

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

138th Legislative Day

June 28, 1990

Speaker Breslin: "The hour of 