan. Saltsman. Santiago.
Satterthwaite. Shaw. Steczo. Sutker. Terzich. Trotter.
Turner. Van Duyne..."

Speaker Breslin: "...Excuse me. Excuse me, Mr. Clerk.
Representative Tate, Representative Flowers asks leave to
be verified. You have leave."

Clerk O'Brien: "Wennlund. White. Williams. Wolf. Woolard.
Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker Breslin: "Mr. Tate, do you have any questions of the
Affirmative?"

Tate: "Yes, Representative Trotter? I said Representative
Trotter."

Speaker Breslin: "Representative Trotter? Representative Donny
Trotter? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him."

Tate: "Representative Preston?"

Speaker Breslin: "Representative Preston. Rep...he is in the
chamber."

Tate: "Representative Giorgi?"

Speaker Breslin: "Representative Giorgi. Representative Zeke
Giorgi. He's in the chamber."

Tate: "Representative Phelps?"

Speaker Breslin: "Representative Phelps. Representative David
Phelps. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman..."

Speaker Breslin: "...He's in the chamber. Excuse me, Sir. Leave
him on."

Tate: "Representative Turner? Turner? Turner..."

Speaker Breslin: "Representative Turner. Arthur Turner. The
Gentleman is in the chamber."

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Tate: "Representative Turner?"

Speaker Breslin: "Mr. Turner is in the chamber."

Tate: "Representative S. Jones?"

Speaker Breslin: "I can't hear."

Tate: "Representative Jones?"

Speaker Breslin: "Representative Jones. Lou Jones is in her seat. Representative Donner...Donny Trotter has returned to the chamber, add him to the Roll Call voting 'aye'. Representative LeFlore. Representative..."

Tate: "I wanted Representative Shirley Jones."

Speaker Breslin: "Shirley Jones. Okay. Representative Shirley Jones is in her chair too, but Representative LeFlore has asked leave to be verified. Does he have leave?"

Tate: "...That's okay..."

Speaker Breslin: "Leave is granted..."

Tate: "Representative Martinez?"

Speaker Breslin: "Excuse me. Representative Martinez. Representative Ben Martinez. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him. Representative McGann, for what reason do you seek recognition?"

McGann: "Yes, Madam Speaker, Members of the Assembly, I'd like to explain my vote. I was informed that there are no state funds involved in this Amendment #1. And it's only the local Metropolitan Sanitary District or the Reclamation district is now known the funds that are involved, therefore, I would change my vote from 'present' to 'aye'."

Speaker Breslin: "The Gentleman votes 'aye'. Record Representative McGann as 'aye'. Representative Johnson, for what reason do you seek recognition?"

Johnson: "Yeah, I just...I guess I don't understand the rules after being around here for awhile. Is that al...can we do

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that when we're... when we're...when we're going through as the process we are now, we're supposed to be able to explain our vote, is that right?"

Speaker Breslin: "I...I think that the Gentleman was voting and so that is different..."

Johnson: "...No, he wasn't..."

Speaker Breslin: "...From the regular explanation of vote..."

Johnson: "...No, he's..."

Speaker Breslin: "...He was actually voting at that time. He's allowed to make a speech at the time that he votes..."

Johnson: "Okay, just as long as I understand. That's decry a lot of opportunity the next three days to take up the House's time like that. So, I wanted to make sure that was okay."

Speaker Breslin: "Representative Stern votes...changes her vote from 'no' to 'aye'. Representative Jim Keane ask leave to be verified. Does he have leave?"

Tate: "Is Krska in his chair? Representative Krska?"

Speaker Breslin: "Representative Krska. Bob Krska. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him."

Tate: "Representative Dunn?"

Speaker Breslin: "Representative Dunn. Representative John Dunn."

Tate: "Rep..."

Speaker Breslin: "Representative John Dunn. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him, but add Representative Ben Martinez to the Roll Call voting 'aye'. He has returned to the chamber. Representative Young asks leave to be verified. You have leave, Sir."

Tate: "Representative DeLeo?"

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Speaker Breslin: "Representative DeLeo. Mr. DeLeo is in the center aisle."

Tate: "Representative Currie?"

Speaker Breslin: "Representative Currie. Barbara Currie. How is the Lady recorded?"

Clerk O'Brien: "The Lady's recorded as voting 'aye'."

Speaker Breslin: "Remove her from the Roll Call."

Tate: "Representative Hartke?"

Speaker Breslin: "Representative Hartke's in the chamber."

Tate: "Representative Laurino?"

Speaker Breslin: "Representative Laurino. Bill Laurino. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call. Representative Shaw ask leave to be verified, Mr. Tate. Leave is granted."

Tate: "Representative Hicks?"

Speaker Breslin: "Representative Hicks. Larry Hicks is in the chamber."

Tate: "Representative Leverenz?"

Speaker Breslin: "Mr. Leverenz. Mr. Ted Leverenz. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call. Representative Wyvetter Younger ask leave to be verified, Mr. Tate. Mr. Tate, Representative Wyvetter Younger asks leave to be verified. Does she have leave? Leave is granted."

Tate: "Representative...Representative Wennlund?"

Speaker Breslin: "Representative Williams?"

Tate: "Wennlund?"

Speaker Breslin: "Representative Wennlund? Representative Wennlund? Larry Wennlund. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

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Speaker Breslin: "Remove him. Representative Davis, for what reason do you seek recognition?"

Davis: "Because I will change my 'no' vote to an 'aye' vote."

Speaker Breslin: "Very good. Change the Lady to 'aye'."

Tate: "That's it."

Speaker Breslin: "Representative Giglio. Representative Novak changes his vote to 'aye'. Representative Leverenz has returned to the chamber, add him to the Roll Call voting 'aye'. On this question...on this question there are 61 voting 'aye', 49 voting 'no', none voting 'present'. The House does concur in Senate Amendment 1 to House Bill 725, and this Bill having received the Constitutional Majority is hereby declared passed. Now, Ladies and Gentlemen, we are going to the Order of...of Concurrences...Excuse...Representative Davis, for what reason... Jones, what reason do you seek recognition?"

Jones: "Thank you, Madam Speaker. A point of personal privilege. On my right, I would like to welcome the senior citizens from the seventeenth ward, who are guests of Representative Charles Morrow."

Speaker Breslin: "Welcome. The Membership however, should be reminded of the rules on these instances. Representative Terzich. As I recall, you had a Bill that you needed to move to nonconcurrence. That is on the Order of Concurrences on Supplemental #1, under the Special Order of State and Local Government. The Bill is House Bill 1472. Proceed with your Motion."

Terzich: "Yes, Madam Speaker, I move to nonconcur with Senate Amendment #1 to 1472. This is a compost Bill, and what Senate Amendment #1 does is simply gut the Bill. And I move to nonconcur."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendment 1 to House Bill 1472. And on that question, is

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there any discussion? There being none, the question is, 'Shall the House nonconcur in this Amendment to House Bill 1472?' 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 1472. With leave we'll go back to Representative Preston's Bill, House Bill 247. You are recognized to present your Motion, Sir."

Preston: "Thank you, Madam Speaker. I would move to concur in Senate Amendment #1 to House Bill 247. What the Amendment in the Senate does to the Bill that passed out of the House was...the Bill itself creates an exemption for pension and profit sharing plans in IRAs from claims of creditors in a bankruptcy situation. The Senate put on an Amendment to exclude from that exemption pension plans that were controlled by a single individual or by a....they're basically controlled by a few individuals. Those pension plans would not be exempt, but the general employee plans would be. And I'd ask for your concurrence in their Amendment."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment 1 to House Bill 247. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 247?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112...113 voting 'aye', none voting 'no' and 1 voting 'present'. The House does concur in the Senate Amendment on House Bill 247, and this Bill having received the Constitutional Majority is declared passed. Going back to where we left off, on the Order of Concurrences, State and

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Local Government appears House Bill 776, Representative Countryman."

Countryman: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. The underlying Bill here in House Bill 776 was an Act providing for dissolution of corporations in certain cases. And what it did was to conform the dissolution of corporations under the Business Corporation Act to the existing statute, reduce the number of times the publication had to occur, and allowed the Attorney General rather than the circuit clerk to cause the notice to be published. In the Senate, Senator Barkhausen put on two Amendments. Senate Amendment #1, which I move we concur in, repeals the present Close Corporation Act and adds a new Close Corporation Article to the Business Corporation Act. It specifically authorizes a wide range of shareholder agreements for business corporations generally and would allow specifically authorized share transfer restrictions and agreements for corporations not electing to be governed under the Close Corporation Article. In that context, I object and this...this was an agreed Bill by the Illinois State Bar Association, approved by the subcommittee of the Chicago Bar Association. And the Secretary of State's Office has agreed with it and I have personally reviewed and find it to...to be acceptable and not offensive in any way. The second Amendment is an Amendment to the Motor Vehicle Franchise Act, which expands the coverage of the motor vehicle service centers. Service centers would be prohibited then...a service center being somewhere where you would take your car for service, would be prohibited in areas where their existing franchise exists for a market area. That is if you had a new car dealer who had a Chevrolet franchise, and as a part of his franchise he was to provide service, then they couldn't put

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a service dealer in that area. And that's the major change in the law. I know a lot of you received phone calls concerning it, and I move its concurrence."

Speaker Breslin: "The Gentleman has moved that the House concur in Senate Amendments 1 and 2 to House Bill 776. On that question, is there any discussion? There being none, the question is, 'Shall the House concur in the Senate Amendments on House Bill 776?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there are 116 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in Senate Amendments 1 and 2 to House Bill 776, and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 859, Representative Ryder. You're recognized on a Motion. 859. Out of the record. I'm sorry, that's an approp. Bill. We're skipping the approp. Bills. House Bill 1155, Mr. Klemm. Representative Klemm."

Klemm: "Madam Speaker, Representative Cullerton was going to take a look at that Bill and find out if there were some questions, so I was wondering if I could delay that and maybe we could call it back later on."

Speaker Breslin: "Very good. Fine. Happy to do that. House Bill 1203, Representative McPike, out of the record. House Bill 1212, Representative Bowman. Mr. Bowman. Out of the record. House Bill 1237, Representative Brunsvold, out of the record. House Bill 1261, Representative Cowlshaw. Representative Cowlshaw, out of the record. House Bill 1496, Representative Homer. Mr. Homer, do you wish to move to concur on this Bill?"

Homer: "On second thought, Madam Speaker, I'd like to take that Bill momentarily from the record."

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Speaker Breslin: "Out of the record. Representative Balanoff are you seeking recognition? For what reason?"

Balanoff: "Ma...Madam Speaker, Ladies and Gentlemen of the House, I'd just like to recognize the members of the...Community...Community Youth Leadership Development Program who are up in the gallery."

Speaker Breslin: "We have already reminded the Membership of the Rules on that issue. Is anybody else seeking recognition? Out of the...House Bill 1496 is out of the record. Representative Black, are you seeking recognition?"

Black: "Yes, Madam Speaker. Just a point of information to the Chair. It's getting extremely difficult to hear in here, very difficult to even hear the Chair."

Speaker Breslin: "Ladies and Gentlemen, we are going to have to ask the Doorkeeper to clear the aisles, because of the noise level. The Chair recognizes former Representative Steve Nash. Welcome, Sir. And former Representative Emil Jones. Welcome. Welcome. Representative McCracken, for what reason do you seek recognition?"

McCracken: "Former Representative Jack Davis was here just a moment ago. I don't know where he went."

Speaker Breslin: "Yes. He was introduced recently."

McCracken: "Oh, alright. Very good."

Speaker Breslin: "Mr. Doorkeeper, there have been complaints also that there are lobbyists on the floor. Please remove lobbyists from the floor. And that includes any person who might otherwise have access to the floor, but because they are lobbyists are denied that access. Members have complained, so please remove yourself from the floor of the House. House Bill 1155, Representative Klemm is recognized."

Klemm: "Thank you, Madam Speaker. I move to concur with Senate Amendment #1 on House Bill 1155."

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Speaker Breslin: "Just a moment, Representative Klemm. Ladies and Gentlemen, we cannot hear the presenter on this Bill. Proceed, Representative Klemm."

Klemm: "Alright, thank you, Madam Speaker. Senate Bill...or Senate Amendment #1 exempts the employees of the CHIPS Board from being part of the Personnel Code. This was suggested by the Department of Insurance to clarify that the Board, which is a separate entity from the state agency, would not have to apply. And therefore, I do move its adoption."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 1155. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1155?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there are 109 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in the Senate Amendment on House Bill 1155 and this Bill, having received the Constitutional Majority, is declared passed. Senate Bill 1203, Mr. McPike. Out of the record. Senate Bill...Senate Bill 1524, I believe is the next Bill. You're recognized, Representative Lang."

Lang: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Amendment #1 to House Bill 1524 is a technical Amendment, dealing with the definition of the word 'security' in the Uniform Commercial Code. And I would ask that the House concur."

Speaker Breslin: "Would you tell us what the original Bill does, Sir?"

Lang: "The original Bill deals with a one year statute of limitations on complaints by bank customers on erroneously

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paid stop payment orders by a bank or a credit union. The original Bill is untouched by the Amendment and the original Bill got, I think, over 100 votes in the House."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 1524. On that question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1524?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in the Senate Amendment on House Bill 1524 and this Bill, having received the Constitutional Majority, is declared passed. House Bill 1530, Representative Flowers, Mary Flowers. Out of the record. House Bill 1621, Speaker Madigan. Out of the record. House Bill 1661, Representative Ryder. You're recognized on a Motion."

Ryder: "Thank you, Madam Speaker. I would move to concur with Senate Amendment #1 and #2. Senate Amendment #1 deletes everything, adds provisions amending a number of vehicles. This is a cleanup Bill on behalf of the Department of Public Health. Number 2 indicates that a mobil park owner makes available rather than provide a copy of their tie down guide. And I would move to concur in Senate Amendments #1 and #2."

Speaker Breslin: "Have you told us what the original Bill did, Sir? ...as well."

Ryder: "The original Bill dealt with the Structural Pest Control Act. The parties that are touched by that Act were not able to come to an agreement. Senate Amendment #1 deleted all of the content of that."

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Speaker Breslin: "I see. Very good. The question is...Rather the Gentleman has moved to concur in Senate Amendments 1 and 2 to House Bill 1661. Is there any discussion? There being none, the question is, 'Shall the House concur in the Senate Amendments on this Bill?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage on House Bill 1661. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', 1 voting 'no' and 1 voting 'present'. The House does concur in Senate Amendments 1 and 2 to House Bill 1661 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1666, Representative Ryder."

Ryder: "Thank you, Mad...Thank you, Madam Speaker. I move to concur in Senate Amendment #1. This was originally a JCAR Bill. The effect of Senate Amendment #1 requires the Department of Revenue to return a check or money order not payable to the Department within 15 days after receipt from the taxpayer unless the amount of payment is equal to the amount owed on the return filed with the check. The Department of Revenue supports the Amendment. As I indicated, the original Bill amends the Banking Act providing that the State Banking Board shall render a decision concerning the removal of any director, et cetera, within 60 days of the conclusion of the hearing. It is or was a JCAR Bill."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1666. And on that question, is there any discussion? There being none, the question is, 'Shall the House concur in the Senate Amendment on this Bill?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted

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who wish? The Clerk will take the record. On this question there are 111 voting 'aye', 1 voting 'no' and 1 voting 'present'. The House does concur in the Senate Amendment on House Bill 1666 and this Bill, having received the Constitutional Majority, is declared passed. House Bill 2040, Representative Mays."

Mays: "Thank you very much, Madam Speaker. House Bill 2040, as passed the House, was a audit commission Bill that repealed the authority of the...for the SSC. It has received two Senate Amendments from Senator DeAngelis. One (1) authorizing the Department of Energy and Natural Resources to cooperate and support the subsequent agency, Illinois Coalition. And the 2nd one would authorize the Department of Commerce and Community Affairs to do the same thing. It's the authorization that, I think, is important. And I would move then to concur with both Amendments 1 and 2 on Senate...on House Bill 2040."

Speaker Breslin: "The Gentleman has moved to concur in the Senate Amendments on House Bill 2040. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 2040?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. This is final passage. The Chair welcomes and recognizes State's Attorney Cecil Partee over here on the Democratic side of the aisle, former Senator Partee. Welcome, Senator. 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 109 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in the Senate Amendments on House Bill 2040 and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Ronan, why are you seeking recognition?"

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Ronan: "Madam Speaker, I'd just like a minute to recognize one of our great public officials from the City of Chicago, our great Police Superintendent Leroy Martin, who is with us in the center aisle."

Speaker Breslin: "Wonderful. Wonderful. Welcome. Representative Balanoff, for what reason do you seek recognition?"

Balanoff: "Yes, he's a constituent of the 35th District, the Police..."

Speaker Breslin: "Very good. House Bill 2062, Representative Ryder. Out of the record. House Bill 2097, Representative Ryder. Out of the record. House Bill 2201, Representative Cullerton. Mr. Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1. This Bill amends the Environmental Protection Act to permit construction of landforms which are man-made above ground mounds covered with sufficient soil materials to sustain vegetation. And this would be with clean construction or demolition debris, which is defined. And this is going to be allowed actually to help with our landfill problem by not having these things fill up our landfill by...and allowing for these things to be used as these landforms. Now the Senate refined the definition of landform to put some limitations on it. It has to be less than 50 feet high. And also it adds a provision to permit...permits the conducting of waste storage, treatment or disposal operations...Let me further explain this. First of all, it tightens the applicability of the Bill to, as I indicated, to keep it at 50 feet. It also allows only a not-for-profit corporation that does economic planning in Chicago to create these landforms. So this limitation complies with the intention of the Bill, which is to allow

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burns around industrial sites created by the Economic Development Commission of Chicago. They're the proponents of the Bill, so we've agreed to the limitations that the Senate put on. It...as a result, there's no opposition to the Bill, and I would move for its adoption."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 2201 and on that question, the Lady from Cook, Representative Munizzi. Are you seeking recognition on this Bill? She indicates she is not seeking recognition. The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 2201?' 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. Vote Representative Hicks 'aye'. And Representative Homer 'aye'. And Representative Regan 'aye'. One hundred and eleven (111) people...Representative Mautino switches from 'no' to 'aye'. One hundred and twelve (112) voting 'aye', the House does concur in Senate Amendment 1 to House Bill 2201 and this Bill, having received the Constitutional Majority, is declared passed. House Bill 2574, Representative Kirkland. Is Mr. Kirkland in the chamber? Out of the record. House Bill 2590, Representative Myron Olson is recognized."

Olson, M.: "Thank you, Madam Chairman, Ladies and Gentlemen of the House. House Bill 2590 is a DCFS initiative which in its original form made non-substantive technical changes in the statutes. It deleted provisions requiring redundant reporting, authorized probation departments to conduct child abuse or neglect investigations and allowed the agency to pay 20% contingency fees for collection services and in its basic essence said that where private counsel, where private counsel could afford it in a divorce case,

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DCFS would not make that investigation. Subsequently in Senate Amendment #1, in which I move to concur to both or all Amendments 1, 2 and 3, in Senate Amendment #1 by a voice vote they provided the term that a neglected child shall include a newborn infant whose blood or urine contains any amount of a controlled substance, unless it is a result of medical treatment. Senate Amendment #2 says that DCFS may provide reimbursement for services to day-care centers that are exempt from the licensing provisions. And Senate Amendment #3 is similar to 1 in that it described the child as abused, rather than neglected. I would move to concur in Senate Amendments 1, 2 and 3 for this DCFS initiative."

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

Johnson: "I don't believe that on an issue or any issue that we ought to have people on the House floor proselytizing Members, and that's happening now. And I would encourage you, whether people are registered lobbyists or simply hammering people on issues, to direct that the floor to be cleared and keep people that are not entitled to the House floor, off the House floor. There's lobbying going on on a very controversial issue that just doesn't belong going on on the House floor."

Speaker Breslin: "Representative, thank you for drawing that to the Chair's attention. That's probably why the noise level is so high as well. Would the Doorkeeper please clear the aisle of every unauthorized person? And we are not going to proceed until every unauthorized person is removed from the House floor. Representative McCracken, for what reason do you seek recognition?"

McCracken: "To recognize someone loved on both sides of the

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aisle. Representative, Former Representative Sam Panayotovich, Cindy and the latest in the Panayotovich clan."

Speaker Breslin: "Welcome. Mr. Doorkeeper? Mr. Doorkeeper, is the House cleared of all unauthorized persons? Representative Olson, I'm sorry for the interruption. Could you please proceed on your Motion to concur on this Bill?"

Olson, M.: "Thank you very much, Madam Speaker, and I join Representative Johnson and the Chair in suggesting that in deference to our Membership who are presenting Bills that they at least have an opportunity to let you understand what they're trying to say. I have explained the three Amendments on 2590. I move to concur in Amendments 1, 2 and 3, which is a DCFS initiative in which I know of no known opposition. I move for concurrence."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1, 2 and 3 to House Bill 2590. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in the Senate Amendments to House Bill 2590?' 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 107 voting 'aye', 5 voting 'no' and 1 voting 'present'. The House does concur in the Senate Amendments on House Bill 2590 and this Bill, having received the Constitutional Majority, is declared passed. House Bill 2604, Representative Wennlund is recognized."

Wennlund: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 to House Bill 2604. What the Amendment does is it restores the original provisions of the Bill as it was in the House

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before it was stripped in the House and sent over to the Senate. It creates the Technology Grant Program and a companion program called the Advanced Technology Investment Program. The purpose of the program is to build on Illinois' existing scientific and technological strengths and to improve long range economic projects. This will be done through grants to help secure federal research and development projects. And the second part of the program is to improve Illinois' productivity and competitiveness by directly assisting companies seeking technological improvements and solutions to their operations. This will be done through financing and loan programs to small and medium sized businesses that will help them pay for the cost of new machinery and equipment and renovation and retooling for the assessment of business productivity needs. The program is to target small and medium sized businesses, and I move in...for favorable concurrence...concurrence of this Senate Amendment."

Speaker Breslin: "Representative Wennlund has moved to concur in Senate Amendment #1 to House Bill 2604. Representative Wennlund, in clearing the House floor, I'm afraid many of our people left their station, and there are some questions on this Bill. Would you mind taking it out for a moment? Thank you. Senate Bill 2613, Representative Hasara, you're recognized to present a Motion."

Hasara: "Thank you, Madam Speaker. I move to concur with Senate Amendment #1 on House Bill 2613. The underlying Bill is the Grave Robbers Act. And the Amendment is simply a technical Amendment which renumbers some of the paragraphs and corrects some spelling errors. I move for the concurrence."

Speaker Breslin: "The Lady moves to concur in the Senate Amendment on House Bill 2613. On the question, the

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Gentleman from Vermilion, Representative Black. Mr. Black."

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

Speaker Breslin: "She will."

Black: "Representative, we just had a case back in my district of something we probably haven't had in 50 or more years. And that was a cemetery was entered at night and graves actually dug up and a body actually removed from a coffin. Would your Bill address this? Would it...and I was surprised to hear that if you do that in Illinois, it's just a misdemeanor. Would this Bill help to provide some stiffer penalties for those people who, for whatever the reason, go into a cemetery and disturb a grave and actually remove a body?"

Hasara: "Yes, Representative, my understanding is that that is one of the purposes of this Bill. This has been a big problem in this state. This and unauthorized people going in and digging up very valuable artifacts and hauling them off."

Black: "Alright, then I'm all for it. Thank you."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2613?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Representative Hicks votes 'aye'. The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no' and none voting 'present'. The House does concur...115 voting 'aye'. The House does concur in Senate Amendment #1 to House Bill 2613 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2784, Representative Kubik is recognized."

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

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House. Could we have the board..."

Speaker Breslin: "Mr. Clerk, we are on House Bill 2784."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would move to concur with Senate Amendments #1 and 2 to House Bill 2784. The underlying Bill has to do with a cleanup with regard to taxpayers who make estimated tax payment. Senate Amendment #1 would provide that a...an individual can allow for a...to contribute to the various funds on their income tax form, make a contribution other than just on a refund. So, that's the first provision. Senate Amendment #2..."

Speaker Breslin: "Excuse me, Representative Kubik, we have the same problem with this Bill as we had with Representative Wennlund's Bill. Would you mind taking it out of the record until the Reps. come back? Thank you. With leave, we will go back to Representative Kubik's Bill. That's House Bill 2784, Mr. Clerk. House Bill 2784. Representative Kubik is recognized on a Motion to concur."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Previously I've explained Amendment...Senate Amendment #1. Senate Amendment #2 would strike the provision that the failure of any Supervisor of Assessments or Board of Assessors to call upon the County Clerk and receive the tax assessment books and blanks shall be sufficient cause to declare his or their office vacant and for the appointment of a successor. I know of no opposition to this legislation. I've discussed it with Representative Currie, and I would move to concur in both Senate Amendments 1 and 2."

Speaker Breslin: "The Gentleman has moved to concur in the Senate Amendments on House Bill 2784. On the question, the Gentleman from Madison, Representative Wolf."

Wolf: "Thank you, Madam Speaker. Would the Sponsor yield to a

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question?"

Speaker Breslin: "He will."

Wolf: "Representative Kubik, I noticed that you are striking the provision that provides for the enforcement for a Supervisor of Assessments' removal. Is there anything in this Amendment that would change the date that the assessment books are to be returned to the Supervisor of Assessments?"

Kubik: "No."

Wolf: "No?"

Kubik: "No."

Wolf: "Thank you."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 2784?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 109 voting 'aye', none voting 'no'. The House does concur in Senate Amendments 1 and 2 to House Bill 2784 and this Bill, having received the Constitutional... Representative Barger votes 'aye'. And Representative Bowman changes from 'aye' to 'no'. Representative Levin changes his vote from 'aye' to 'no'. Representative DeJaegher...excuse me. Representative McCracken, for what reason do you seek recognition?"

McCracken: "Well, I suspect there's a misunderstanding that prompts that. The check off was going to come off anyway, because it didn't meet the one hundred thousand dollar requirement to remain. So this has nothing to do with that if that's the basis of your problem."

Speaker Breslin: "Representative Turner votes 'aye'. Representative Martinez, how do you wish to vote? He votes 'aye'. Representative Terzich votes 'aye'. Shirley Jones

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votes 'aye'. One hundred and twelve (112) voting 'aye', 2 voting 'no'. The House concurs with Senate Amendment 1 and 2 to House Bill 2784 and this Bill, having received the Constitutional Majority, is declared passed. Ladies and Gentlemen, we are prepared to move off of this Order of Concurrences onto Supplemental #1. So if there's anyone who has a Bill on this Order that needs to call it right now...Representative McCracken."

McCracken: "We took 2604 out of the record earlier at Representative Cullerton's request. Are they ready for that?"

Speaker Breslin: "They're not back."

McCracken: "They're not back?"

Speaker Breslin: "Yes, but we'll come back to it. Concurrences - State and Local Government - Supplemental #1. The first Bill is House Bill 312, Representative Ropp. Mr. Ropp, you're recognized for a Motion."

Ropp: "Madam Speaker, I move that we concur in Senate Amendment 1 to House Bill 312. As you may well recall, House Bill 312 was a codification of all of the County Government Statutes into one Section of our Statute. And when it got to the Senate, Senate Amendment 1 added a small provision that said in those counties where the County Board Chairman is elected at large, not being a member of the County Board, that that term shall be for four years in counties of populations of 600,000 and more. I move to accept that Amendment and concur with the Senate Amendment 1 to House Bill 312."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 312. On the question, the Gentleman from Fulton, Representative Homer."

Homer: "Will the Gentleman yield?"

Speaker Breslin: "He will."

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Homer: "How many elected officials in this state, Representative Ropp, would this Bill apply to?"

Ropp: "As I understand, no more than four."

Homer: "Who are the four offices?"

Ropp: "There's only one that I know."

Homer: "So it's no more than four...no more than one. Well, narrow it down to...the answer then is one?"

Ropp: "No, I really think there's about three or four of them. I don't know what the counties are. I only know of one of the counties from whom the Sponsor resides that provided that Amendment."

Homer: "Well...It applies to only one county, as I understand it, Representative Ropp. It applies to DuPage County. Do you have...Do you have any indi...Do you have any information that would lead you to believe that that is not so?"

Ropp: "My thinking it's at least that county, yes."

Homer: "Well, it's at least that county and what it would do, as I understand it, is give the County Board Chair four year terms, irrespective of the year in which apportionment is required. Is that correct?"

Ropp: "Correct."

Speaker Breslin: "Representative Homer."

Homer: "Madam...Madam...Madam Speaker, to the Bill. I would urge the Members to oppose the Gentleman's Motion to concur in this Bill. This is a special purpose Bill, I suppose handled by Representative Ropp so as to disguise its whereabouts or the origin. It's offered on behalf of the Chairman of the County Board of DuPage County. He wants to be elected to four year terms and not have to run for a two year term during the year of apportionment like everyone else with four year terms is required to do in the Illinois State Senate or on any County Board. Now, the reason he wants to do that, I don't know. I don't know why the

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DuPage County Board Chairman wants to be able to run this coming time for a four year term instead of as he would otherwise be required to do run for a two year term. He may or may not be worthy of that consideration as an individual. I have no bone to pick with the DuPage County Board Chairman, but I do think it's a terrible precedent to single out any officeholder in this state for special privilege in terms of the length of his or her office. The Constitution requires that terms expire in line with reapportionment, so that when new redistricting occurs in 1992, everyone will be running for office that same year. You know, wonder of wonders, I just...I just learned that, in fact, this is not such a bad idea, that after all, we support the four year term for the DuPage County Board Chairman and so rather than continue, I would just like to say that Representative Ropp, I remove my objection to your Bill."

Speaker Breslin: "The Gentleman from Will, Representative Van Duyne. Ladies and Gentlemen, we cannot hear. Representative.."

Van Duyne: "Thank you, Madam Speaker..."

Speaker Breslin: "Excuse me. Representative.."

Van Duyne: "Would the Gentleman allow a question?"

Speaker Breslin: "Surely. Proceed."

Van Duyne: "Representative Kubik, is it Kubik?"

Speaker Breslin: "It's Representative Ropp."

Van Duyne: "Oh, Representative Ropp, I'm sorry."

Ropp: "I'm the tall one down here in front."

Van Duyne: "Representative Ropp, can you give me any logic at all as to what the new census tracts would have to do with the County Board Chairman?"

Ropp: "Would you like to tell me?"

Van Duyne: "Well, the County Board Chairman in my county and I

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presume that we are different than the four counties that you're talking about that serve four year terms. What my synopsis says, it's going to exempt Cook and DuPage County. Well, I don't care about Cook and DuPage County, but what has Will County, for example, got to do with a census? Our analysis says that they will serve four year terms except for the federal decennial census that which the Chairmen will serve two years. Now I fail to see the necess... the need for this Bill at all. In my county and in Lake County and all the other larger counties, the County Board Chairman is elected by the County Board Members themselves and they have no bearing on the census tracts whatsoever. They are Chairmen of the whole county."

Ropp: "Well, in this particular case, it is elected apparently by the members of the entire county, not members...not a member of the County Board until he becomes the Chairman of that Board and that is one of the distinctions in this particular Amendment."

Van Duynes: "So, your explanation is that this Bill has no bearing on the County Board Chairmen whatever, unless they are elected at large."

Ropp: "This is where a member of the County Board that be...This is where the Chairman of the County Board is originally not a member of that Board first before he becomes Chairman."

Van Duynes: "Okay. Now why would we want to exempt Cook County and DuPage County?"

Ropp: "Because someone in that particular district, who is a Member of the General Assembly, introduced the Amendment and here we are."

Van Duynes: "Well, Madam Speaker, to the Amendment. I really don't see why a lot of these Bills come before us and I have a kind of a knack, at least I think I do, that somebody is putting this up for their own...their own

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individual purposes. I see no reason in the world why any County Board Chairman would want to mess up his tenure in office and change it from anything that's going on in the rest of the county, so unless I can come up...somebody can up with a more logical reason for this, I don't see any reason for passing it at all or any concurrence."

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

Hoffman: "Thank you, Madam Speaker. In response to the previous Speaker. Cook County and DuPage County elect their County Board Chairmen at large. Therefore, the population change makes no difference. If there's five and a half million people or there's seven and a half million people, you still run at large. It has nothing to do with population. The 4-4-2 applies to people who are affected by the change in the census. Cook and DuPage are not affected by the change in the census. And therefore, Madam Speaker, I concur with Representative Homer. This is a fine Bill."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 312?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 104 voting 'aye', 9 voting 'no' and 1 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 312 and this Bill, having received the Constitutional Majority, is declared passed. House Bill 1881, Representative McCracken. Out of the record. House Bill 2266, Representative Currie. Out of the record. House Bill 2362, Representative Cullerton. Out of the record. House Bill 2365, Representative Hoffman. Mr. Hoffman. You're recognized for a Motion, Sir. Out of the record. House Bill 2405, Representative

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Krska. Out of the record. With leave, I'd like to go to the Order of Concurrences to take two Motions to non-concur. The first Bill is House Bill 2421, Representative McPike."

McPike: "Thank you, Madam Speaker. I move to non-concur in Senate Amendment #2 to House Bill 2421. This is a IDFA vehicle Bill."

Speaker Breslin: "The Gentleman has moved to non-concur in Senate Amendment #2 to House Bill 2421. Is there any discussion? There being none, the question is, 'Shall the House non-concur in Senate Amendment 2 to House Bill 2421?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House non-concurs in the Senate Amendment on this Bill. On the same Order of Concurrences - House Bill 2790, Representative McPike."

McPike: "Thank you, Madam Speaker. I move to non-concur in Senate Amendment #1 to House Bill 2790. This was a...administration Bill dealing with the EPA Act and the Amendments party settlements, and it appears like we have an agreement that we'd like to put on in Conference."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 2790. Is there any discussion? There being none, the question is, 'Shall the House non-concur in Senate Amendment 1 to House Bill 7...2790?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House non-concurs in this Amendment on this Bill. On the Regular Order of Concurrences - State and Local Government appears House Bill 2574, Representative Kirkland."

Kirkland: "Thank you, Madam Speaker. I move to concur in Senate Amendment #1. The Bill itself requires local governments to keep their tipping fees, this from the Solid Waste Management Act of a couple of years ago, in a separate

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fund. The Amendment removes language that said those moneys had to be spent within a year and substitutes for that allowing the governments to accumulate the funds for one or more years and also requiring those governments to report to the IEPA annually on expenditures and other information regarding those solid waste fee revenues. I move for concurrence."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 2574. And on that question, is there any discussion? Any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2574?' 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? Representative Hicks is already voting 'aye'. Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment 1 to House Bill 2574 and this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences appears House Bill 714, Representative Giorgi. You're recognized, Sir."

Giorgi: "Madam Speaker, I move that the House non-concur in Senate Amendments #1 and 2 to House Bill 714 and ask that a Conference Committee Report... Conference Committee be formed."

Speaker Breslin: "The Gentleman has moved to non-concur in the Senate Amendments on House Bill 714. On that question, is there any discussion? There being none, the question is, 'Shall the House...On the question, the Gentleman from Cook, Representative Piel."

Piel: "Tom, we're talking about House Bill 714?"

Speaker Breslin: "Yes."

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Piel: "According to my Calendar, Representative Steczo is the Sponsor."

Speaker Breslin: "The Sponsorship has been changed."

Piel: "Oh, the Sponsor's...Yea, is this on a Special Order? I can't find it on my Order of Call here."

Speaker Breslin: "It's on page 3 on your Calendar."

Piel: "Okay, so we're now going to the Calendar to where anybody that has one that is not on a Special Call can call it?"

Speaker Breslin: "We just did it for this business. If you would rather that we call it on a Special Order, we would certainly be happy to do that."

Piel: "Well, no, I mean there's other Members in the House who have not...are not on a Special Order and I, you know, for those Members I would think that maybe they might want their Bills called, too. Thank you."

Speaker Breslin: "This is on the Order of Non-Concurrence, Representative Piel. So, the object is to move these Bills in order to get the Conference Committees going in a respectable period of time. Is there any further discussion needed? There being none, the question is, 'Shall the House non-concur in Senate Amendments 1 and 2 to House Bill 714?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House non-concurs in the Senate Amendments to House Bill 714. We don't appoint the Conference Committees here. The Senate has to do that, Representative Giorgi. The next Bill is House Bill 2365. Is Representative Hoffman still here? I guess he wanted that out of the record. Out of the record. House Bill 2409, Representative Cullerton. Mr. Cullerton. Out of the record. House Bill 2421, Representative McPike. We've already non-concurred on that. House Bill 2435, Mr. Mays. Representative Mays. Out of the record. House Bill 2447, Representative

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Pullen."

Pullen: "Thank you, Madam Speaker. I move to concur in Senate Amendments 1 and 2 to House Bill 2447. This is the Bill which requires school boards to ban the use of tobacco on school property with certain exceptions. The Senate added some technical language and added additional exception to provide for a designated area inside or outside the school building during interscholastic indoor athletic activities. I'm not crazy about the Amendment but it isn't that offensive to me, so I move that we concur in the Senate Amendments."

Speaker Breslin: "The Lady moves to concur in the Senate Amendments on House Bill 2447. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 2447?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 115...Mr. Hallock votes 'aye'. Representative Hallock votes 'aye'. There are 116 voting 'aye', none voting 'no' and 1 voting 'present'. The House does concur in the Senate Amendments to House Bill 2447 and this Bill, having received the Constitutional Majority, is declared passed. House Bill 2687, Representative LeFlore. Mr. LeFlore, do you wish to move this Bill? Proceed, Sir. You're recognized for your Motion."

LeFlore: "Yes, thank you, Madam Speaker. Senate Bill...House Bill 2687 was amended in the Senate that limit the race relation course requirements to public instruction of higher education and learning. It also given an effective date that the Bill the will to into effec...that the mandate will go into effect. I would just like to have an

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affirmative vote on this particular measure."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 2687. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in the Senate Amendment to House Bill 2687?' 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 104 voting 'aye', 8 voting 'no' and 2 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 2687 and this Bill, having received the Constitutional Majority, is declared passed. House Bill 2776, Representative Madigan. Out of the record. House Bill 2790, Representative McPike. We have non-concurred in this Bill, I am advised. House Bill 2805. There's a Sponsor here recorded, Mr. Clerk, that we no longer own. That's now Senator Daley. Who is the Sponsor of this Bill? Senator DeLeo. Oh, Representative DeLeo. Representative DeLeo, you're recognized on this Bill."

DeLeo: "Thank you, Madam Speaker and Members of the House. I move to concur in Senate Amendment #1. Senate Amendment #1 is an action to foreclose a lien on the owner or owners arising from a demolition of a building that may be commenced at any time after filing notice. Current law allows counties and municipalities to demolish buildings. This would give them a priority lien situation. Any action to foreclose this lien may be commenced within three years of the filing date notice of lien. I ask to concur in Senate Amendment #1."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment 1 to House Bill 2805. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 2805?'

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All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On the question there are 109 voting 'aye', none voting 'no' and 2 voting 'present'. The House does concur in Senate Amendment 1 to House Bill 2805 and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Martinez, for what reason do you seek recognition?"

Martinez: "Would you please let the record reflect I would have wanted to vote 'aye' on 2805, House Bill 2805."

Speaker Breslin: "The transcripts will reflect that, Sir. On the Order of Concurrences - State and Local Government appears Senate (sic - House) Bill 1237, Representative Brunsvold. Mr. Brunsvold."

Brunsvold: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 to House Bill 1237. The original Bill had some clarifying language that dealt with fire equipment distributors that clarified the position of companies like John Deere and Caterpillar that in-house...in-house supervision of their fire facilities was not part of the fire equipment distributors' definition. The Senate Amendment put on by Senator Berman indicated incorporations employing 2,000 or more employees. I don't feel that Senate Amendment does anything but further clarify the industrial manufacture employ over 2,000 employees and would definitely take them out of the fire distributors' definition. And I would move to concur."

Speaker Breslin: "Representative Brunsvold has moved to concur in Senate Amendment #1 to House Bill 1237. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in the Senate Amendment to this Bill?' All those...excuse me, Representative Van Duyne, on

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the question..."

Van Dyne: "Madam Speaker, if I can just take a second to tell you that this speaking system we have here sucks. You can't hear a thing and in conjunction with that...in conjunction with that, I'd like to ask is he asking for concurrence or nonconcurrence?"

Speaker Breslin: "The Gentleman has moved to concur, Sir. A lot does not have to do with the speaking system, it has to do with the noise level in this chamber. And if we each did our part to lower our voices and not scream at each other across the chamber, it would help a great deal. Now, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1237?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Representative McCracken. Have all voted who wish? The Clerk will take the record. On this question there are 107 voting 'aye', 2 voting 'no', 2 voting 'present'. The House does concur in the Senate Amendment to House Bill 1237, and this Bill having received the Constitutional Majority is declared passed. On the Order of Postponed...on the Order of Consideration Postponed, on page two on your Calendar, Senate Bill 100. Out of the record. Senate Bill 292, Representative Kulas. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 292, a Bill for an Act in relationship to medical and family responsibility leave. Third Reading of this Bill."

Speaker Breslin: "Representative Kulas."

Kulas: "Thank you, Madam Speaker. I would ask for leave to bring the Bill back to Second Reading for the purposes of an Amendment."

Speaker Breslin: "Representative Kulas now asks leave to return this Bill to the Order of Second for the purposes of an

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Amendment. On that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Yeah, rather than engage in the give and take and pretend we care what this Amendment does, I'm just going to object to going back to Third...to Second Reading."

Speaker Breslin: "Representative, what was your objection, Representative McCracken?"

McCracken: "The Sponsor asked leave of the House to return it to Second Reading and I object."

Speaker Breslin: "Okay. Therefore, Representative Kulas moves to return this Bill to the Order of Second for the purposes of an Amendment. All those in favor vote 'aye', all those...excuse me, Representative McCracken."

McCracken: "Yes, I would like to address the Motion."

Speaker Breslin: "Surely, proceed."

McCracken: "Thank you. Will the Sponsor yield for a question?"

Speaker Breslin: "He will."

McCracken: "What does the Amendment do, Representative Kulas? How does it make it a Bill more palatable to those who oppose the underlying Bill?"

Kulas: "It takes away the...it bring the Bill more to the original Bill that I passed out of the House, where it takes away...where the employee who takes the family and medical leave, would have to pay his own insurance."

McCracken: "Does it do any..."

Kulas: "That's eight weeks and 50 or more employees."

McCracken: "But it still allows leave where the threshold minimum requirements exist, is that right?"

Kulas: "At 50 employees, right."

McCracken: "Okay. Alright, well, to the Motion this is...this is an opportunity to...with any luck beat this Bill once and for all. Any of you who have been in opposition to this Bill in the past, I can assure you that this Amendment does

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not make it in a form palatable so that it should pass the House, the Senate, anywhere. If it passed the House once before, I suspect it was because we were not paying adequate attention to what was going on. This is still a bad Bill. This Motion if we prevail...if it receives fewer than 60 votes we can effectively stop the Bill. This is an opportunity to do that. I rise in opposition to the Motion and ask my colleagues to join me."

Speaker Breslin: "The question is, 'Shall the House return this Bill to the Order of Second Reading for the purposes of an Amendment?' Representative Kulas, did you need to close on your Motion? No. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This Motion requires 60 votes. Have all voted who wish? Have all voted who wish? Only vote your own switches. Have all voted who wish? The Clerk will take the record. On this question there are 66 voting 'aye', 48 voting 'no', 1 voting 'present'. Representative McCracken asks for a verification. Representative Kulas asks for a Poll of the Absentees. Please do both, Mr. Clerk."

Clerk Leone: "Poll of those not voting. Representative Hicks and Terzich are not voting. Proceeding with the Poll of the Affirmative. Balanoff. Barnes. Bowman. Breslin. Brunsvold. Bugielski. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Goforth. Granberg. Hannig. Hartke. Homer. Lou Jones. Shirley Jones. Keane. Krska. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Phelps. Preston. Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Steczo. Stern. Sutker. Trotter. Turner. Van Duyne. White. Williams. Wolf.

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Woolard. Anthony Young. Wyvetter Younge. And Mr. Speaker."

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

Mulcahey: "The usual. May I have leave to be verified? Thank you."

Speaker Breslin: "Leave is granted. Do you have any questions of the Affirmative, Mr. McCracken?"

McCracken: "Yes, Representative Leverenz?"

Speaker Breslin: "Representative Leverenz. Ted Leverenz. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him."

McCracken: "Representative Ronan?"

Speaker Breslin: "Representative Ronan. Representative Al Ronan. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him."

McCracken: "Representative Keane?"

Speaker Breslin: "Representative Keane. Representative Jim Keane. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him. Representative Martinez, for what reason do you seek recognition? You ask leave to be verified. Representative Martinez is granted leave. Proceed."

McCracken: "Representative Curran?"

Speaker Breslin: "Representative Curran. Michael Curran. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him."

McCracken: "Representative..."

Speaker Breslin: "Representative...excuse me. Representative

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Leverenz has returned to the chamber, add him to the Roll Call voting 'aye'."

McCracken: "Representative Wolf?"

Speaker Breslin: "Representative Wolf. Representative Curran has returned to the chamber, add him to the Roll Call voting 'aye'. Representative Shaw and Mautino and Williams and LeFlore ask leave to be verified."

McCracken: "Yes. And Representative Cullerton asks leave."

Speaker Breslin: "That was Shaw, Mautino, Williams, LeFlore, Representative Cullerton and Jones and Anthony Young asks leave to be verified."

McCracken: "Okay, now that's it for a little while."

Speaker Breslin: "Talk with Representative McCracken. Representative Keane has returned to the chamber, add him to the Roll Call voting 'aye'. Representative Ronan has returned to the chamber, add him to the Roll Call voting 'aye'. Representative Balanoff has leave to be verified. Representative John Dunn has leave to be verified."

McCracken: "Alright, thank you. Representative Flinn?"

Speaker Breslin: "Representative Monroe Flinn. Monroe Flinn. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him. Representative Wayne Goforth asks leave to be verified. Right here."

McCracken: "I don't see him. Where is he, I don't see him. I can't hear him and I can't see him. Representative Richmond?"

Speaker Breslin: "Representative Richmond. Bruce Richmond. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him."

McCracken: "Representative Hicks?"

Speaker Breslin: "Representative Hicks is not recorded as

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voting."

McCracken: "Alright. Representative Satterthwaite?"

Speaker Breslin: "Representative Satterthwaite is in her chair."

McCracken: "Representative Lang?"

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

McCracken: "I can't see him. He might be there. Representative Laurino?"

Speaker Breslin: "Mr. Laurino's in his chair also. Representative DeLeo asks leave to be verified. In the back, Representative DeLeo."

McCracken: "I was counting on Representative DeLeo."

Speaker Breslin: "Leave is granted."

McCracken: "Okay, Representative Turner...no, no, he had leave. Representative..."

Speaker Breslin: "Representative Davis asks for leave. Monique Davis. Leave is granted."

McCracken: "Yes. Representative Krska?"

Speaker Breslin: "Representative Krska. Bob Krska. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him."

McCracken: "Representative Saltsman?"

Speaker Breslin: "Representative Saltsman. Don Saltsman. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him. Representative Countryman, for what reason do you seek recognition? Mr. Countryman."

Countryman: "We have a distinct honor and former Representative Joe Ebbesen from DeKalb is with us."

Speaker Breslin: "Welcome, Joe. Any further questions, Representative McCracken?"

McCracken: "Yes, Representative Shirley Jones?"

Speaker Breslin: "Representative Shirley Jones is in her chair."

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McCracken: "Representative Williams?"

Speaker Breslin: "He asked leave to be verified and was granted it."

McCracken: "Representative Barnes?"

Speaker Breslin: "Representative Barnes. Jane Barnes. How is the Lady recorded?"

Clerk Leone: "The Lady is recorded as voting 'aye'."

Speaker Breslin: "Remove her. Representative Tate, for what reason do you seek recognition?"

Tate: "Thank you, Madam Speaker. I rise to explain my vote. I can explain my vote can't I?"

Speaker Breslin: "Only if you are going to chang...only if you are voting. You are voting 'no'."

Tate: "I can explain my vote on the Motion, can't I?"

Speaker Breslin: "No. Only if you are voting."

Tate: "Didn't you allow that consideration for one of your Members?"

Speaker Breslin: "We allowed it when this Gentleman was voting. You have already voted."

Tate: "Well, he voted 'present'."

Speaker Breslin: "And he was changing his vote."

Tate: "Well, okay then, Madam Speaker, I..."

Speaker Breslin: "Representative Saltsman has returned to the chamber, add him to the Roll Call voting 'aye'."

Tate: "...Madam Speaker, I would probably like to vote 'present' then. So now can I explain my 'no' to a 'present'?"

Speaker Breslin: "Only if you're not being dilatory, Representative Tate. Do not..."

Tate: "Okay, then I will...I will...I will explain my vote to 'present'. The reason that I'm voting 'present' is, we have voted on this Bill three times this Session. We're giving extra consideration to this issue. I know it's an important issue to many Members of this and you also know

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that it's been a very partisan issue in this debate today, as well as last week when we called this issue and three months ago when we called this issue. What the...well, I vote 'present'."

McCracken: "Speaker."

Speaker Breslin: "Representative McCracken."

McCracken: "Representative Goforth?"

Speaker Breslin: "Excuse me, Representative Tate has voted 'present'. Representative Goforth. He was not granted leave to be verified, Gentlemen. He asked for leave and it was denied. The Gentleman is now not in the chamber. He was not verified. He asked for leave to be verified and it was denied and now the Gentleman is not in the chamber. How is the Gentleman recorded, Mr. Clerk?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call. Representative Kulas, for what reason do you seek recognition?"

Kulas: "I don't want to be dilatory either, but if you're going to allow them to explain their vote, then I'm going to explain my vote."

Speaker Breslin: "Are you changing your vote, Sir?"

Kulas: "Not yet."

Speaker Breslin: "We...Representative Goforth has returned to the chamber, add him to the Roll Call voting 'aye'. And now he has voted personally and can no longer be taken off. Do you have any further questions, Representative McCracken? There are no further questions. Then on this question there are 62 voting 'aye', 47 voting 'no', 2 voting 'present'. And the House grants leave to return this Bill to the Order of Second for the purposes of an Amendment. Are there any Amendments on file, Mr. Clerk?"

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

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Speaker Breslin: "Representative Kulas."

Kulas: "Withdraw Amendment #1."

Speaker Breslin: "Withdraw #1. Any further Amendments?"

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

Speaker Breslin: "Representative Kulas."

Kulas: "Yes, thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #2 changes the threshold from 35 to 50, the number of unpaid leave from 12 weeks to 8 weeks and it also takes out the provisions where an ins...it puts in the provision that any insurance provided by the employer to the employee may be continued by such employee at the employees expense. Therefore, it doesn't cost the employer a penny. And I would move for the adoption of Amendment #2."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 2 to Senate Bill 292. On the question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. I rise in opposition to the Amendment. Don't be fooled, this will not create a Bill which solves the problems of the underlying concept. I ask for a Roll Call."

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

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

Speaker Breslin: "He will."

Didrickson: "Representative Kulas, I see that you're going to water down your Bill here and I'm just curious. Are you aware of a report that's come out of the General Accounting Office with regards to that 50 employee threshold?"

Kulas: "No, I'm not."

Didrickson: "It excludes 95 percent of the nations employers with

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this Amendment."

Kulas: "Right."

Didrickson: "You're only going to reach potentially 5 percent, is that what you want to do?"

Kulas: "That's correct."

Didrickson: "Is that your intention?"

Kulas: "That doesn't affect small businessmen at all. Right. That's correct, it only affects 5 percent of the businesses in the State of Illinois."

Didrickson: "With this Amendment, at best, you can reach 5 percent of those employers...or 5 percent of those employees. And at best in the State of Illinois, there's...you're still talking about small businesses and small employers. Seventy-one percent of them already, already provide this. So now we are even inching away at that minimal 5 percent. Do you really want to water down your Bill to that extent?"

Kulas: "Well, Representative Didrickson, let me explain something. The Bill covers only 5 percent of the employers, but it covers over 70 percent of the employees in the State of Illinois."

Didrickson: "Well, to the Bill and to the measure rather, Madam Speaker, Members of the House. If...if this General Assembly is going to be sincere about an effort, I don't think that this is the way to go. The General Accounting Office at the federal level says exactly what the Sponsor has just admitted. The 50 employee threshold excludes 95 percent of the nations employers and 71 percent of the state employers, small business employers already provide it. It's not necessary and a 'no' vote is the right vote on this issue."

Speaker Breslin: "Representative Parcells on the question."

Parcells: "Thank you, Madam Speaker, Ladies and Gentlemen. This

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is still a bad Bill. We defeated it last week and the week before and the week before. I know the Sponsor has good intentions. He's tried to improve it by raising the number of employees and lowering the number of weeks but he has missed the point. And the point is, that it's big brother, that's us, messing in the private sector once again. Right now, employees are very happy with what they've got going. Seventy percent of the employers in this state presently work these things out on a one on one basis with their employees. They're already doing it. And when you cut this out, you are cutting out that employee's chance to maybe take another selection from that cafeteria of benefits. Maybe they can't afford to take this kind of time off, they need that paycheck if they're a single parent. But they may be offered a longer vacation or a shorter work week. If we force this down the throats of business, which we have no business doing, they should be doing this with collective bargaining, they should be doing this between employer and employee. We have no business in this. And if we persist in this, then they will have to do away with other benefits that they offer because employers will not be able to afford this. We are choking the goose that laid the golden egg here. Business cannot survive if we keep heaping up with...them with these expensive benefits that they have to give. And once again I point out to you, if you try to be practical about this how do you hire a plumber, a lawyer, an architect or a physics professor when that person decides to take eight weeks off? You don't just call your Kelly Girl. They're not available. By the time you finally find one and train one, they leave you and then the worst part of this Bill of all is that they can go and collect unemployment for you, so you now have to pay double salaries if you are lucky enough

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to be able to fit...fill that job. The...a Sponsor of the Amendment has tried to improve it, but he missed the most important points here. This is a bad Amendment. I encourage you to vote 'no' to this Amendment."

Speaker Breslin: "The Gentleman from Williamson, Representative Woolard."

Woolard: "Madam Speaker, Members of the House, I think that a good point was just raised and I think that is something that we should look at as a real option as we deal with this Bill. I think definitely the lost of employees and time and effort that we might put forth as employers is very much a part of the decision that we have to make. And definitely one of those decisions is the loss of employees. In fact, those employees which may become pregnant, may decide to start a family, may have to leave employment and create a very adverse situation for that employer if that happens. With this Bill, as it has been restructured, it is available to all of us in such a way that we can afford it now. I think that it is realistic for us to accept, but now we're going to be afforded that opportunity to allow those employees to return to work after 8 weeks at no cost to the employer. I think that those readily trained employees that we have coming back in 8 weeks is a whole lot better than losing completely those good employees who would never return if we didn't have something available such as this. So that definitely is a good point and I appreciate someone bringing that up."

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

Klemm: "Thank you, Madam Speaker. You know, sometimes we wonder why a Sears Roebuck wants to leave the State of Illinois in the first place, where we have to spend tons and tons and tons of millions of dollars to keep an employer here in

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Illinois. I sometimes wonder if maybe the reason they look at other states are because of the mandates we do against businesses who we say we need so desperately. So on one hand we do mandates that say, 'employers you'll have to do more but if you ever want to leave this state we'll try to buy you back.' I think maybe that's the reason we'd be better off and better served if we had less mandates on businesses, they would welcome to stay in Illinois, they would be delighted to move to Illinois and we could save hundreds of millions of dollars of trying to buy them to stay in Illinois, and then pass these Bills that make it more difficult for them to do so. I think some place we better stop this collision course with businesses and start looking at the real world. And I think this is not a very good Amendment."

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

Ropp: "Thank you, Madam Speaker. Just to express a concern that ultimately is going to happen if this kind of legislation passes is that, employers are just not going to hire young men and young women from the ages of 18 up to about 40, because of the fact that they're not going to be employed or they're going to lose them for awhile while they are rearing their family. And I have nothing wrong against rearing their family, I think that's extremely important. But I think when we're attempting to help the employee, we are in fact sending a wrong message to those people giving them higher expectations than what is really going to happen. And so I urge the defeat of this Amendment and ultimately the Bill, because I think these things can ultimately be worked out between the employer and the employee individually rather than mandating this kind of an issue."

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

Kulas: "Well, thank you, Madam Speaker, Ladies and Gentlemen of the House. Don't listen to the red herrings being thrown here. First of all, it's unpaid leave. And don't think that everybody is going to be running to take 8 weeks off at a time. It's there for an emergency. When my mother got sick, I had to take 2 weeks off for something, it's there so I can take care of my family, or if my child got sick. This is what it's for. I'm not going to run there and take 8 weeks off because I feel like it. So this is just to be used in case of an emergency and the employee has all kinds of...all kinds of alternatives here. He can deny it. So there...there are protections for business. Let's face it, this only affects 5 percent of the businesses in the State of Illinois. Five percent. So small business isn't affected by this. Don't listen to that. But it does affect over 70 percent of the employees. And the eleven million and a half...eleven and a half million people of the State of Illinois need this kind of legislation and I would move for the adoption of Amendment #2."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment 2 to Senate Bill 292?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. A majority of those voting on the question carries the Motion. Have all voted who wish? Have all voted who wish? The Clerk will take the...Representative Homer, for what reason do you seek recognition?"

Homer: "Explain my vote, Madam Speaker. I...I think it's important to correct something a previous speaker said when she said that we defeated this legislation previously. As a matter of fact, we passed the identical House Bill that

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Representative Kulas had. It went to the Senate, was not called. Senate Bill 292 did not receive the required number of votes when it was called last week. However, this is not the same version that was in that Bill at that time. This Bill is 8 weeks leave instead of 12. This Bill pertains to businesses with 50 or more employees and not 35. And this Bill provides that it is the employee who will pay the health insurance, not the employer. It's a very fair Bill to both employers and employees. It provides a very basic and needed opportunity for family members to have emergency leave at their own expense for a reasonable period..."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 63 voting 'aye', 49 voting 'no', and the Amendment is adopted. Are there any further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Excuse me. Representative Brunsvold wishes the record to reflect that he wished to have voted 'aye'. No further Amendments, the Bill moves to Third Reading. Supplemental Calendar Announcement."

Clerk O'Brien: "Supplemental Calendar #2 has been distributed."

Speaker Keane: "Representative Keane in the Chair. On House Calendar Supplemental 2 appears on Concurrence, Special Order of Business, Concurrences, House Bill 2025. Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, this Bill through Amendment #1, was completely gutted. And in its place was a provision that would require on any occasion in which a municipality has annexed property and a landfill, a regional pollution control facility was established, with the use of that property. Within a five year period the residents of that municipality have the

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right to vote to accept or reject the municipalit...reject the regional pollution control facility at referendum. It is a measure that provides more local input into the siting of a regional pollution control facility, when the land for that facility was acquired through annexation. The reason for the provision was that...is that, under normal siting conditions, the decision making for whether or not the regional pollution control facility would be placed in that area should go to the county board. If the county board has been preempted from making the decision by a local municipality, the people in that municipality would at least be given the opportunity to vote on the question. I would be happy to answer any questions."

Speaker Keane: "Representative McCracken."

McCracken: "Thank you. I rise in opposition to this Bill on a number of points. The first being, that there was to be next year, a comprehensive review of landfill siting and that...for that reason, the underlying Bill, which this duplicates in Senate Amendment 1 was killed in the House Energy, Natural Environment Committee. For that express reason the...both groups, those who would typically be considered the business groups in this state as well as the environmentalists, as well as the landfill developers had all agreed that this issue would be deferred until next year when it would be addressed comprehensively. That's the reason this Bill was killed. Now, I don't think we should be going back on that agreement in this year. Let's put this off. Let's consider this in due course comprehensively when all parties to the agreement, to put it off 'till next year have had an opportunity to respond. You know, a lot of those people may have gone home already thinking that they had no landfill issues left because of this agreement by all interested parties. Let's not back

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off of that agreement. Let's consider this in due course.

I rise in opposition."

Speaker Keane: "Representative Kulas."

Kulas: "Thank you, Madam (sic - Mr.) Speaker, Ladies and Gentlemen of the House. As Chairman of the Energy and Environment Committee, I've spoken many times on this floor against any type of referendums to prohibit landfills. For many years now, we have hid our...we have hid our heads in the sand and have not tried to solve the problem of the ever increasing problem of garbage and where we're going to put it. We all make garbage, but nobody wants it in their backyard. A Bill similar to this was heard in the House, failed in the House. A Senate Bill came over, it had a fair hearing in the House, it failed again in the House. Finally this year, this House realized that this is a problem that we can no longer ignore. And House Joint Resolution 58 passed out of this House, which forms a special task force to look into the problem of landfills and the ever increasing problem of garbage per se, recycling and everything else included. This Bill...if we pass this Bill, we would say, 'well, it's no problem really'. So again, we'd be sticking our heads back in the sand. I ask you all to take a good look in this Bill and vote 'no'."

Speaker Keane: "Representative Weller."

Weller: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Let's look at why this whole issue has been raised. We have communities in this district and there's two of them that happen...excuse me, in the state, two of them happen to be in my district. Let me use Marseilles for an example. Marseilles is a financially troubled community. Landfill developers come to that community and say, 'if you annex this property into your community, we'll pave your

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streets with gold and we'll offer to do all these wonderful things for you'. Well frankly, in many of these small communities, the people of that community have the same level of expertise as the community leaders, the city fathers and mothers, who sit on the city council, and the mayor. The same level of expertise when it comes to making this type of decision. When you cast your vote on this concurrence, you're saying whether or not you believe that the people who are going to be affected by the decision should be part of this decision. I urge an 'aye' vote."

Speaker Keane: "Representative Edley."

Edley: "...Speaker, Ladies and Gentlemen of the General Assembly, one of the reasons we're down here is because we've gone through the election process. And we've met the voters, and we've...and we've addressed the issues. I think that landfill operators should do the same thing. Before they go into a community, they should be...they should be going in there and building good will among the voters. This is good legislation. I have a small community in my district, in Fulton County, that has tried for two, three years to try to correct what was a loophole that allowed a landfill operator from the Chicago area to purchase over 3,000 acres of land and annex it to a small village of less than 300 acres. Communities need this protection. I urge an 'aye' vote."

Speaker Keane: "Representative Bernie Pedersen."

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

Speaker Keane: "He indicates he will."

Pedersen: "In the situation where you have, say two communities, and one community decides that they are going to go ahead with this landfill, but it happens to be very close to the other community, what...what can the other community do

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about it? In other words, let's say it's just across the street from some residential area, do they have a...they can't go to...they can't have a referendum in the other community, cause they don't...they're not citizens of that community. What out do they have?"

Breslin: "That is correct. And under this legislation, Representative Pedersen, they don't have an out. This legislation provides that the decision of the city council has to be ratified by referendum of the people who reside in that municipality. So as to adjoining municipalities or adjoining local governments, they have no participation in that referendum."

Pedersen: "So they don't have any say at all?"

Breslin: "No they don't."

Pedersen: "Although, they're the ones that are really affected?"

Breslin: "Well, it's assumed that everybody is really affected, but they..."

Pedersen: "Well, I mean particularly affected...okay."

Breslin: "In the circumstance that you mentioned, you have characterized them as really affected."

Pedersen: "Okay, alright. Thank you."

Speaker Keane: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I too, rise in support of this legislation. I was the chief Sponsor of the Bill, before Chairman Kulas' Committee. And I realized the comprehensive study that's going on, but there is a sense of immediacy, an urgency of this...getting this legislation passed, because of the crises that have developed in certain parts of the state...northwest of me. And what this legislation does, is...legislative means, to prevent authorities from circumventing the will of the people. That's the key aspect of this legislation. I think the will of the

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people, those people that put us down here to represent them are the most important people we're supposed to listen to, and this Bill listens to the people. I ask for some 'aye' votes. Thank you."

Speaker Keane: "Representative Bill Peterson."

Peterson: "Thank you, Mr. Speaker. I would like to reiterate what Chairman Kulas said about this Concurrence Motion. We've heard this several times. This legislation has been defeated. As Minority Spokesman of the Energy Environment Committee, I urge everybody on my side of the aisle to vote 'no'. Let's wait 'till the report comes out. Thank you."

Speaker Keane: "Representative Breslin to close."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, and...one of the previous speakers recognized that this Bill attempts to correct a loophole in siting. That's exactly what it does. It was never intended by this Assembly in 1981, that municipalities could, by the use of annexation powers, go out and...and acquire land in order to develop regional pollution control facilities and circumvent county government. We specifically decided that if the...if the pollution control facility was going to come within a municipality, then they should be deciding authority. If they were outside municipal boundaries and within county boundaries, then the county should have that authority. What is happening, is that landfill developers are searching out small communities, that they can prey upon, because those communities are in need of jobs and in need of school improvements, in need of improving their property tax base, and they offer them incentives. They say, 'others won't do this, but you could do it because you need the money'. They're appealing to their lower instincts and to their needs. They are making decisions and thus encouraging these communities to make their

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decisions based on not just what is necessarily in the public interest, but it...what happens to be expedient. That was never anticipated or intended by the siting law of 1981. This attempts to close that loophole. It's not a perfect solution, but it is the solution that Senator Joyce thinks is appropriate for his constituents in his district, because it has already happened. It's my opinion that when the Landfill Sighting Committee meets, we should consider prohibiting annexation for these purposes entirely. But this Bill, as Senator Joyce has amended it, does address the needs of those people in those very limited circumstances. And I ask you to consider it as a sincere effort to meet an important problem for those citizens."

Speaker Keane: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2025?' Those in favor vote 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Representative Balanoff to explain his vote."

Balanoff: "...Yes...yes...yes, Mr. Speaker, to explain my vote. My vote...this Bill is a freedom of choice Bill. The question is, do citizens have a right to be part of the decision on whether or not they want a landfill in their backyard? Anything that will give citizens more say in deciding what so directly affects their community is important. All of us know that all landfills eventually leak and can cause serious health problems. I don't want a landfill in my backyard. And I feel people have a right to help make decisions that so directly affect their lives, and I urge more 'aye' votes."

Speaker Keane: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 28 voting 'aye', 78 voting 'no', 6 voting 'present'. And the House does not concur in Senate Amendment #1 to House

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Bill 2025. Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, I would therefore move to nonconcur in Senate Amendment #1. I promise it won't come back looking the same, nor address this issue. I would however, like to have my original Bill back. So, if that's possible, I'd like to get it."

Speaker Keane: "The Lady has asked for leave to nonconcur in Senate Amendment #1. Is there leave? Leave and...all those in favor say 'aye', all opposed 'no'. The 'ayes' have it. And the House does nonconcur in Senate Amendment #1. Representative Homer on House Bill 1496 for nonconcurrence."

Homer: "Thank you, Mr. Speaker. I move to nonconcur in Senate Amendment #1 to House Bill 1496. It's our plan to put the Bill in Conference Committee to accommodate the original purpose of the Bill as well as the request of Representative Kirkland, that has been agreed to by the parties of concern. So I would move to nonconcur."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall the House move to nonconcur in Senate Amendment #1 to House Bill 1496?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. And the House nonconcur with Senate Amendment #1. House Bill 2435, Representative Mays. Representative Mays."

Mays: "Thank you very much, Mr. Speaker. I move the House concur with Senate Amendment #1 to House Bill 2435. The Amendment basically exempts the Hazardous Waste Research and Information Center scientific staff, the personnel code, as we currently exempt the other scientific surveys. I would move for its concurrence."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2435?' All those in favor vote 'aye', all opposed

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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. 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 2435, and this Bill having received the required Constitutional Majority is hereby declared passed. Alright, just...Representative Steczo, are you ready to go with House Bill 114? Yes. It's an...it's...the Gentleman wants to nonconcur. House Bill 1...House Bill 114."

Steczko: "Thank you, Mr. Speaker. I move to nonconcur in Senate Amendment #1 to House Bill 114. The original language of this Bill has already passed the General Assembly and there is currently an issue that's being discussed and negotiated. If by chance that meets with the successful conclusion then hopefully the language will be able to be placed on this Bill. So I would ask at this point to nonconcur in Senate Amendment #1 to House Bill 114."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 114?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. And the House nonconcur with Senate Amendment #...We will now proceed through Concurrence on State and Local Government on #773, Concurrence. And I'll go down the list on those House Bills. The first Bill is House Bill 112, Representative Cullerton. Out of the record. House Bill 397, Representative Hensel. Out of the record. Representative Hoffman on 2365. Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to nonconcur in Senate Amendment #1 to House Bill 2365. We passed a comparable Bill in the Senate

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and we have an additional change that we would like to make. I talked with Representative McPike about it and I move to nonconcur."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 2365?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. And the House does nonconcur with Senate Amendment #1. I'll go back to page one on Concurrences, State and Local Government. Senate Bill...or House Bill 497, Representative Levin. Out of the record. House Bill 859, Representative Ryder. Out of the record. House Bill 1261, Representative Cowlshaw. Out of the record. House Bill 496, Representative Homer. Out of the record. House Bill 1530, Representative Flowers. Representative Flowers. Representative Flowers. Representative Flowers, do you want to call this Bill? Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, I move to concur with Senate Amendment #1 to House Bill 1530. It makes a few technical changes and I would just ask for your 'aye' vote."

Speaker Keane: "Representative Black."

Black: "Yeah, thank you very much, Mr. Speaker. In Senate Amendment #1 is there a deletion of the nepotism clause?"

Flowers: "Amendment #1, Sir, it deletes the Bill's provision on criminal housing management for the owner while property tax is delinquent. And as far as nepotism is concerned, let me just take another look at the Bill. Representative Black, the Bill eliminates the relative's Section and it merely says that you cannot contract with someone who's not licensed to do business as a contractor."

Black: "But if they were licensed and the nepotism factor would enter in, then the Senator's Amendment would say, well,

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it's okay as long as you were licensed, correct?"

Flowers: "You're...you're absolutely right."

Black: "Okay, thank you."

Flowers: "Thank...thank you, Sir."

Speaker Keane: "Is there any further discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1...Senate Amendments #1 and 2 to House Bill 1530?' 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 110 voting 'aye', none voting 'no', 3 voting 'present'. And the House does concur in Senate Amendments 1 and 2 to House Bill 1530, and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Wennlund. Out of the...out of the record. If there's any Member...House Bill 2604, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1, which actually restores the original language of the Bill as it left the House. It was gutted in committee as it left the House and restores the original language. Creates two programs, the technology challenge grant program and the advance technology investment program. Now, both of these are subject, of course, to appropriations. And the purpose of the programs are to build onto Illinois' existing scientific and technological strengths. They improve long range economic prospects. And what it will do is it will provide grants to help secure federal research and development projects and expand on Argonne and expand on Fermi-lab in those type of high tech projects in the State of Illinois. The advanced technology investment program will do the same thing, increase productivity and

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competitiveness for Illinois small business, small and medium size businesses, by providing equity type financing to assist research and development, new equipment, renovation and retooling for high tech industries in Illinois. It's a program that will put Illinois on a cutting edge coming into the the 1990's. It will help Illinois attract new businesses. It will help Illinois keep its brain strength at Fermi-lab and Argonne and increase its productivity. It'll make the State of Illinois on top of the world in the 1990's in high tech business and development. I move for its concurrence."

Speaker Keane: "Is there any further discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2604?' All those in favor vote 'aye', all opposed vote 'no'. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 113 voting 'aye', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 2604, and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Currie, do you wish to call 2266? Out of the record. Representative Novak, for what purpose do you rise?"

Novak: "Yes, Mr. Speaker, point of personal privilege. I'd just like to welcome back to the Illinois House, a good old friend of ours and a former State Representative, Ray Christensen."

Speaker Keane: "Welcome, Ray. Supplemental Calendar Announcement."

Clerk O'Brien: "Supplemental Calendar #3 is being distributed."

Speaker Keane: "On the Order of Concurrence of State and Local Government Supplemental appears House Bill 2362,

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Representative Cullerton. Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill, as it went out of the House, dealt with the right of privacy with medical records. We adopted three Amendments. As I recall, Representative Pullen was helpful with one of them. The Senate...I move to concur with the Senate Amendment, because what they do is they impose a fine on anyone who violates the rights of the medical patients. So I agree that there should be a fine. It probably was an oversight. So I would move to concur with Senate Amendment #1 on 2362."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2362?' 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 112 voting 'aye', none voting 'no', none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 2362, and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 2409, Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 to House Bill 2409. The...the Bill initially was a shell Bill. The Senate added an Amendment that amended the Marriage and Dissolution Act. And it relates to the issue of child support. And it would require that parents liable for payment of child support must upon the request of either the parent, who's receiving the child support or the Department of Public Aid, include the supported child as a beneficiary of any health insurance plan that is available to the obligor through his employer. The Department of

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Public Aid is supportive of the position. They've indicated that the way the Bill would work would be when the support order is to be furnished to the employer, they must enroll the children and deduct the premium from the obligor's pay. When insurance to the employer union is not available or accessible, the court may order the obligor to obtain other health coverage after giving consideration to the needs of the child, the availability of a plan to meet those needs and the cost of the plan. So we have the support of the Department of Public Aid. It would result in savings to the department by decreasing the liability for medical services for those receiving public assistance and child support. I'll be happy to answer any questions. The...if there are any. I move for its...the Motion to concur with Senate Amendment #1."

Speaker Keane: "On that question, Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It was really kind of hard to understand or hear the Sponsor when he talked about this Bill, and there's a great deal of opposition to it from the employer community. This was Senate Bill 878 which just a couple of three weeks ago failed to get out of Jud. I Committee in the House, and the reason for...and that we've had other legislation like this. And what it really does is try to interpose the employer...the employer or the administrator or the union that administers group insurance, they're the people...they're trying to pick up where the courts can't do the job. So what we're really talking about here is legislation that puts a tremendous burden on the employer, the union or what have you to find these people who they're trying to help, and this is what it does. It's a complex unworkable administrative burden for employers. Many employers already meet one of the Bill's requirements to

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add children to a plan at the time of divorce, but this Bill goes much farther. It requires that the employer, the labor union, the administrator, notify the custodial parent, that's the person with the kids or the guardian, if health coverage terminates or is changed or changed even, and they're changing these plans all the time. Employers do not have administrative capabilities to track individual dependents or identify them as covered as a result of the court order. The Federal Government recognized this difficulty when it drafted the COBRA, continuation requirements for dependents. COBRA puts the notice obligation on the employee since he or she has the necessary information and the legal obligation imposed by the court. There's great concern over the disclosure information provided in the proposed law. This provision appears to provide the dependent with the same rights as those of an employee to a select among coverages. However, currently dependents are covered under the same plan as their parent, employee parent. This could spell disaster for cafeteria flexible benefit plans. There are a number of other concerns with this Bill, but they tend to center around a theme. Court orders are between an employee and the court and employers should not be interposed between these entities. The obligations of the employees should not be thrust upon the employer and based upon the provisions in this Bill, will not solve the problem. Current employer practices already address the employer's side of the issue. The problem remains one of the court enforcing its order and the employee complying with it. This is a legal system issue and is not an employer or union or administrator one. I urge a 'no' vote on this really terrible legislation."

Speaker Keane: "Representative Barnes."

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Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Every year we are faced with the continuing problems of children receiving welfare payments of woefully inadequate support because of loopholes in the law which allow parents to evade their responsibility as parents. Illinois judges already require most noncustodial parents to cover their children on available health insurance plans, but there is no existing mechanism to insure compliance with court orders. This Amendment sets out a streamlined and effective solution to correct the problems of noncompliance. In concurring with the Amendment we help the 489,000 children in Illinois who have no health insurance coverage at all. This Amendment is about children. I would suggest an 'aye' vote."

Speaker Keane: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This again puts...makes it very difficult for business to do business in Illinois. I think the idea is well intended but this is not the way to do it. I ask for a 'no' vote on this Bill."

Speaker Keane: "Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker. Orders for medical support are issued by judges in most child support cases. Public policy in Illinois recognizes that parents have the responsibility to support the needs of their children including medical and health care needs, yet the only enforcement option available to enforced medical support orders is through contempt of court proceedings at this time and this process is both tedious and ineffective. This Amendment merely provides an enforcement mechanism. If we recognize that children's medical needs ought to be met, which should...we should support a law which gives judges the tools to enforce the court orders for medical

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support. I support this Amendment...this concurrence."

Speaker Keane: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker. I join the previous speakers in opposing this Bill...this Amendment. I think this is 'George Orwell' once again revisiting our society when you do this. I think that what you're doing here is giving the judges of our state the power to really run a business and tell a business how they're going to be run and what they're going to do with their medical insurance. If we think we've mandated a lot to business this year as a result of some of the Bills that have been debated and passed around here, this Bill obviously has to be the biggest mandate that we're going to put on them. I know that several...the employer's groups have told me that they are against it. I'm against it as a matter of principle and I'm frankly...urge everyone in this House to vote 'no' on this concurrence on this Amendment."

Speaker Keane: "Representative Curran."

Curran: "Thank you, Mr. Speaker. I rise in support of the Motion to concur in Senate Amendments. You know we're all aware of the long term and potentially and really damaging effects that inadequate health care can cause. Children are a particularly vulnerable group in this regard, they're among the most...the least likely to be able to change their circumstances and among the most likely to receive little or no health care. In those cases where health insurance is first available and second, available at little or no cost, it is unacceptable to allow children to go without. I suggest that no cost of concurring with this Amendment is greater than the price the children of Illinois will pay and that we as a society will pay if we do not concur with this Amendment. Thank you."

Speaker Keane: "Representative Hultgren."

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

Speaker Keane: "He indicates he will."

Hultgren: "If I may, I'd like to confirm a couple of things which are a little bit unclear in our analysis. This applies at least the mandatory withholding provisions...Are you with me?"

Cullerton: "I hope so. Are you for it or against it? You're not sure?"

Hultgren: "I'm not sure."

Cullerton: "Okay."

Hultgren: "My understanding reading this analysis is, the mandatory withholding provisions apply only to children who can be covered under a group policy of the supporting parent's place of employment. Is that right?"

Cullerton: "I believe so. It has to be available."

Hultgren: "Now, the court can order the parent to have independent health insurance coverage, but cannot in that situation order an employer to withhold for premium payments for that independent health policy."

Cullerton: "I believe the answer's yes, but just run it by me one more time."

Hultgren: "Well, what I'm concerned about is the administrative burden. It's one thing to ask the employer to withhold from the paycheck to pay premiums on a group insurance policy provided for the employer, it's entirely another to ask the employer to withhold for health insurance premiums on an independent health policy."

Cullerton: "Okay."

Hultgren: "My understanding is that the withholding provisions apply only to the group policy that's provided by the parent's employer..."

Cullerton: "Alright. Let me...I think you're right..."

Hultgren: "...but then the court can order the parent to carry

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their own independent health insurance if the employer doesn't provide that."

Cullerton: "I believe you're right. Let me just tell you what my handlers say. The process described in the Bill does not create any new deductions or process for employers, with the exception of the initial notification of coverage and subsequent changes in coverage to the custodial parent, and they say that the process is similar to the current handling of spousal coverage and as a result it will not be a costly implementation. That's the response."

Hultgren: "And then one final question if I may. It's not addressed in this analysis and perhaps not addressed in the Amendment, is there any provision for the employer to deduct an administrative fee or a handling fee or a processing charge for doing this?"

Cullerton: "I don't believe for processing costs, no."

Hultgren: "Thank you."

Speaker Keane: "Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in opposition to this piece of legislation. It's not pleasant to oppose this legislation because insurance coverage is very important to children and it is something that we should take very seriously. However, this legislation at least as is described in my analysis and as best I can read in quick fashion in the Senate Amendment, provides that it is triggered where a child support order has been entered and the particular provisions include mandatory insurance coverage and an obligation by an employer. In calculating child support to begin with, the person who does the paying, the obligor, is entitled under the statutory formula which is used probably in 90 or 95 percent of the cases, to deduct from gross income health insurance premiums, but if that person

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doesn't have coverage and isn't paying insurance, that deduction would not be available for the purpose of deciding the amount of the child support order. After the child support order has been entered and this provision kicks in, then the payor will be required to pay child support without the benefit of the statutory deduction for the insurance premiums and have to pay the premiums on top of the child support order. This is not what we should be doing if we are to consider fairness and equality. If those who have handled divorce cases know that insurance coverage is important and is certainly a negotiable item, and where there are agreed determinations of a dissolution of marriage, the question always is considered about the impact upon alimony and child support payments of health insurance coverage. If none is available and someone goes to work later, this should be an item to be considered because coverage should be available. But then to additionally impose this as another burden upon the employer who you should remember is now under statutory obligation in every case where an employee unfortunately suffers a divorce, is required to pay child support payments, that employer must withhold from the employee's wages. And you talk about around here about affecting small business, think of a business with 20 or 25 employees and say there's 5 of those employees who are divorced, one of whom pays child support weekly, one pays monthly, one pays twice a week and one pays a different amount in the summertime when the payor has the children than he does in the wintertime when they are somewhere else with the other parent going to school some place. It's a nightmare for employers. We had a fair and equitable system in this state to provide that where payments are current there is no need for withholding which means no need for a burden

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upon employers, but that wasn't good enough. We now have to require every employer in this state already, before this legislation, to withhold from the paycheck of every divorced employee who's an obligor, the child support payments. And not everyone's formula is the same, of course, it's just a nightmare for the employers. This Bill will mandate to employers the additional requirement to be responsible, to see to it that information is provided to everybody about what coverage can be avoided...can be provided and to see to it that the employee pays the premiums. This again injects the employer in the middle of the family squabble and it shouldn't...the employer shouldn't be there. We have contempt proceedings and I think if need be we can work out other mechanisms where people are recalcitrant or where people are in arrearage with their payments. Where everything is being paid on a current basis there is no need to involve the employer at all. This just complicates an already bad situation and I certainly recommend a 'no' vote. We should refuse to concur in this Senate Amendment and defeat this legislation in its present form. Please vote 'no'."

Speaker Keane: "Representative Cullerton, to close."

Cullerton: "Thank you. I believe Representative Granberg was seeking recognition before I close."

Speaker Keane: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Members of the House. Today, over a half a million kids in Illinois are receiving medicaid payments. This is a substantial cost to us as taxpayers in this state. In fact, a recent survey indicated that over 125,000 of the kids in Illinois on medicaid have court orders currently for medical insurance coverage that are not being complied with, over 125,000. This Amendment gives us the mechanism to enforce those

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court orders and move those kids off the state welfare rolls. It puts support of the kids needs where it should rightly be placed, in the hands of the parents and not us as taxpayers, not all the people in this state. This is an important Amendment and I would ask that we concur in this Senate Amendment."

Speaker Keane: "Representative Cullerton, to close."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I believe this Bill has bipartisan support. It's not a political issue, it's a very simple issue that is supported by the Department of Public Aid and it's clearly why they would support it. All we're saying is, if there's a father out...shouldn't say a father, if there's a spouse out there who owes child support who has health insurance that already would entitle that person if they wish too to enroll their child in the health insurance policy, all we're saying is, that they should do it. The court can order them to do it. And we're saying to the employer, you have to implement it. How else could it be implemented? It's very...it's identical or very similar to the spousal coverage and the employer's obligation on the spousal coverage and so it's not going to be an added burden...severely added nightmare at all that some of the opponents have talked about, so I urge an 'aye' vote. I think it's a very good concept. I'd appreciate a favorable vote."

Speaker Keane: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2409?' 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 70 voting 'aye', 43 voting 'no', 2 voting 'present' and the House does concur in Senate

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Amendment #1 to House Bill 2409, and this Bill having received the required Constitutional Majority, is hereby declared passed. Representative Cullerton, we're going to go to the Regular Calendar, page 7. On the Order of Nonconcurrency, appears Senate Bill 1258, Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Senate passed a Bill over here dealing with the increase in salaries of Legislative Leadership. The House put an Amendment on to make that a shell. The Senate...So, it's my Motion now to refuse to recede from that Amendment which we adopted on the Senate Bill. The Senate failed to concur in it and we want to put this into a Conference Committee."

Speaker Keane: "The Gentleman has refused to recede from House Amendment #1. Is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment #1?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House refuses to recede from Senate Amendment #1 and the Sponsor asks for a Conference Committee...be appointed. On the Regular Calendar on page 6, on the Order of Nonconcurrency, Order of Nonconcurrency, appears Senate Bill 125, Representative Black. Out of the record. Senate Bill 449, Representative Curran. Out of the record. Senate Bill 1094, Representative Granberg. On the Order of Nonconcurrency, Senate Bill 1094, Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Members of the House. I would ask that the House refuse to recede from House Amendment #2. This is in deference to the Republican Leader, Representative Bill Black, our honored Representative and I would make that Motion."

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

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is, 'Shall the House refuse to concur...recede from House Amendment #2 to Senate Bill 1049 (sic - 1094)?' Any discussion? There being none, the question is, 'Shall the House refuse to recede?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House refuses to recede and the Gentleman asks that a Conference Committee be appointed. On the Order of Nonconcurrency on page 7, is Senate Bill 1333, Representative Pullen. Out of the record. On the Order of Nonconcurrency we will now go to the Appropriation Bills on page 6. First Bill is Senate Bill 163, Representative Leverenz. Representative Leverenz in the chamber? Representative Leverenz, we're on page 6 on the Order of Nonconcurrency, appears Senate Bill 163. The..."

Leverenz: "Thank you, Mr. Speaker. I would move that the House would recede in Senate Amendment...House Amendment #4."

Speaker Keane: "The Gentleman has moved to...that the House recede from House Amendment #4. Is there any discussion? The question is, 'Shall the House recede from Senate (sic - House) Amendment #4?' All those in favor vote 'aye', all opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 113 voting 'aye', 1 voting 'no', none voting 'present' and the House does recede from House Amendment #4, and this Bill having received the required Constitutional Majority, is hereby declared passed. The next Bill is Senate Bill 230, Representative Leverenz."

Leverenz: "Take that out of the record a moment."

Speaker Keane: "Out of the record. 278. Representative Leverenz, would you please handle that."

Leverenz: "On 278, I would move that the House would non...not recede in the Amendments and that we put it into a

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Conference Committee, Mr. Speaker."

Speaker Keane: "The Gentleman has moved that the House refuse to recede from House Amendments 1, 5, 8 and 9?' Is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendments 1, 5, 8 and 9. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House recedes from...and the House refuses to recede from House Amendments 1, 5, 8 and 9 and a Conference Committee will be appointed. Senate Bill 328, Representative Leverenz."

Leverenz: "Take that out of the record a moment."

Speaker Keane: "Out of the record. Senate Bill 420, Representative Mays."

Mays: "Thank you, very much, Mr. Speaker. This is the Appropriations Bill for the Industrial Commission. I move the House refuse to recede from the House Amendment. Send the Bill to Conference Committee."

Speaker Keane: "The Gentleman has moved that the House refuse to recede from House Amendment #1. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendment #1 and requests that a Conference Committee be appointed. Senate Bill 435, Representative Mays."

Mays: "Thank you, very much, Mr. Speaker. This is the Appropriations Bill for the Department of Transportation. I move the House refuse to recede in all Senate Amendments to this...all House Amendments to this Bill."

Speaker Keane: "The Gentleman has moved that the House refuse to recede from all House Amendments. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House refused to recede from all House Amendments and the Gentleman requests that a Conference Committee be appointed. Supplemental Calendar announcement."

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

Speaker Keane: "Senate Bill 461, Representative Leverenz. Representative Leverenz, 461."

Leverenz: "I move the House refuse to recede from the Amendment and a Conference Committee be appointed."

Speaker Keane: "The Gentleman has moved for the...to refuse to recede from House Amendment #1. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendment #1 and requests that a Conference Committee be appointed. Senate Bill 462, Representative Leverenz."

Leverenz: "Again, I would refuse to recede in the Amendment to 462 and a Conference Committee be appointed."

Speaker Keane: "The Gentleman refuses to recede...moves that we refuse to recede from the House Amendment #1. All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendment #1 and requests that a Conference Committee be appointed. Senate Bill 463, Representative Leverenz."

Leverenz: "Would refuse to recede and that a Conference Committee be appointed for Senate Bill 463."

Speaker Keane: "On...the Gentleman has moved that the House refuse to recede from House Amendment #1 and that a Conference Committee be appointed. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House refuses to recede. Senate Bill 1164, Representative Leverenz."

Leverenz: "Would refuse to recede in the Amendments to Senate Bill 1164 and that we place this in Conference."

Speaker Keane: "The Gentleman has moved that the House refuse to recede from House Amendments 1, 2, 3 and 6 and request that a Conference Committee be appointed. All those in favor

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say 'aye', all opposed 'no'. The 'ayes' have it and the Motion is adopted. Representative Leverenz, do you wish to go back to House Bill 328, Repre...Senate Bill...Senate Bill 328?"

Leverenz: "I thank you. I would move that the House refuse to recede in House Amendments 1, 2, 3 and 6...I'm sorry, House Amendment #1 to 328 and a Conference Committee be appointed."

Speaker Keane: "The Gentleman has moved to recede from...refuse to recede from House Amendment #1 and asked that a Conference be appointed on Senate Bill 230 (sic - Senate Bill 328). All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House does refuse to recede. Going to Supplemental Calendar #4. Representative Leverenz, for what purpose do you rise?"

Leverenz: "Yes, Mr. Speaker, I would like to return to 230. We took that out of the record also."

Speaker Keane: "Senator (sic - Representative) Leverenz, on Senate Bill 230."

Leverenz: "I move that the House refuse to recede and we put that in a Conference Committee also, Mr. Speaker."

Speaker Keane: "The Gentleman has moved to refuse the House...refuse to recede from House Amendment #1 and requests a Conference Committee. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House does refuse to recede from House Amendment #1. Now on the Supplemental we'll go to Senate Bill 405, Representative Mays."

Mays: "Yes, thank you, very much. This is the Capitol Development Board budget. I move the House refuse to recede from House Amendments to the budget."

Speaker Keane: "The Gentleman has refused to recede from all House Amendments on Senate Bill 405 and has requested that

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a Conference Committee be appointed. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House does refuse to recede and a Conference Committee...request a Conference Committee be appointed. House Bill...Senate Bill 412, Representative Mays."

Mays: "...Mr. Speaker, Ladies and Gentlemen, this is the Department of Energy and Natural Resource's budget. I move the House refuse to recede from House Amendments so the budget...can go to Conference Committee."

Speaker Keane: "The Gentleman has moved that the House refuse to recede from all House Amendments and requests a Conference Committee. All those in favor say 'aye', all opposed say 'no'. The 'ayes' have it and the House refuses to recede from all House Amendments. Senate Bill 432, Representative Mays."

Mays: "Thank you, very much, Mr. Speaker. This is the Department of Revenue's budget. I move the House refuse to recede from House Amendments and request that a Conference Committee be appointed."

Speaker Keane: "The Gentleman has moved to refuse to recede from all Amendments on Senate Bill...all House Amendments on Senate Bill 432 and has asked...requested a Conference Committee be appointed. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House refuses to recede and requests that a Conference Committee be established. Senate Bill 442, Representative Mays, will you handle that? Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I would refuse to concur and ask that we refuse to recede from House Amendments 2, 14, 15, 18 and 21."

Speaker Keane: "The Gentleman has moved that the House refuse to recede from all House Amendments and requests that a Conference Committee be appointed. All those in favor say

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'aye', all opposed 'no'. The 'ayes' have it and the House refuses to recede from the House Amendments and requests that a Conference Committee be appointed. Representative Wolf, Senate Bill 162 on Supplemental #4."

Wolf: "Thank you, Mr. Speaker and Members of the House. I refuse to recede from House Amendment #1 to Senate Bill 162 and ask that a Conference Committee be appointed."

Speaker Keane: "Any discussion? The Gentleman has refused...moves to refuse to recede from House Amendment #1 and requests a Conference Committee. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House does refuse to recede from House Amendment #1 and a Conference Committee will be appointed. Representative Steczo, do you want to do Senate Bill 1072? Okay. Senate Bill 1072, Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would move that the House refuse to recede from House Amendment #1 to Senate Bill 1072 which would enact the Professional Engineers Practice Act. The provisions of this Bill have already passed on to the Governor and Senator Jones has indicated that there may be other licensure materials that may need to be dealt with and the Bill will be sent to Conference Committee for that purpose. So, I would move to refuse to recede."

Speaker Keane: "The Gentleman has moved the House refuse to recede from House Amendment 1 to Senate Bill 1072 and asks that a Conference Committee be appointed. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House does refuse to recede from House Amendment #1. Representative Steczo, on Senate Bill 1289."

Steczko: "Thank you, Mr. Speaker, I would also move to refuse to recede from House Amendments 1, 3 and 4 to Senate Bill 1289. Senate Bill 1289 as amended by this House, dealt

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with licensure for environmental health people. The Senate refused to concur with the Amendments and understandably the Bill will be taken to Conference so any kind of disagreements can be worked out on that Environmental Health Licensure. So I would at this time Mr. Speaker, move to refuse to recede to House Amendments number 1, 3 and 4."

Speaker Keane: "The Gentleman has moved...moved to refuse to recede from House Amendments 1, 3 and 4 and he requests that a Conference Committee be appointed. Is there...All those in favor say 'aye', all those opposed say 'no'. The 'ayes' have it and the House does refuse to recede from Conference Committee number...House Amendments #1, 3 and 4. Representative Leitch, for what purpose do you rise?"

Leitch: "Thank you, Mr. Speaker. For a point of personal privilege. We have on the floor here a former distinguished Member of the House for ten years, Mr. John Parkhurst from Peoria."

Speaker Keane: "Welcome. Welcome, Representative. Representative...On Concurrences, State and Local Government, appears...on the first...the full page, appears House Bill 2062, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I would move to concur with Senate Amendment #1. The Bill originally amended the Health Maintenance Organization Act by providing that 10 percent of physician's services could be from those not employed by the HMO. That original provision has been removed from the Bill and in its place by Senate Amendment #1. ...Has been an Amendment that is agreed to by the HMO Industry and the Department of Insurance which establishes additional regulatory standards and requirements for the licensing and operations of HMOs. I would move that we concur in Senate Amendment #1."

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Speaker Keane: "The Gentleman has moved that the House concur in Senate Amendment #1 to House Bill 2062. Is there any 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. Hicks, 'aye'. On this Bill there are 114 voting 'aye', none voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 2062, and this Bill having received the required Constitutional Majority, is hereby declared passed. As a clarification on Supplemental Calendar 4 on Senate Bill 1289, the House refused to recede from House Amendments 1, 3 and 4 and requests that a Conference Committee be appointed. On Supplemental Calendar #3, appears House Bill 1100, Representative Countryman."

Countryman: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1100, the underlying Bill is a taxpayer's bill of rights which we've had here before and voted on without any dissenting votes as I recall. Senate Amendment #1 eliminated the Taxpayers' Advisory Council; provides that statements of taxpayers rights shall be provided upon the request of the taxpayer; removes the provision extending the waiting period after notice of seizure from ten to thirty days. Senate Amendment #2 becomes the Bill, so we can ignore Senate Amendment 1. Senate Amendment 2 provides for a six year term for the Director of the Office of Taxpayer Ombudsman and provides for the Director's salary to be set by the Compensation Review Board. Provides that the Taxpayer Ombudsman shall have the same access to department records and files and subject to the department's confidentiality rules as the

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Director. The office shall be equipped with a toll free number. It eliminates the Taxpayers' Advisory Council; provides that seized property and bank accounts shall be held in escrow for a twenty day period in order to allow time to correct possible errors. It provides that the department must furnish the taxpayer with a statement of his and her rights whenever the taxpayer receives a protestable notice, a bill, a claim denial or reduction regarding taxes. Makes the effective date January 1st, 1990 and I move for it's concurrence."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 1100?' 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 116 voting 'aye', none voting 'no', none voting 'present' and the House does concur in Senate Amendments 1 and 2 to House Bill 1100, and this Bill having received the required Constitutional Majority, is hereby declared passed. On Supplemental Calendar #4 appears Senate Bill 593, Representative Homer."

Homer: "Thank you, Mr. Speaker. May I have leave to present the Bill...the Motion?"

Speaker Keane: "The Gentleman asks leave to present Senate Bill 593. Any...leave has been granted."

Homer: "Thank you. Mr. Speaker, I would move at this time that we refuse to recede from House Amendments 1 and 2 to Senate Bill 593 and I would ask that a Conference Committee be appointed."

Speaker Keane: "Is there any discussion? There being none, the Gentleman asks...has moved that the House refuse to recede from House Amendments 1 and 2 and that a Conference

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Committee be appointed. All those in favor say 'aye', all opposed say 'no'. The 'ayes' have it and the House does refuse to recede from House Amendments 1 and 2 and requests a Conference Committee be appointed. On the Concurrence, State and Local Government, appears House Bill 507, Representative Richmond. House Bill 507."

Richmond: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to nonconcur with Senate Amendment #1 and ask that a Conference Committee be appointed."

Speaker Keane: "The Gentleman has moved to nonconcur in Senate Amendment #1 to House Bill 507. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House does...nonconcur in Senate Amendment #1. Representative Bowman, do you want House Bill 1212? Representative Curran, Senate Bill 499...449 on the Order of Nonconcurrence. Out of the record. If any Member wishes to move a Bill on any of the Calendars, please come up to the Clerk's...put the light on and we'll recognize you. That will probably be the fastest. Representative McGann, for what purpose do you rise?"

McGann: "Thank you. Mr. Speaker, Members of the Assembly, I would ask that you go to the Order of Motions in regards to House Resolution 621, 622 and 623. Mr. Speaker, are you listening to me?"

Speaker Keane: "Was it worth listening to?"

McGann: "You recognize me and then I express my desire..."

Speaker Keane: "Would you mind repeating your..."

McGann: "...and you have not replied."

Speaker Keane: "Would you mind repeating your Motion?"

McGann: "Pardon me, Mr. Speaker?"

Speaker Keane: "You're not listening. Would you mind repeating your Motion?"

McGann: "Mr. Speaker, I would ask you to go to the Calendar on

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Order of Motions and...which is page 7 of your Calendar and I would like to address the Motions, House Resolutions 621, 622 and 623."

Speaker Keane: "The Gentleman is recognized on a Motion on House Resolution 621. Representative McGann."

McGann: "I would...as Chairman of the Select Committee on Mental Health, I would ask that we would...leave to remove from the Speaker's Table House Resolution 621 and take action on it at this time."

Speaker Keane: "The Gentleman has moved to discharge the Mental Health Committee from further consideration and advance on the Order of Speaker's Table. Is there any discussion? Representative McCracken."

McCracken: "Okay. We're fine, thank you."

Speaker Keane: "The Gentleman...All those in favor of the Gentleman's Motion say 'aye', all opposed 'no'. The 'ayes' have it and by use of the Attendance Roll Call, House Resolution 621 is discharged from the Mental Health Committee. Now, Representative McGann on the Resolution."

McGann: "Thank you. Mr. Speaker, I would ask the Clerk if there are any Amendments filed to this Resolution."

Speaker Keane: "Any...Mr. Clerk, any Amendments? Representative Countryman, for what purpose do you rise?"

Countryman: "Well, I'd like to know from Representative McGann what time we're going to adjourn, because he's obviously in control here."

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

Speaker Keane: "Representative McGann, on Floor Amendment #1."

McGann: "Thank you. Mr. Speaker and Members of the Assembly, Amendment #1 to House Resolution 621 actually becomes the Resolution. In conference with the Illinois Medical Society and the Illinois Psychiatric Society which felt as

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though...the language in the first...original Amendment was a little strong and also was precluding what we were looking for, so we have refined these Resolutions and House Resolution 621, as amended, directs the Department of Insurance to study the disincentives to outpatient mental health care under the current third party payment system and to report the Department's findings to the General Assembly by February 1, 1990. This has come from the upshot from the recent series in the Chicago Tribune in regard to the growth of the number of adolescent psychiatric units attitude...initial findings by the Citizens Counsel on Mental Health and Developmental Disabilities. And I would ask for adoption of House Resolution 621, as amended. Be happy to answer any questions."

Speaker Keane: "Representative Myron Olson."

Olson, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm a party to this situation in that I've been formerly the Co-chair of the Citizens Assembly on Mental Health and Developmental Disabilities. The Resolution has been prepared as Representative McGann has suggested with the input of a number of people, and we would second his Motion to adopt this Amendment."

Speaker Keane: "The Motion to adopt Amendment #1 has been made by Representative McGann, seconded by Representative Olson. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #1 is adopted. Mr. Clerk, any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "We'll now consider the Resolution as amended. Representative McGann. We now consider the Resolution as amended."

McGann: "Yes, Mr. Speaker, I've explained pretty well to the

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Members of this Assembly what House Resolution 621 does as amended and I would ask for its passage."

Speaker Keane: "The Gentleman has moved the adoption of House Resolution 621. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and House Resolution 621 is adopted. Representative McGann, on House Resolution 622."

McGann: "Mr. Speaker and Members of the Assembly, I ask leave of this Assembly to remove House Resolution 622 from the Speaker's Table and ask for immediate consideration."

Speaker Keane: "The Gentleman has moved to move the...discharge the Mental Health Committee from further consideration and advance to the Speaker's Table House Resolution 622. Is there any discussion on that Motion? There being none, the question is, 'Shall the Mental Health Committee be discharged?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and House Resolution 622 has been advanced to the Order of Speaker's Table. Representative McGann."

McGann: "Thank you. Mr. Speaker, I'd ask the Clerk if there are any Amendments to this Resolution...House Resolution 622?"

Speaker Keane: "Mr. Clerk, are there any Amendments to House Resolution 622?"

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

McGann: "Mr. Speaker, Members of the Assembly, House Resolution 622, Amendment #1, directs the Department of Public Health to conduct a reassessment of their certificate needs...of needs processed to ascertain whether or not current methods are appropriate for determining psychiatric bed needs and to report their findings to the General Assembly by February 1, 1990. This is another initiative of the Citizens Council on Mental Health and Developmental Disabilities in regards...in response to a recent series by

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the Chicago Tribune that put into the growth and the number of adolescent units examined, the certificate of needs processed and noted that government tight belting...excuse me, government belt tightening... helped push hospital vacancy rates as high as 65 percent. Non-profit hospitals increased their beds by 50 percent. Market analysis predict that medical beds will decline at least 4 percent each year until 1992 while beds for psychiatric patients will increase. Once again, we have worked this out with the...Representative Olson...and also the Illinois Medical Society, Illinois Psychiatric Society and with this Amendment we will take the harshness and preclusions out of it and direct the Department in a more appropriate and a responsive way and I'd ask for adoption of this Amendment #1 to House Resolution 622."

Speaker Keane: "On that, Representative Myron Olson."

Olson, M.: "Mr. Speaker, Members of the House, I reaffirm what I have spoken to on House Resolution 621."

Speaker Keane: "Representative McGann moves the adoption of Amendment #1, seconded by Representative Olson. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #1 is adopted. Representative McGann now on House Resolution 622 as amended."

McGann: "Thank you Mr. Speaker, Members of the Assembly. House Resolution 622 as amended has had a full explanation and I would ask for its passage."

Speaker Keane: "The Gentleman has moved the adoption of House Resolution 622. All in favor say 'aye', all opposed 'no'. The 'ayes' have it and House Resolution 622 has been adopted. Representative McGann on House Resolution 623."

McGann: "Mr. Speaker and Members of the Assembly on House Resolution..."

Speaker Keane: "Representative McGann moves to discharge Mental

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Health... the Committee on Mental Health from further consideration and advance to the Speaker's Table. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and 623 has been discharged from...House Resolution 623 has been discharged from the Mental Health Committee. Mr. Clerk, are there any Amendments on House Resolution 623?"

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

Speaker Keane: "Representative McGann on Floor Amendment #1."

McGann: "Thank you. Mr. Speaker and Members of the Assembly, Amendment #1 to House Resolution 622...623...urges adolescent psychiatric service providers and public health officials in their creation and use of advertising for adolescent psychiatric care units to provide information on a full array of mental health services. Once again, this is a...a innovative program set forth by the Citizens Council on Mental Health and Developmental Disabilities in response to a 4 part series by the Chicago Tribune which examined the growth of adolescent psychiatric units in Illinois and part focused on the growing controversy surrounding the marketing for adolescent psychiatric units. This, once again, along with Representative Myron Olson, also Representative Bob Olson, Representative Hultgren and the Illinois Medical Society, Illinois Psychiatric Society feel as though this is a proper, more responsive approach than the original House Resolution had stated and I would ask for adoption of Amendment #1 to House Resolution 623."

Speaker Keane: "On that, Representative Myron Olson."

Olson, M.: "Thank you, Mr. Speaker. This is the last in a series of 3 Resolutions on the subject the Representative has described and we would urge support."

Speaker Giglio: "Representative Terzich."

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Terzich: "Representative McGann, on these Resolutions, what...what's expected to come out of these Resolutions? Are these all investigative Resolutions? And if they are to be investigative, what type of report is the General Assembly supposed to receive?"

McGann: "The report will be received by 3 individual areas and will be reported back here by February of 1990 in response to the Chicago Tribune articles, also giving us the information so that we would have guidelines to be able to proceed in these areas in regard to the psychiatric adolescent."

Terzich: "What is supposed to be the end result of these reports?"

McGann: "Well, hopefully, the bottom line result after it comes back to us and we, along with the Department and other interested agencies would probably if need, bring legislation to this floor for your approval."

Terzich: "Then you're asking that..."

Speaker Keane: "Representative Terzich. Representative Terzich, give me a moment. Could we have some order on the floor? Would people take their conversations to the back, to the rear of the chamber? It's getting loud in here."

Terzich: "Thank you, Mr. Speaker."

Speaker Keane: "Representative Terzich."

Terzich: "Just...Representative McGann, basically, are you saying that these Resolutions that someone's going to investigate these different areas and come back and make recommendations for legislation?"

McGann: "That is...they'll come back to us and with the Citizens Council on Mental Health Developmental Disability, no doubt that the...if there need be there would be probably, down the road, legislation to address any problems that are in area...if they are in effect...in the area."

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Terzich: "Couldn't these particular departments at the present time simply make recommendations or suggestions for change without having a..."

McGann: "I couldn't quite hear...the noise volume in this chamber is quite high at this time, but I would ask you respectfully, Representative, to...to...let me have that question again. I think I got most of it. I believe that I'm trying to say to you and I said before, that the report comes back to us in February of 1990. Does that answer your question?"

Terzich: "Thank you."

McGann: "Thank you."

Speaker Keane: "There being no further discussion, the question is, 'Shall the Amendment #1 be adopted?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #1 is adopted. Representative McGann moves the adoption of House Resolution 623. All those in favor say 'aye'...as amended...all those in favor say 'aye', all opposed say 'no'. The 'ayes' have it and House Resolution 623 is adopted. Ladies and Gentlemen, would you please clear the aisles? Would all staff retire to the rear of the chamber? Please clear the aisles. All unauthorized persons, please leave the floor. All staff, please retire to the rear of the chamber. On the Order of Concurrences, State and Local Government, Supplemental, appears House Bill 2266. Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I move the House do concur in Senate Amendment 2 to House Bill 2266. That Amendment is about the issue of military style assault weapons, a kind of weapon..."

Speaker Keane: "Representative McCracken, for what purpose do you rise?"

McCracken: "I move to table the Lady's Motion to concur to House

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Bill 2266. The Motion is non-debatable, has precedence over any other Motion. I demand an immediate vote on my Motion to table the Motion to concur."

Speaker Keane: "The Motion is out of order because we do not allow a Motion to table on the passage when it relates to the passage of the Bill, and if this is adopted that will be the case. Representative McCracken."

McCracken: "Mr. Speaker, I question the germaneness of Senate Amendment #2 and ask the Chair to rule that Senate Amendment 2 is out of order because it's not germane. The germaneness issue was not considered in the Senate, it's right for consideration and I move that the Chair so hold."

Speaker Keane: "Representative McCracken, we're gonna get the Bill from the Clerk's office on four, and then we'll get back to you on the...we are getting the Bill from the third...from the fourth floor and in the... while we're...while we're...while the Parliamentarian is reviewing that, we will continue the discussion. Representative...Representative McCracken, for what purpose do you rise?"

McCracken: "I rise to have my Motion decided. I've asked the Chair to rule it not germane. If the Motion prevails there is no point in having the debate. The parliamentarian can look at the Bill and look at the Amendment and you can render your decision."

Speaker Keane: "The Parliamentarian now has the Bill and you'll get your answer immediately. The Bill deals with the Criminal Code and the Amendment amends the Criminal Code and therefore the Amendment is germane. Representative McCracken."

McCracken: "I appeal the ruling of the Chair and ask five other Members to join with me in that Motion."

Speaker Keane: "The Gentleman has appealed the ruling of the

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Chair."

McCracken: "And I would like to address the Motion."

Speaker Keane: "You may address the Motion."

McCracken: "This Amendment, although it appears in the same chapter as the underlying Bill is very much at odds with the underlying Bill. As a matter of fact, they are so antithetical that really this should call into question the Constitutional restriction requiring single subject matter for Amendments. I believe the Motion is well-founded. I encourage my Democratic colleagues to join me in this appeal. I mean no disrespect to the Chair, but I believe we differ fairly on a very fundamental issue of even Constitutional magnitude. I therefore ask you to join me in overruling the Chair."

Speaker Keane: "The Gentleman has appealed the ruling of the Chair. Therefore the question is, 'Shall the ruling of the Chair be overruled?' On that...Representative McPike."

McPike: "Well, thank you Mr. Speaker, Ladies and Gentlemen of the House. I don't intend to vote with the Lady on this particular Motion but I think the Lady has a right to have it heard and I don't think the Democrats on this House Floor should vote to override a Democratic Chair. I would ask my colleagues to support the ruling of the Chair."

Speaker Keane: "Any further discussion? On the...on the question, Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker. You know, I've never voted in this House to override the ruling of the Chair, but all this year we've seen many times whenever we've had several issues dealing with guns in this state...proposals that were expressed by many Representatives in this House and during that time period we had an agreement. The agreement was that in the Judiciary Committee we would have those Bills posted and the agreement was that none of those

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Bills were going to come to this floor. That was the agreement very early on this year and we didn't press to have those Bills heard because that was the decision by this House. Now we find in the very late hours that not only do we have an issue brought before us, but we have an issue that fundamentally many of us are opposed to. Many of us who joined in that ruling and with the reasoning and with the action of that Judiciary Committee, and at this point in time I would urge my colleagues to join with the Gentleman's Motion to overrule the Chair."

Speaker Keane: "Any further discussion on the Motion? Representative Johnson."

Johnson: "The underlying purpose of a...of a question of germaneness deals with the core of the Legislative process and that is that when a chamber considers a...an Amendment that's non-germane and hasn't had the opportunity to go through the process of public input and debate and the proper procedures within this Assembly, then it shouldn't be properly before us. So I think that when you look at the Chair's ruling and with all due respect it's incorrect ruling, you ought to keep in mind the underlying purpose of Representative McCracken's original question and the reason for a germaneness rule in any parliamentary body. And I respectfully, and again with a good deal of hesitation, would join Representative McCracken and I hope others on both sides of the aisle in overruling the Chair on this question."

Speaker Keane: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. This tactic and this Motion is designed to silence this issue. As you see, the maker of the Motion and the appeal started out with a...with a Motion that...to table this issue which was obviously out of order because with Motions

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to... on Amendments like this you could lose the Motion and have a subsequent Motion. So failing on that, he made another attempt to silence this issue and now he's using the extraordinary tactic of appeal of the ruling of the Chair. That is a very, very, very important step. I would urge the Members on this side of the aisle. What you're doing, the Parliamentarian and the Chair have made a ruling. You can beat this Bill. You don't need parliamentary tactics to beat this Bill. You should not silence this issue. Guns and drugs are the most important issue facing this country. Guns and Drugs, guns and drugs. Do you want to silence that issue?"

Speaker Keane: "Please...please, keep your comments to the Motion."

Matijevich: "I'm on the issue, because I am saying...I am saying that you cannot silence that issue with parliamentary tactics."

Speaker Keane: "Representative Matijevich, keep your remarks to the Motion."

Matijevich: "You cannot silence that issue with parliamentary tactics. You can do it, but let's hear the issue. The public deserves to hear this issue and I would urge Members to vote against the appeal of the Chair."

Speaker Keane: "Representative McCracken."

McCracken: "Briefly in closing, what I stand here for today is not just the issue that...that underlies the Bill. It is not the point. This Bill never went through Committee. This Bill was never considered by this House. An Amendment was put on at the eleventh hour and now they come back to you and claim that that's properly before this Body, that the subject matter is before this Body properly. I say to you, it is not before this Body. This issue is so important that our Constitution addresses it specifically.

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There can be only one subject matter of an Amendment to a Bill. That is a requirement of our Constitution and that is why the Chair should be overruled today."

Speaker Keane: "The question is, 'Shall the Chair be overridden?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Representative Balanoff do you wish to...Representative Trotter do you wish to talk on this matter? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 48 voting 'aye', 64 voting 'no', and the Motion fails. Representative Currie."

Currie: "Thank you Mr. Speaker and Members of the House. The Senate Amendment to House Bill 2266 is about military style assault weapons. You should know, Mr. Speaker and Members of this chamber, that military assault weapons today account for only about one half of one percent of all weapons, of all firearms that are in civilian hands in this country. Nevertheless, they're twenty times more likely to be involved in a crime than are conventional weapons. One in ten of the trace requests to the federal bureau of alcohol, tobacco and firearms, involves the use of a weapon that is a military style assault weapon. Everyone in this chamber is familiar with what happened in Stockton, California in January, when Patrick Purdy killed five small children, wounded 29 others and one teacher in the Cleveland School in that territory. Everybody in this chamber also knows that public opinion would like us to do something to curb military style assault weapons in the wrong hands. In fact, according to the polls I have seen a full 72 to 80 percent of the American people would like to see an outright ban on these kinds of items. According to the members of the Chicago Police Department it is the

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military style assault weapon that is replacing the Saturday night special of yesteryear. It is the military assault weapon that is the weapon of choice for the drug gangs, for the gang bangers, for the drive bys. Hardly a week goes by without an innocent child struck down on a street corner because the people in the car driving past decided to spray with their street sweeper or their Uzzi the youngster who just happened to get in the way of the bullets. It is estimated by the law enforcement community that military assault weapons will be increasingly the choice of those criminal elements in our society who are a risk to us as civilians and are a risk to the law enforcement community itself. The Senate Amendment to House Bill 2266 is not, in fact, what the American people request. It is not a ban on assault...on military assault style semi-automatic weapons. The Bill does essentially two things. First, it says that when it comes to a semi-automatic long gun, a semi-automatic firearm, you may...you will be subject to criminal penalties in this state if you have that gun in conjunction with a cartridge, a magazine that is capable of going more than ten rounds. If you have a shotgun, the limit is more than six rounds. If you have a semi-automatic pistol, the limit is 15 rounds. We chose those rounds with the advice and the help of the Illinois State Police, with people who are involved in sporting activities. You should know that you're not permitted to hunt deer, to look for grouse, to go after a pheasant or a squirrel in the State of Illinois with a weapon with rounds that are larger than what is involved in House Bill 2266. The second item in the Bill and this was an item added because the Lieutenant Governor of the state, George Ryan, became exorcised about the law enforcement issues here. The second item in the Bill is an outright

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ban on the future sale of a specified list of military assault weapons that have no legitimate social or sporting value. So the Bill is about two items. Part of the Bill says let's get tough on those who are using semi-automatic weapons in ways that make no sporting, no hunting, no target competition sense, let's impose a criminal penalty. Let's help our law enforcement people have a reason to go after the drug crowd, to go after the gang bangers, and go after the drive-byers. Today if the cops walk into a drug house, what happens? The druggies flush the drug activities. And what do they have them on? There they're sitting with a Mack 10 with a 30 round clip. If they've got a firearm owner's identification card, the cops can get them on nothing. Let's help the cops get them before they get the police. Let's vote to concur with this Amendment to House Bill 2266. And let me in closing just tell you that there is a strong bipartisan coalition backing this Bill. Not only do the people of this state want protection from military style assault weapons run rampant, but this Bill has the strong support of Lieutenant Governor George Ryan, of the Governor of the State, Jim Thompson, of the Attorney General, Neil Hartigan. We had the Cook County State's Attorney, Cecil Partee in town today bringing respect, greetings and support from other State's Attorneys in the State of Illinois. The Illinois Association of Chiefs of Police is for this Bill as are the Sheriff's Organizations, the Illinois State Police support this Bill and so does the Fraternal Order of Police. The State's Attorney of DuPage County is a supporter and as I say, I think law enforcement people stand strongly behind the provisions in this Bill. I would be happy to answer your questions and would appreciate your support for the Motion to concur in the Senate Amendments to House Bill 2266."

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Speaker Keane: "Representative Doederlein."

Doederlein: "Thank you Mr. Speaker. Ladies and Gentlemen of the House, I rise in opposition to House Bill 2266. Government has now stepped on my toes and it hurts. As many of you know, my husband and I are military gun collectors and sometimes we actually use them, lawfully. How dare you even suggest that you can come into my house and take the magazines for my guns? I guess you really wouldn't take them, but you'd take me away. As House Bill 2266 is written there are no provisions for blocking the capacity to the legal limit. And how dare you suggest that I cannot hand down my firearms to my children or my grandchildren? I haven't committed any crimes and neither have my children or my grandchildren. I'm told that the intent is there, but it is not written in the Bill. On your desk is a letter written by the Lieutenant Governor dated June 26, 1989. It is reduced in size and my comments to this letter are on the side. It is also attached to a copy of the House Bill 2266. I want you to read the Bill. The problem with the Senate is that they didn't read the Bill. They were told what was supposed to be in the Bill. Then after reading the Bill, after the vote, they found that the Bill was not accurately represented. This letter from the Lieutenant Governor has the same problem that the letter states that...and what it is in the House Bill 2266, simply don't match. You might ask, why would anybody want to buy a military firearm? For much the same reason that people buy antique cars. Military firearms have a character, a personality and a history that commercial or sporting firearms simply can't measure up to. So an original firearm becomes more than just a gun. It becomes a cherished possession. Military firearms can be used for hunting, and in those states that permit hunting with

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rifles and handguns, they are used very successfully for popular big game like deer, elk, moose, bear, coyotes. In addition, military firearms are required in nationally sanctioned shooting competitions. Oh, the opposition says get this Bill into a Conference Committee and we'll take care of you. Quite frankly, that's exactly what I'm afraid of. Government taking care of me. We all know what happens in Conference Committees. No citizen input and how many of you know firearms well enough to protect the rights of the hundreds of thousands of Illinois citizens who own firearms? I can't debate firearms with experts, and I've been around firearms for over 30 years. And I can assure you that the people who drafted House Bill 2266 know even less than I do. They keep coming up with changes and changes and trailer Bills. I never heard of a trailer Bill until today. Do you want to put your vote on a trailer Bill? To an Amendment, not even on the Bill. Usually when legislators have a topic that they're unfamiliar with, we learn about the issue through public testimony. We ask questions of the experts. We learn. I've had the best education down here. I've learned a lot of things about a lot of environmental issues. Why don't you learn about firearms the right way, through testimony from the experts? This legislation is under the wire at the end of the Session so that most of those affected won't even be aware of the impact until after it's passed. Is this the way the legislative process is supposed to work in this eleventh hour attempt? Is that fair to the citizens of the State of Illinois? I saw the catalog sent out by the proponents of this hand...of this Bill. Don't the guns in this catalog look sinister? In the hands of a criminal, they are sinister. In the hands of a collector or someone who uses weapons lawfully, they are beautiful. Everything is

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relevant in the eyes of the beholder. I had several firearms experts go through the catalog and I asked them to put notes on the pictures. I'll give you some of their notes. It was noted there were several machine guns pictured in the catalog and they wondered why. Machine guns have been banned for decades in Illinois. Why would we want to ban them again? Do two ban, bans make...do two ban bans make..."

Speaker Keane: "Bring your remarks...Please bring your...Representative Doederlein, please bring your remarks to a close. Representative Parke."

Parke: "Give my time to Representative Doederlein."

Speaker Keane: "Representative Parke yields his time to Representative Doederlein."

Doederlein: "Thank you, Representative Parke. Do two bans on a gun give it the double negative and make it legal then? There is also a gun marked the silencer and everyone knows if you own a silencer you'll go to jail, why picture that? There has been such deceptive...so much deception concerning this Bill, 2266. The public has been deceived, the General Assembly has been deceived, let's stop this decision and put this Bill and the topic to rest. We are told that House Bill 2266 was necessary to regulate weapons used by drug dealers. I was under the impression that we we're already illegal for drug dealers and felons to possess firearms, semi-automatic or otherwise. This Bill will not punish drug dealers. Instead, it will just drive them to another black market item to sell. They will smuggle in illegal guns the same way they smuggle in drugs. Because they are already have the means of the distribution. Doesn't this concern you? Why should we pass legislation that we...be a financial windfall for the drug dealers? And why should we punish the veterans of

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World War II and Korea? And there are some veterans here today who own the millions of M-1 carbines...banned under this Bill and for what...for that reason the American Legion opposes House Bill 2266 and they sent me a telephone message on behalf of over 158,000 veterans who are members of the American Legion in Illinois, 'we wish to state that we support the position of the National Rifle Association, and there should be no further firearm legislation at this time.' 99.8 percent of the firearms owned in the United States will not be involved in any criminal activity in a given year. Less than two-tenths of one percent of all firearms in the United States are used by criminals. Think of that. Think of that. 99.8 percent will not be involved in a crime. Guns are almost 100 percent pure by the ivory soap. You certainly can't make that same statement about cars. I read the Bill. I hope that you have read the Bill. There are two sections to this Bill. The first section is mainly concerned with the magazine capacity. Some guns are not available with magazine capacities as low as that that is required. What are you gonna do about those guns? And in the second section under the name or in third rifles, one can only possess these firearms if he or she is a bonafide collector. Only a bonafide collector on the effective date of this Amendatory Act are allowed to register and keep their firearms. What is a bonafide collector? What is a bonafide collector? How many of these collectors are licensed by the United States Treasury that reside in Illinois? What are all the citizens who are not bonafide collectors going to do with their firearms? The target shooters, they hunters and the plunkers? What are the millions of World War II and Korean veterans supposed to do with their M-1 carbines? They brought them home from the war as souvenirs. Thank you. This Bill is

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very flawed. Very, very flawed and I ask you to bury this Bill with a 'no' vote and if it comes back as a non-concurrence vote, I request that this also be buried and have a roll call vote and I ask you to vote 'no', 'no', 'no' and protect my rights to own my own firearms."

Speaker Keane: "Representative Ronan."

Ronan: "Thank you Mr. Speaker, Members of the House. I rise to support Representative Currie's Motion. I just want to take a couple of minutes to talk over what's happened on this piece of legislation. I've been here a long time and people know me. I've never met a special interest group I didn't like until this Bill came up. I have finally found a group that really doesn't do the process the right way. We have an opportunity to discuss this legislation, the first movement is to put it on the table where we can't even have a hearing. What is the NRA so worried about that we can't even discuss the merits of this legislation? There's a serious problem when an organization doesn't want us to be able to debate a piece of legislation. Let's talk about the facts of the Bill. There are tens of thousands of hunters who live in the State of Illinois who possess rifles, who possess shotguns. They're still gonna be able to go out and do all the hunting that they want to do. This Bill's not going to impede any of their efforts to do what's right in the hunting field. There are hundreds of thousands of residents of the State of Illinois who possess handguns to protect their families and to protect their property. This legislation has nothing to do with that particular issue. I may not agree with it, but this legislation doesn't impinge that right. What this legislation deals with is an organization that's come down here to lobby the Members of the General Assembly, using whatever means they are going to make available to try to

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convince us that we should allow cop killers and drug dealers to set policy in the State of Illinois. That's what these guns are all about. You use them for two reasons. You either protect your drug stash with it so that if somebody wants to take your drugs and sell them you have to kill them, and you need at least 30 or 40 shots to do it because these guys must not be very good marksmen. Or you use these weapons to kill police officers. Those are the two reasons. You don't hunt deer with a gun that can shoot 60 shots in three seconds and you don't hunt moose with a pistol that can shoot 40 shots in 2 seconds. You use it to kill drug dealers if you're a drug dealer and you use it to kill police officers. That's a sad situation for the people of the State of Illinois and I think the lies that have been brought forth by the NRA are a tragedy. They wanted to convince the Members of this House that we are going to make felons of legitimate citizens here in the State of Illinois and that's not the case. If you possess one of these weapons you can continue to possess it and have no problems. What we're trying to do is limit a weapon that really is a detriment to our society. It's a tragedy that an organization that is well financed and knows how to get to Members has been able to do its job, but I hope that people pay attention to what this is all about before they cast their vote. They really worry about the future of their kids and they worry about safety here in the State of Illinois, and not be beholden to a special interest group and...you know what...I think the average NRA member, if they looked at this legislation would say, 'I want my rifle, I want my shotgun, I want my pistol, I don't want these weapons on the street', and especially if they came from my district and they saw what kind of punks are stockpiling these weapons to make their

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drug sales easier, they'd pay a little more attention. I urge people to vote for this legislation, and repudiate an organization that really shouldn't be allowed to operate here in the State of Illinois. Let's vote once for the people and tell the NRA where to go. I support this legislation."

Speaker Keane: "Representative Tate."

Tate: "Thank you, Mr...Thank you Mr. Speaker, Ladies and Gentlemen of the House. I guess to address the previous speaker's remarks...It was the...it was the Speaker of this House, that there were over 30 Bills dealing with criminal justice and gun regulation in Judiciary II in the Illinois House this year. None of those Bills passed the Illinois House in an agreement. So there...as far as the process itself working, the process didn't work this year. In fact, there were no Bills addressing these issues that were...that went through the Committee process, that passed the Committee process. The previous speaker alluded to the use of guns. I guess...I'd ask you out to come on down to Central Illinois or Southern Illinois and go hunting with us sometime or we'll go out to the shooting range and you'll see a lot of the guns that are in this Bill that are used by very law abiding citizens. None that are protecting dope, none that are using them for illegal purposes. I beg the Members of this House to please read this Bill, regardless of whether you are a proponent or an opponent of gun control. This Bill is unconstitutional. It's doubtful, it's constitutionality, to include specifically named weapons, number one. Number two, it's also a violation of the U.S. Constitution to guarantee...the Constitution's guarantee of equal protection, as it treats similar people in a dissimilar fashion. Number three, the definition of assault weapons

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is probably unconstitutionally vague because it does not provide proper due process notice as to what weapons are illegal and criminal laws must be narrowly drawn and this Bill is not. Sometimes...sometimes this Bill...this Body may not really concern itself about these constitutional technical questions. What does this Bill really do? Does it ban automatic weapons? Yes, it bans automatic weapons that are already banned under current law in Illinois. That's what this Bill does. Does it ban shotguns...shotguns? Remington 870, a Winchester, your pheasant hunters, your rabbit hunters, your next door neighbors. Under this Bill a shotgun that can take a magazine of over six shells, there are a million FOID card owners in the State of Illinois. Call the State Police. Half a million of those FOID card owners probably have semi-automatic weapons, but over half a million of those FOID card owners definitely have shotguns. I'm talking about shotguns for pheasant, I'm talking about shotguns for trap shooters, I'm talking about shotguns for skeet shooters. Under this Bill, you better have 500 thousand of these right here...handcuffs, because those Bills...this Bill makes those people...illegal. Makes those people in the same category as a cop killer and a dope dealer. And I don't think anyone in this Body wants to make a legitimate shotgun owner illegal. And that's what this Bill does. Read the Bill. Read the Bill. We really want to do something about this issue, we're really concerned about the relationship of guns to drugs. Well, 75 percent of firearm murders are drug related. Instead of getting into a discussion on what are good guns or bad guns, why don't we engage in a discussion about how we deal with the problem? Instead of making a concurrent possession of a magazine and a semi-automatic a felony, shouldn't the answer be that we

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should make the concurrent possession of any firearm with any kind of drugs a five year mandatory felony? That's the answer. If you think that we're gonna put drug dealers...we're gonna take..."

Speaker Keane: "Mr. Tate, if...would you just bring your remarks to a close."

Tate: "Ladies and Gentlemen, I can close in one minute or less. Those people, Ladies and Gentlemen...drug dealers in this state and country unfortunately have a bankroll. If you're flying pounds and gallons of cocaine and drugs in this state you can buy any weapon that you want to buy. But if you'll look at the record...if you'll look at the record of what firearms have been used for murders in this state you don't find the firearms in this Bill. There haven't been deaths at the result of these firearms. What we're talking about here, Ladies and Gentlemen, we're talking about taking shotguns and many other weapons away from very law abiding citizens that are hunters, that are sportsmen, that are using them for legitimate purposes. This Bill is poorly crafted and is unconstitutional and we should kill this Bill and let them go back and start all over again."

Speaker Keane: "Representative Balanoff."

Balanoff: "Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Lady's Motion and House Bill 2266. The question before us today is whether or not we should allow drug dealers, gang members and criminals to have the weapons of war. We all want a safer society. We all want neighborhoods where we can walk at night without fear for our lives, and where our children can play safely. When the Illinois Police Departments, or the Illinois State's Attorneys or the Chiefs of Police Associations come to us with laws that make it easier to convict drug dealers, gang members and criminals or to sentence them to stiffer

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penalties, we respond quickly. Now they are coming to us and asking us to ban assault rifles to make their job safer and easier. The result of banning semi-automatic assault weapons would make for a safer society overall. We would be lessening the possibility of reading about the slaughter of school children at our grammar schools or the mowing down of innocent people by rival gangs or drug dealers in drive by shootings. Several weeks ago on a Chicago street in a senseless drive by shooting one young woman was ruthlessly murdered, while three others were injured. The weapon? A semi-automatic firearm. I'm proud to tell you that Chicago's top cop and my constituent, Police Superintendent LeRoy Martin, just today talked to me about the need to outlaw these senseless weapons. He told me about a big drug bust in Chicago just last night, where the weapon confiscated was an Uzzi. That one weapon could easily wipe out every Member of our great Legislature in a matter of minutes. Assault rifles are not weapons for hunting, they are not weapons for protecting the home and they are not weapons for marksmanship. Their only purpose is to kill large numbers of people in a war time setting. Let us not give criminals, gang members and drug dealers the armaments to wage war on the innocent in our communities. Our children, seniors, family and friends must be protected from this senseless assault. Again, the question before us today is whether or not we should allow drug dealers, gang members and criminals to have the weapons of war. Well, I say 'no' and I urge my colleagues to vote 'yes' to ban these weapons."

Speaker Keane: "Could I ask the Gentlemen in the center aisle to...Gentlemen. Representative Myron...Myron Olson, could you remove your conference? Thank you. Representative Johnson."

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Johnson: "Just so I don't have to do it in the middle of talking, I think Representative Kubik and Countryman, I don't think I'll need that...would want to pre-yield their time to me so I don't get cut off by the electronic timer."

Speaker Keane: "That is not allowable at this time, but we will be happy to do it and we will try not to interrupt your flow of thought."

Johnson: "This is a slickly packaged, media promoted, ill conceived, insidious Bill. It would place Illinois into the national leadership in the status attempt to stifle our second and fourteenth Amendment right to bear arms. Say what you want about this Bill, but this is gun control pure and simple and the ultimate long run effect of passing this Bill would be to wipe out firearms in this state across the board. This is the first step. Contrary to the misleading, with all due respect...sensationalistic assertions to the contrary, this Bill would do a lot of things. It would ban guns used in international competition held in the State of Illinois that bring in about five million dollars a year in income. It would ban routinely used handgun magazines which just happen to fall over the arbitrarily set number of rounds that this Bill designates. It bans a whole wide variety of semi-automatics...semi-automatic weapons, marlon rifles, Browning rifles and automatic shotguns and a whole variety of other weapons that we have come to recognize as part of our normal staple. It would ban a wide variety of shotguns used in target competitions, ban military firearms which are valuable collectors items for tens of thousands of Illinois citizens for generations. It would ban weapons used for big game as well as for use on harmful predators. And incredibly inconsistently and probably unconstitutionally, would allow a wide variety of...rifles

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and shotguns to continue to be used which are far more potentially harmful than these banned by this Bill, make possession of these firearms a felony while we continue to make their use a misdemeanor. It would make felons of tens of thousands of Illinois veterans who purchased and own firearms that are banned by this Bill. It would make felons of deer hunters and competition target shooters throughout the State of Illinois who purchased their guns in good faith and use them in good faith, simply by the whim of this General Assembly. I've received, and I assume you have as well, Ladies and Gentlemen of the House, hundreds of letters and calls from constituents in opposition to this useless and dangerous Bill. And who are the people who called? Mr. Jack Williams from St. Joe, and Mr. Jarboe from Pennfield, Dr. Tobin from Champaign, Norman Paul from Urbana. And why do they oppose this Bill? Because they're sportsmen and hunters and ordinary citizens and target shooters who know that this Bill strips away law abiding citizens of their fundamental right to bear arms. I haven't gotten one call or letter...I take that back, I think one came into the district office today, in favor of this Bill. I haven't heard from the drug dealers lobby on this Bill, but I assume they're in favor of it, because this Bill would be the most beneficial Bill...piece of legislation to the practice of their art that we could ever pass. We already have Class X felonies making virtually everything they do punishable by non-probationable offenses and lifetime sentences, so if anybody thinks for a minute that this Bill is going to do anything, have any effect whatever upon the cop killers and drug traffickers in this state, they're operating under a different level of judgment and lucidity than I am. And I would suggest with all due respect to my good friends who are Sponsors of this

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Bill, Representative Balanoff has spoke on it, Representative Currie and Representative Kirkland...that if they really want to do something about crime and drug dealing in this state, they'd vote in favor of a measure that would apply the death penalty to people who use firearms in the commission of a drug offense and kill someone. But each one of those individuals, as well as many others who are going to support this Bill, oppose death penalty for everybody. This Bill is political grandstanding. It's a sound bite mentality, it's an attempt in a very real sense to attack the second Amendment, right to bear arms, equally as insidiously as the attack on free speech or assembly that many of the proponents of this Bill continue to defend time after time after time, as well they should. What's the real solution to the problem? Heavier penalties for people that commit the kind of offenses and use the sort of weapons that are involved in this Bill. Death for people that use guns in the course of certain offenses that are not covered by our capital punishment law now. I got statistics here that I assume are accurate, since they're supplied to me from a neutral source from the City of Chicago, which indicates that there were 691 homicides last year in the City of Chicago. Two of them were committed by a boning knife, one of them by an ash tray, one of them by a belt, one of them by a necktie, one by a shovel, one with a baton..."

Speaker Keane: "Representative Countryman yields his time."

Johnson: "...fifty four with feet, hands and fists, and not one...Ladies and Gentlemen of the House...not one of the offenses, not one of the homicides in the City of Chicago last year...which, by the way, has among the strictest handgun control pieces of legislation...or ordinances in this country...not one of these offenses of 691 homicides

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was committed by any of the firearms that would be banned under this Act. Maybe we should introduce an Amendment to this Bill that would ban boning knives and neckties and feet, hands and fists in the appropriate usages in this state. This is an insidious Bill. It's a....a Bill that has been portrayed, perhaps unintentionally...I hope unintentionally by its proponents...but in any event been grossly misportrayed. This Bill strikes at the core of freedom, it strikes at the core and the...of citizens throughout the State of Illinois and for that matter it's precedent value throughout the country. It's a terrible Bill and I think that when you have a chance, as I assume you have by now, to look line by line at the Bill, you'll see that this Bill is one that ought to be overwhelmingly defeated, ought to be joined in as I think it is in opposition by Members of both parties, downstate and upstate to defeat the concurrence Motion to House Bill 2266. Thank you for your time."

Speaker Keane: "Representative Trotter."

Trotter: "Thank you very much, Mr. Speaker, Members of the House. I rise in support to concur on the Motion for Amendment #2 for House Bill 2266. Primarily I rise because the legislation proposed here today is right for these times. You know, it never ceases to amaze me in the short time that I've been here on the floor, the interpretation in which some of our colleagues have of some of these Bills. One that we've had Members get up and say that they knew nothing about 2266. This Amendment has been on our desk all week. We knew that they had it in Senate Committee, we knew that it was going on, we read the papers. This Bill is no surprise, the NRA has been down here all week, so we know about this Bill. What we have here is, we have assault weapons that at this time that we are attempting to

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outlaw, are basically the guns of preference of outlaws. Let us be perfectly clear that these paramilitary weapons are tools of war, and this war is being waged in our streets, in our communities. They have nothing...it has nothing to do with competition, has nothing to do with target shooting, it has nothing to do with the fine sport of hunting. These are tools of death. These tools are being used too often to enforce gang territories and drug turfs. They are used to kill people. They are not used to maim them, they are not being used to scare anyone, they are being used to kill people and the capacity, the rapid fire capacities of these guns makes it much easier for people to mow down a lot of people indiscriminately. Now what does that mean? That means regardless of your race, regardless of your sex, regardless of your influence and affluence and regardless of your political persuasion, you are at risk. House Bill 2266 puts a cap on the size of the magazines that can be used with certain weapons and bans others completely. The language that has been drafted in this Bill is very concise and it has bipartisan support and input, as it should. Embodied in this Bill are provisions that exempt the bonafide dealers and collectors, ensuring that they are not penalized because of the acts of these thugs and drug czars. This Bill will strengthen the fight against these animals who wantonly kill people and who wantonly kill dreams. This Bill makes it a Class 3 felony to possess one of these instruments of death in conjunction with narcotics dealing. If a...hypothetically, if a drug bust does not hold up in court, the gun charges just may. This provides...this Bill provides ammunition for the good guys and if you are truly...if you are truly against crime, if you are truly wanting to get tough with crime, then you'll vote 'yes' for this Bill. Let's be consistent here

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on this floor, and we are. Just last week we passed a Bill out of here saying that if you read a book and you committed a crime after reading that book, the person who wrote that book was guilty. Now we saying it's being very inconsistent because we're saying now that if you have a weapon and you use that weapon in conjunction in shooting someone, that the weapon had nothing to do with the carnage that that weapon caused. Let's be consistent. I'm gonna vote my conscience here today. I will not vote the will of any pressure group. I...my vote cannot be bought. I'm proud to have my name on that Bill. I'm proud to have my name there and I'm proud to vote 'aye' on this Bill and encourage everyone here to do likewise. And let's keep it in mind as we push that button that the next person that can be killed by these weapons may be someone that you know, may be someone that you love. Today we have an opportunity to make the difference in life and death and I encourage all to vote 'aye'."

Speaker Keane: "Representative Goforth."

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

Speaker Keane: "She indicates she will."

Goforth: "Representative, you said a few minutes ago that they was a lot of police organizations that was in favor of this Bill. You said the Sheriff's organization. Have you polled...where did this information come from?"

Currie: "We met with representatives of the Sheriff's organization this morning and they informed us that they are supporting the Bill. The Fraternal Order of Police, 180,000 troopers statewide."

Goforth: "Well, that's just my question..."

Currie: "...appeared with us this afternoon to support the Bill."

Goforth: "That's my question...just a minute...just a minute...I just wonder what...You said all these people support it."

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As you well know, I was a state trooper for 26 years. I started calling my state troopers today. Not a one of them supports this Bill. Not a one of them. The Director supports the Bill. But however, he has never put on a state police uniform in his life, he was appointed by the Governor a couple of years ago. All the Sheriffs...I called the five sheriffs in my area, not a one of them is supporting this Bill. You know, when you say all these police organizations, the Chicago police force...I know the Superintendent is supporting it, he was down here on the floor awhile ago. My seat mate here has been a Chicago policeman for 18 years, he don't support this Bill. You know...you know, I think that it should have been clarified, but besides that...to the Bill. You know, you mentioned a while ago and we've all read in the paper about what happened in California. We're sorry about that, I agree with you. But let me tell you something, we also all read in the paper and seen on the news what happened in China just a few months ago. And let me tell you people something, you better be ready to appropriate a lot of money if this thing's passed because I'll guarantee you one thing, when you come to Southern Illinois to take our gun away from us, you're gonna need the damn army."

Speaker Keane: "Representative Currie, did you wish to respond to the question?"

Currie: "Just to clarify that when the Fraternal Order of Police spoke with us they said that they thought it was critical to protect their members from these assault weapons gone wild."

Speaker Keane: "Representative Weaver, you have five minutes."

Weaver: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, while I think we need to applaud Representative Currie's respect for human life and a respect for life that

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we all share, I think this Amendment attempts to deal with the criminals by concentrating on the tools of crime, rather than on the crime itself. If we believe the statistics that have been thrown around today, we're not only attacking the tool of the crime rather than the crime, but we're attacking the wrong tool. Like Representative Goforth, I needed a little bit of advice on this, so I called the State Police. They sent me their latest compilation of facts in crime in the State of Illinois. Here's what I discovered. According to this 1987 report, which is the latest full year that they have, aggravated assault, battery and attempted murder by firearms made up 26.1 percent of the total. However, knives made up 27 percent of the total. Handgun use over the two year period covered was down 13 percent, rifle use was down 6 percent, shotgun use was down almost 20 percent, but knife use in crimes was up 2 percent. We're going after the wrong tool. If you want to make sure you're going to cut down murder and battery in crime, go after the right tool. We must not perpetuate the fallacy that we can reduce crime by addressing the tools rather than the criminal. Along with Representative Goforth, I decided to poll my local policemen and talk to as many sheriffs deputies as I could and...funny as it may seem, I got approached by a couple of Chicago area policemen today...this morning...and one of them relayed a story to me I think that bears very closely on what Representative Johnson had been saying and it was by Chicago policemen who two days previous had booked an individual on possession of cocaine with intent to distribute. We're talking a felony crime. And this policeman asked his criminal that he had just booked, what effect the passage of this Bill would have on his operations. And he said the guy was kind of cocky and made

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no bones about it. He says, 'I'll tell you how this law would affect me, the day after this law is passed I will have delivered to your doorstep a fully automatic M-16. This law would mean nothing to me. I'm already facing felony charges, what the heck is another one?' If your intent is to go after drug dealers and criminals and gang operators, this Bill will not do it. All it's going to do is restrict the use of firearms by the average citizen who is normally law abiding. If we want to keep semi-automatic weapons out of the hands of drug dealers and gangs who are already facing felony charges, this Bill simply won't work. For the future freedom of the Constitution, please, I urge you to vote 'no' on this concurrence Motion."

Speaker Keane: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. I think what we have here is an issue of leadership. As I've walked and talked to a number of my colleagues on this House floor, they have said, 'I'd love to be there with you'. This isn't the only issue that they have said that over the last 7 years that I've served in this General Assembly. Because in their heart, they know that there are certain issues that they would rather be voting on the prevailing side or the other side of which they are voting. This is one of those such issues. I think we have seen some leadership demonstrated, because there's a problem out there and the right vote and the right concern is this concern. We've seen Governor Thompson step up to it with true leadership. We've seen George Ryan step up to it with true leadership. We've seen our colleagues over in the Senate do the very same thing. To some of my colleagues on my side of the aisle I would like to say, to Representative Doederlein who said she's never seen a trailer Bill. Call it what you will, Representative Doederlein, but this

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happens to be an effort with regards to a trailer Bill that we were trying to work out a cooperative compromise with the people from your side of the aisle, or your side on this issue. That's what we were trying to do with the trailer Bill, a compromise. To Representative Johnson, who claims that we're banning the wrong tool, or Representative Weaver, who said we're banning the wrong tool and talks about the ice picks, the scarves, et cetera, that have provided those murders on that list. Well, listed there also were baseball bats, a hundred or more deaths occurred with baseball bats. So, I ask Representative Johnson and Representative Weaver, are we going to ban baseball bats? What we are really talking about here are guns of crime. We aren't talking about guns of recreation. I don't think our forefathers had anything...any thought...when they started framing the Constitution, that they were going to be witnessing guns such as this other than for the use in the militia. When they went out to hunt their dinner, shooting pigeons, I don't think they had the idea that they were going to use assault weapons such as this. I think, furthermore, when we start talking about leadership, we've got the first families...George Bush. In a lifetime of hunting I'm damned if I know one hunter who goes out hunting with an AK47. One who did, he said, might have a little tail left, maybe a couple of teeth of some animal that you've blown away with that. And to my side of the aisle, how about Ronald Reagan? What did Ronald Reagan have to say about it? He said, 'I don't believe in taking away the right of the citizen to own a gun for sports, hunting or their own personal defense. But I do not believe that an AK47, a machine gun, is a sporting weapon'. Ladies and Gentlemen, that's what we're talking about here. Assault weapons that have the fire power capacity of

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machine guns. We once made that mistake in this chamber a number of years ago. Let's not make that mistake again. Because clearly, the public supports this issue. 1989 Gallup Poll, 72 percent favor a ban on assault guns. 68 percent of gun owners favor a ban. 79 percent of women favor tougher laws on sale of firearms. What we are talking about here are Rambo style guns. Guns of crime, with excessive fire power. And in closing, I would just like to say that as a mother, I'm very concerned. I'm concerned about gang crimes in Chicago Metropolitan area and East St. Louis. I'm concerned about the random shootings in areas like Winnetka. If it can happen there, it can happen anywhere in this state. One of the pages came up to me earlier on tonight when this Bill was called, and he said to me, 'Good luck, Mrs. Didrickson, it's a great Bill'."

Speaker Keane: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker. Now, I introduced a couple of Bills this year, House Bill 1596. House Bill 2343. You know where those Bills came from? They were Bills given to me and asked of me to have submitted that were sponsored by the NRA. Let me tell you what those two Bills did. The first Bill extended the term that a person would be imprisoned if they were found to be in possession of a weapon, a rifle, a pistol, any type of a firearm, and also be convicted of a violation of a controlled substance at the same time. Now what's that mean? That means, as has been suggested, if you are protecting your stash, you had a weapon. If you had a controlled substance on you and you didn't have a weapon, then probably you weren't a drug dealer. Maybe you were using it for your own consumption. Maybe you had a problem. But you weren't a drug dealer, possibly. But those who have a gun, are trying to protect

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their stash, as been said here on the floor...they're the drug dealers. But what happened to 1596? It was never called in Judiciary Committee, Judiciary II, not because I wasn't there. I was there on two different occasions and asked the Bill to be called. What happened? I was asked to hold my Bill back along with many other people that had Bills dealing with the subject, were asked to hold those Bills and not have them presented. I thought it was somewhat strange, but I went along with that proposal and did so. House Bill 2343, what did that do? That changed the FOID card in this state. The FOID card currently, if it's given to you, it's good for five years. What did my issue say? That if you apply to buy a gun, that they have to call an 800 toll free number and if you'd committed a crime, and it was on the record you would know right then, not five years down the road, that that person didn't need to have a gun. Not...not five years down the road like the FOID card is, but right then. If that guy was convicted today, tomorrow his name would be on file and he wouldn't be able to go out and buy a gun. And that's the kind of people we don't want to have a gun. And where did those issues come from? As I said, they came from the NRA of which I'm a member of the NRA, as are a few other people in this room. I have been for a number of years. Also, there are people I've noticed up in the gallery, I even saw one former Member of this House, who's a life member of the NRA, who I sometimes wish maybe I had a chance to become a life member but it costs a few dollars, and I haven't had those dollars to do. But let me suggest to you, as these discussions have gone on, that the rights of the second Amendment are what we're talking about and I think it's somewhat what we are talking about. It's been said that our forefathers couldn't have dreamed of these types of

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weapons and you know, I think that's probably true. But what they did dream of, and I think even a bigger picture, is they dreamed about what's going to happen in this country when government becomes all encompassing and they take over. They take over our lives, they take over what we think about, what we feel and our rights of expression. And when that happens, the people of every country rebel to that. And if you don't have a weapon to rebel, you might be like the guy we saw on television that stood before the tank in China and I would of liked to seen that. I'd been there a few days before that, and we thought everything was going to be peaceful in China. We never imagined that they'd go out there and run over people with tanks. They didn't have any weapons. I was there. They didn't have any weapons. A million and a half people with no weapons. You think they're happy with their country? I suggest to you, down the road if you allow our weapons to be taken from us, I don't care if it's assault weapons or any type of weapons, we have a right by the Constitution to possess those firearms. And with that right, and if we give up that right, we also give up our rights to have any kind of expression of our own desires, to be able to stand up before you and tell you that I'm not for this Bill. Because if I don't have my rights of expression, and my constitutional rights are taken away from me, what's going to be next? I ask you to take a long hard look, as all of us have, we've all thought about it and we probably all have our minds made up. I appreciate the chance to be able to speak my feelings as a member of the NRA and a Member of this Illinois House and an Illinois citizen. Thank you very much."

Speaker Keane: "Representative Kirkland."

Kirkland: "Thank you..."

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Speaker Keane: "No demonstrations. You're violating the rules of the House...our guests in the gallery...our guests in the gallery are not allowed to demonstrate. Representative Kirkland."

Kirkland: "Thank you Mr. Speaker. First briefly, a point of order and a very delicate one. I have a note on my desk that says, 'If I didn't want to ruin a good friendship and if I misrepresented your position, I would like to take it back on a point of personal privilege.' Let me just call my colleague a liar on this issue. I don't know how else to treat it. A...I have told people that I think that there are certain crimes for which the death penalty makes sense. I've also told people that if we ever faced the issue down here of a total ban on the death penalty, that I would involve myself and listen to all the arguments, and I guess he decided to carry that to the point he thought was important. But...and I hate to do that, and I hope it doesn't hurt our friendship either, but he says he especially doesn't want to ruin it over this issue, but this issue obviously means too much to him, I think. Thank you. I'd like to address the issue and that was not the issue."

Speaker Keane: "To the issue."

Kirkland: "Thank you. A number of things. First, this Bill does essentially two things. It bans the possession of semi-automatic rifles and pistols when they are accompanied by magazines with an unreasonable capacity and those capacities are 15 rounds for a rifle and 10 rounds for a pistol. They don't ban the rifles. They don't ban the rifles with a magazine of reasonable capacity. Anybody who says they do is misrepresenting the Bill. Second, essentially the Bill bans...and it also bans manufacture and use and so forth, but possession is the key I think

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here. Second, it bans the future possession in a sense by future purchase of semi-automatic rif...semi-automatic...I'm sorry, of assault weapons that are set out in the Bill. It does not make criminals of those people currently in possession of those weapons. That's obviously probably a defect in the Bill. It's fairly illogical, but the fact of the matter is, the Bill was drafted to try to meet the...the need of a trend that is an awful trend for our society, that the law enforcement officials that have been in the business for many, many years recognize and it's trying to find a reasonable ground. It also, as everybody knows, exempts law enforcement, military, prison guards and collectors from its...from its subject. Briefly, on the first step argument. Every single issue that's very controversial down here, you get the old argument about, 'Boy this is just the first step'. Well, I guess we'd never do anything if we always accepted that argument, but in this particular issue, that's always the biggest argument raised. And as far as the second Amendment is concerned, the Supreme Court has upheld the local handgun bans, the...we have in fact a machine gun ban in this state which I think we all support or we should all support. I just don't think the second Amendment applies. However, people want to argue and I don't think that our founding fathers had machine guns, let alone these other dangerous weapons in mind when they drafted the Constitution. A couple of other things, then. First, I want to say for the record that I appreciate...graciousness is the best word I can come up with, of my colleagues in accepting the considerable lobbying that we put on as well as obviously...obviously, the opponents of this concurrence on behalf of this Bill. They listened to our arguments, they considered our

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arguments, they asked questions and many remained open minded and I don't blame those who were not open minded from the beginning. All issues bring people to them with set positions even before the debate starts. But, I think that's a necessary thing to say in light of the fact that this issue puts so many of our colleagues on the spot. I also received many calls, and I have to honestly say that those I had a chance to return, the people were reasonable, they listened to my explanations of what we were going to use as...and are going to use as a companion Bill to address some of the issues. One of which would have been to say that you could plug that excess magazine, so that...to bring that magazine down to the allowed 10 or 15 rounds and that would have further..."

Speaker Keane: "Bring your remarks to a close."

Kirkland: "You want to give me a little more time?"

Speaker Keane: "Representative Levin offers you his time."

Kirkland: "Thank you, not very long. They listened to our arguments and learned a lot more about the Bill than I think in many cases they learned from the...from their own Representatives. I also have to personally draw a distinction between the Illinois State Rifle Association and the NRA. The Illinois State Rifle Association, while putting out some literature that I thought went a little too far, also put out some literature that addressed specific parts of the Bill. And we tried to respond to that literature and appreciate their input, and they're a group that primarily represent hunters, collectors and target competitors, I think. On the other hand there is a group called the National Rifle Association which has too much money for its own good, for our processes own good, and they primarily represent...and don't anybody think otherwise...the gun manufacturers of this nation and that's

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the gun manufacturers who manufacture all of these type of weapon in addition to what many would consider legitimate ones. Now, what kind of power do they have? At the least that kind of money allowed them to gear up an abnormal and I believe unrepresentative amount of telephone calls to influence Members and I think unfortunately to make them forget that there is a strong silent majority in our population who want us to address this dangerous trend. Who want us to find the solutions that begin before the deaths occur, before the crimes occur. And we're trying to address that issue. I'm always surprised at how few people in here who haven't gone through a trauma of a death of a relative or a good friend or a family member, can't imagine how awful it'd be. It just.. it belies...I don't understand it. What kind of power do they have? They have the power to get people thrown off subcommittees, they write letters to all their members at the very drop of mentioning of the issue. They try to eliminate debate, we saw that today. They finance \$15,000 and \$30,000 radio and newspaper ads on the spot, when just ...just when the issue is brought up. All of that may be legitimate, but that's a God awful amount of power. One last thing, and I'm not addressing this to anybody by name and I'm not addressing it certainly to those who came to the issue with their minds made up. But as one of the speaker's said, we've had a fair number of colleagues come to us who are working on this Bill and say, 'We think it's a reasonable Bill, we'd like to support it, we don't see how we could and face re-election next year'. And I just think that's shameful. I think we should be prepared for those who could have been swayed or thought...who said it was a good Bill, to fight for what we believe in and then be prepared to fight for our re-election. And I think if more of us were prepared

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to do that I think this Bill would pass, and I respect all who've debated on the Bill both pro and con, but that's my strong feelings and I also ask that the Amendment be concurred...be concurred to. Thank you."

Speaker Keane: "Representative Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. As many of you know, I'm from Western Illinois, and we've got about a hundred miles of river that's being used for duck hunting and pheasant hunting, all kind of hunting in my five counties that I represent, a very rural area. And I support and I will continue to support the sportsman's rights to own their semi-automatic shotguns and rifles. And I support and I will continue to support the private ownership of handguns. But I also support this House Bill. Let me tell you why. When I...here last week, I took that piece of legislation and the analysis of it and went back to my district, and I spoke with my county chairman who is an NRA member and showed it to him. He didn't have any problem with it. I showed it to the chairman of my finance committee, an NRA member, he didn't have any problem with it. I called my county chair...my sheriffs in most of the counties that I represent, those that I could get through to. They didn't have any problem with it. You know, last...about four or five weeks ago, we just sent out a nine thousand piece mailing into my district and in it we had a survey and in the survey was a question and one of the...that concerned the banning of semi-automatic assault rifles. In my district, a rural area, a lot of hunters, seventy five percent of the people responded to that...responding to that survey supported banning and restricting of military style semi-assault rifles. Weapons. That was on a survey size of about 400. Not a...not a small amount at all. I'm

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a small business man and one of the things you learn early in running a business is that you depend on your word. If you tell somebody something, it better be right, and I am appalled at the demagoguery and fear mongering that the NRA and the misinformation that they are providing into my district. They made a mailing into my district. Yep, they did. And it generated about 60 phone calls, and I've called back most of those people and of those people that I've called, I would say two thirds to seventy percent of them, after you explain the legislation to them, end up supporting you on it. Now, I'm gonna get down to the bottom line. As many of you people know, I ran in a very Republican area and won...I ran in a very Republican area and won, and you don't win in those areas by not knowing your district and not knowing the politics of your district. Some of you may be voting against this because you think that's the best thing to do politically. Let me tell you, you've got a challenger out there that is just waiting to put together a direct mail piece on this issue. This is...this is what we're talking about. We...this a swat magazine. Special weapons and tactics. It's got that street sweeper right on the front cover. This is the kind of weapons we're talking about, not the sporting semis that our duck hunters and pheasant hunters use. Once they find out the truth about this legislation, they aren't gonna be asking you to explain your vote, they're gonna be asking the NRA why they keep putting out that garbage about it. Telling them that they are gonna take away their semis. This is good legislation. This isn't a tough vote, it really isn't a tough vote. It's a good vote that you can go back to your district and look your constituents in the eye and said you're representing their interest in Springfield. Thank you."

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Speaker Keane: "Representative Stephens."

Stephens: "Well, thank you Mr. Speaker, and I'm sure that those of us who rise in opposition, who also represent districts that may not be politically aligned with our party look forward to our opponents taking a position opposite ours. I know I certainly do, because the district that I represent is the NRA. It is because of the membership, I am just sick and tired of having that organization's reputation impugned, when they are some of the finest people. They are housewives and doctors and lawyers. They are firefighters, they are police officers, they are ex-military people and they have an understanding of the American Constitution and what it stands for. One of the reasons I came to this General Assembly with the blessing of the people of my district was for that rare opportunity when we could stand in defense of the American Constitution on issues and this is such an issue. You know I have a personal, personal feeling when we talk about assault rifles. I'm relatively certain that I'm the only Member of the General Assembly on either side of the rotunda whose ever been the victim of an assault rifle. So when I rise on this issue I know what it's like to be shot with an AK47. They bounced a few bullets off of my head in Vietnam, and I lived to tell about it. So when we rise, some of you think that's...now you know the reason. And you know that that's the reason I'm hard headed today, but don't try to impugn our character when we rise on this issue, because this issue isn't about being shot with AK47's or assault rifles. This issue is about doing the right thing and dealing...you invoke drug czars and all of those, the cop killers and you say that, ' Well, you must somehow support those people'. That's not the issue. Be not mistaken. We are the ones who most likely are going to

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vote to put those people in jail forever or take their life when they're a cop killer, take their life if they're a drug czar, take their life, keep them in prison if you don't want to do that, but don't let them out again, and that's the issue. So don't try to mix us up with that. Representative Johnson earlier talked about the fact that there are other weapons that are used. Representative Didrickson talked about the baseball bat, and she said it correctly. Why not? In Chicago, I think our records indicate that ten people were beaten to death with a baseball bat. That's ten more than were killed with assault rifles. You're missing the point. Get the guy who used the baseball bat, get the guy who uses the assault rifle, put him in jail, keep him there, or take his life. You should not be able to get away with that. The statements been made and, we've all heard it, guns don't kill, people do. Somebody will say, 'well, that's trite', but it harkens to the real spirit of stopping useless slaughter. We all are opposed to useless slaughter, the waste of human life. The best way to achieve that is to get tough on crime. Put the ne'er-do-wells and the others away and keep them there. Ladies and Gentlemen, the National Rifle Association has been drug through the mud today. You know who they are and when you vote in support of the National Rifle Association members from your district, because they might help...help you get re-elected, what you're really saying is I am proud to stand on this floor and represent my district and its feelings. And what is wrong with that? If they elect you to come and do a job, don't be afraid to do it. Because someone has tried to use false arguments, useless information, to misguide you into voting wrong. When you stand on this House Floor today you have a chance to

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support the Constitution of the United States of America the way it was written. And what prouder moment can we have than to say that we've played a part in protecting that beautiful document. Thank you."

Speaker Keane: "Representative Flinn."

Flinn: "Mr. Speaker, in view of the fact that the rules provide that everyone can explain their vote, we should have cut off debate a long time ago. I move the previous question."

Speaker Keane: "The Gentleman has moved the previous question. The question is 'Shall the previous question be moved?' All those in favor say 'aye', all opposed 'no', the 'ayes' have it and the previous question has been...Representative Currie to close."

Currie: "Thank you, Mr. Speaker and Members of the House. There have been a fair number of misperceptions, misrepresentations and what I would say are outright falsehoods about the contents of these Senate Amendments to House Bill 2266, on and off this House Floor. It's been described as a Bill that deals with fully automatic weapons, it does not. Those are already banned in the State of Illinois and anyone who thinks that that is what this Bill about had certainly better be voting 'yes'. It's been described that this is a Bill that makes felons out of perfectly law abiding Illinois citizens. That is absolutely not true. Anybody currently in possession of a semi-automatic weapon who plugs a high fire power cartridge is within the law, is legal, is kosher, is okay. There have been questions about why some members of the law enforcement community are for this Bill. Let me just tell the Members of this Assembly that the Director of the State Police, Jeremy Margolis is for this Bill in part, because someone gunned down one of his troopers. One of Representative Goforth's colleagues on I-57 with a military

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assault style weapon. Cardinal Bernardine is for this Bill, because he believes and respects human life. He cares about all of our people, he cares about our citizens. The question is, are these dangerous, are they in the hands of the people who ought not have them? I told you that right now, only one half of one percent of all the firearms in private hands in this country are military assault style weapons. But in two years time, in ten years time, that percentage will be a lot higher. Ten percent, twenty percent? Our soldiers, our troops, have weaponry with twenty rounds. Who in the citizenry needs weaponry with 30, with 50, with 100 rounds that can be fired in a matter of minutes? We are talking about a plague in our cities, a plague for the law enforcement community. We're talking about carnage and killing. This Bill is about an effort, a public policy effort to take a direction of sanity and reason in an area where our citizens lives are at stake and where all of the law enforcement community, all of the major organizations say that this Bill is about exactly that. This is a law and order vote, Mr. Speaker and Members of the House. It is a law and order Bill. Even the manufacturers of these kinds of weapons suggest that we should regulate...yes, we should regulate...semi-automatic weapons with high fire power cartridge, identical to the way the Senate Amendments are drafted to House Bill 2266. I know you've heard from the folks back home, but they heard misinformation. Sure, if you think a Bill is going to make felons out of thousands or millions of Illinoisans, sure you think maybe you don't want to vote 'yes', but that is not what this Bill does. This Bill makes a felon out of nobody who is willing to use a semi-automatic weapon with a cartridge that makes sense. I urge you for our children, for our law enforcement community, to say 'yes' to law and

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order. To say yes we can make a difference, and to vote 'yes' on the concurrence Motion to the Senate Amendments of House Bill 2266."

Speaker Keane: "The question is, 'Shall the House concur in Senate Amendment #2 to House Bill 2266?' All those in favor vote 'aye', all those opposed vote 'no', the voting is open. Representative Sieben to explain your vote, you have one minute."

Sieben: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I'm glad to see that there are so many red votes going up here, since I do represent the Springfield Armory in my district, which is a major manufacturer of many of the guns listed on this list and described in this Bill. I think what's important here is that we need to have an ongoing dialogue between the people interested in this legislation and the industry that it affects. Certainly things...there were problems in this legislation dealing with magazine capacity, dealing with the exemption of some firearms and not others, and I think it's important that the parties concerned here continue the dialogue that we've had the last couple of days with the problems in the language in this legislation. With the issues of registration and waiting periods and id...identification cards. I think there is some common ground that can be reached on this issue and I hope that the people that are concerned about some effect in this area will continue to meet and discuss it, talk with the manufacturers, the gun dealers, the owners and the sportsmen that are impacted by this legislation. Thank you."

Speaker Keane: "Representative Petka, you have one minute to explain your vote."

Petka: "Thank you very much Mr. Speaker, Members of the House. As a former prosecutor in a very large county I don't

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believe I've ever been accused by anyone of being soft on crime or criminals and thus I must say that I cringed when I heard that this was a law and order Bill. The type of gun control that I practiced when I was a State's Attorney in Will County was very simple. It was to remove people who used guns unlawfully and place them in prison where they belong. Or in the appropriate case, where a murder was involved, possibly the imposition of the death penalty. The proponents say that the target of this legislation are drugs, gang bangers, and criminals. I'll have to part company with some of my friends in the law enforcement community on this issue, but I just think they're sadly mistaken. It is already a felony under Illinois law for a convicted felon to have any kind of type of a weapon. Under current Illinois law, any drug pusher with any kind of a firearm can be charged with..."

Speaker Keane: "Representative Matijeovich, you have one minute to explain your vote."

Matijeovich: "Mr. Speaker, Ladies and Gentlemen of the House. I was gonna say a few things, but I'm only gonna say one thing. And that one thing is, is what the board should read and if there are gonna be Roll Calls on this issue, what the Roll Call should read is just one thing because that's the Bill. Do you believe that assault weapons should be banned? That's what should be up there. And when the Roll Calls are sent out to your districts, that's what should be on the Roll Call. Do you believe that assault weapons should be banned? Let the people judge on that. Because I believe that the vast majority of Americans, not just Illinoisans, Americans... believe assault weapons should be banned. I think there is no doubt, no question about that."

Speaker Keane: "Representative Kulas you have one minute to

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explain your vote."

Kulas: "Thank you Mr. Speaker. You know I haven't had so much fun listening to so much nonsense from the arguments to the opposition of this Bill that I would gladly yield my time to any one of them, but I'm voting 'yes'."

Speaker Keane: "Representative McGann, you have one minute to explain your vote."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I also have received many, many calls and I've heard many comments from respected Legislators on this floor telling us how they represent their district. My people in my district tell me they do not...do not want to see what happened in the suburbs a year ago. They want to have this Amendment #2 concurred with, and I'm very proud to join Cecil Partee, the State's Attorney and Superintendent LeRoy Martin of the Chicago Police Department in representing my people of the 29th district in voting 'aye'. Thank you."

Speaker Keane: "Representative Woolard, you have one minute to explain your vote."

Woolard: "Yes, I believe that the issue is the diversity of the State of Illinois. I think it's never been exemplified any greater than it is on this issue and I think that we definitely...am I on? I guess I am...I think that we definitely have a responsibility to those constituents that sent us here. I am proud of the fact that I am voting with those people that I believe that I represent. I will vote against this issue, but I respect very much those people from the Chicago area and the northern part of the state and their needs and their worries. But I believe that we have addressed that with the Constitution of this state, and we do give them the ability and the right to legislate in their areas the way that they believe is correct."

Speaker Keane: "Representative Wennlund, you have one minute to

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explain your vote."

Wennlund: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. The peddlers of fear ought to take a good look on page 3 of this Amendment at what the definition of an assault weapon is. A totally unconstitutional definition that says an assault weapon means a firearm of such a nature with such a high rate of firing capacity for fire power that it's function as a legitimate sports or recreational firearm is substantially outweighed by the danger it can be used to kill. Totally unconstitutional definition, who is going to make that determination? Who's gonna make the determination that it has such a high rate of fire...an...an capacity for fire power that it doesn't have a legitimate sports or recreational function? That's totally unconstitutional, it's totally ridiculous regardless of how you feel about the issue, if you take a look at that and try to tell me or convince anyone that this is constitutional, I say you're wrong. It is totally unconstitutional and I urge a 'no' vote."

Speaker Keane: "Representative Pedersen, one minute to explain your vote."

Pedersen: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. One of the things that I think that we're trying to control here is the number of shells in a magazine, but nobody says anything about the number of magazines. I mean if you got a real hoodlum type you know that it's no problem to put another magazine in. I mean, any infantryman knows you've got a whole bandolier full of them around your waist, so I think that this is...that is really kind of a short sighted way to go at the problem. I'd like to quote an unusual source, a liberal criminologist, John B. Kates, Jr. who's very persuasive. He has a background on civil rights law, teaches constitutional criminal law

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and criminal procedure. He didn't grow up with guns and neither he or the rest of his family has ever hunted. He wrote a book called Restricting Handguns, the Liberal Skeptic Speaks Out. He said there are two basic questions...Can we disarm the millions who believe that they have both a Constitutional right and urgent necessity for a gun to protect their family..."

Speaker Keane: "Representative Barger, you have one minute to explain your vote. You can't yield time on an explanation of vote. Representative Barger, one minute."

Barger: "Thank you, Mr. Speaker, could we go back to the beginning of my minute? Thank you very much. That was very kind of you. One of the...one of the big problems with something like this is, each and every person has their own view of the truth, and not always are they the same. In the statistics that were mentioned tonight they mentioned the large number of deaths in the City of Chicago. And in order to solve that problem back in 1934 we outlawed machine guns. A few years ago, we had mandatory gun registration and according to these statistics and the fact that DuPage County is a quarter of the size...a third the size of Chicago, there should have been 230 deaths there last year. There we're six of them by guns. Three with old fashioned pistols and three with shotguns. What you need in Chicago is to tend to solving your criminal problem and your crime problem and leave the rest..."

Speaker Keane: "Representative Williams, one minute to explain your vote."

Williams: "Thank you, Mr. Speaker. I just rise to remind everyone that is talking about all these great Constitutional things we going to say. Last week, everyone who...most everybody who voted against this, they voted to

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put you in jail if you step on the flag, violating your freedom of speech, they voted to make you liable if you did a dirty book, because in fact dirty books hurt you, guns don't. And this is again...I just wanted to rise because of the...the total inconsistency of what you say and what you do. I'm not big on this issue as a lot of people would like me to feel, and I live in a gang infested area, I've got folks next door to me that are gang related. But at the same time I'm just saying, we can take the Constitution, we can play with it when it's good for us, and then we can ignore it when it's bad. I just want you to know that's exactly what you're doing. You're saying now the Constitution's for me, last week, we didn't care about it. Just remember what you do."

Speaker Keane: "Representative Ropp, you have one minute to explain your vote."

Ropp: "Thank you, Mr. Speaker, Members of the House. I am a young man who has probably grown up with these kinds of weapons throughout my entire life. I would like to say, though, that it seems to me a little bit interesting how we're placing a number as to the number of rounds that will kill people. I don't think any of us are supporting the killing of people and if it's bad enough for twenty rounds, why wouldn't it be bad enough for just one round? The final point is that this seems to be kind of like the camel's nose entering the tent. If, in fact, it first gets in, they're ultimately they're going to want to ban all kinds of weapons. We've seen that in the country of Germany, a guy by the name of Hitler banned all those weapons and you see what happened ultimately then. I guess I'd kind of remind you of a little bit about history. The U.S. Government a long time ago issued General Custer a weapon called the sharps. It shot one round, that's what

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they thought was best. The Indians had the Winchester. It shot 15. Who won?"

Speaker Keane: "Representative Stern, you have one minute to explain your vote."

Stern: "Mr. Speaker and Members of the House. It won't come as a surprise to any of you that I'm going to vote 'yes' on this Amendment, and I might say it may be one of the first times in five years that I am voting totally without ambivalence. I think this is an absolutely right Amendment as does the media of Peoria, Rockford, Chicago, Arlington Heights and Springfield. But I am particularly reminded of the rightness of this Amendment because of the presence in this chamber tonight during the debate of Philip Andrew, the young man who was shot in his own kitchen in Winnetka. I don't know if he's gone now or not...there he is over there. That young man was not shot by a semi-assault rifle, but if the prediction that was made here by one of the early speakers that this might be a first step in sensible regulation to guns and gun ownership in Illinois, I would only add, I fervently hope so and I hope you're all listening."

Speaker Keane: "Representative Jones, you have one minute to explain your vote."

Jones: "Thank you, Mr. Speaker. To explain my vote, I am casting my 'aye' vote for the youngsters, the merchants and the innocent bystanders that have lost their lives as a result of this type of weaponry. I am voting my conscience and I am proud to vote the conscience of my district."

Speaker Keane: "Representative Martinez, you have one minute to explain your vote."

Martinez: "Thank you, Mr. Speaker, Members of the House. To explain my vote, I had every intention to vote 'present' at this matter, because there's...as usual there's two

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sides to an argument. Both sides have convincing arguments and to be honest with you, I'm a little confused. But because of an inference that has been made that this can be a damaging vote for me in my area, I reluctantly, reluctantly I say I will vote for it."

Speaker Keane: "Representative Davis you have one moment...one minute to explain your vote."

Davis: "Thank you, Mr. Speaker. This vote is a dilemma regardless to how some people feel, it depends on where you live whether a 'yes' vote is the right vote or a 'no' vote is the right vote. Superintendent Martin of the Chicago police does support this legislation, the State's Attorney of Cook County, he does support this legislation. However, the veterans groups that are close to my district do not. Dr. Hiram Broyles does not and yet I feel that we need to support life. We know that drugs are illegal, and yet they're rampant. Hopefully, when we make these assault rifles illegal that they will not become rampant. I feel that once we support the issue of life, be it before birth, after birth or now, we will support legislation that prevents assault rifles. I proudly support this legislation."

Speaker Keane: "Representative Hasara, you have one minute to explain your vote."

Hasara: "Thank you, Mr. Speaker. Last week after this Bill passed the Senate, on TV that night was a constituent of mine who owns a shooting range in my district. He was pointing out some of the flaws in this Bill. To make sure that I had the right side of the issue, I went out to his shooting range this weekend and had him show me exactly what weapons he was talking about that would be banned under this legislation. This is not the Bill that answers the question, 'should assault weapons be banned?'. This

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HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

66th Legislative Day

June 28, 1989

Bill would ban weapons that many good people in my district use for many, many good purposes. And by the way, these are the same people who despise desecration of the American flag. Thank you."

Speaker Keane: "Representative Olson, you have one minute to explain your vote."

Olson, B.: "Thank you, Mr. Speaker. We have all received many phone calls, much mail in the last couple of weeks and we've listened to debate here this afternoon. I believe that the truth has been somewhat rearranged on both sides of the issue, so I'm going back to my own feelings. I grew up in a home with guns, I have guns in my home, there are guns in the neighbors homes, its part of our life. These guns...some under this law may be illegal. But I do not buy the idea that guns are responsible for killings. That same Chicago report that others alluded to had in their...I believe it was eight murders by the type of rifles that I think are in my house, and 88 by kitchen knives. Murder is a crime that the mind makes a decision on. That decision may be made..."

Speaker Keane: "Representative Phelps, you have one minute to explain your vote."

Phelps: "Thank you, Mr. Speaker, Members of the General Assembly. I rise to oppose this issue. I, too, am proud to reflect my district's attitude toward this issue. As a former retail gun dealer for ten years I would like to tell you that the misunderstanding between upstate, downstate, big city, small town is unfortunate on this issue, because some of the most wholesome, honest people that I've ever dealt with have been those who've purchased guns from me. But I do know that there are many truths that come through issues like this and I think we all should listen, but to say that the most notorious criminals can be put away because of

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banning gun use, is just not the right message to send. We need to think this thing through before we act. I urge your 'no' vote."

Speaker Keane: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 46 voting 'aye' 68 voting 'no', 2 voting 'present' and the House does not concur in Amendment #2 to House Bill 2266. Any further bus...any further business? We will do the Agreeds tomorrow. I would like to make an announcement. We would...I would encourage any conferees...Any Senate, any House Sponsors or Sponsors of House or Senate Bills who are conferees on Conference Reports to get together with the staff tonight and start moving them, because tomorrow is going to be very, very quiet...Very, very quick. Be sure to leave your phone number with the staffs where you're going to be. It's...Representative Giglio, now moves that the House stand adjourned until 11 a.m. tomorrow morning. Eleven a.m. The House is adjourned."

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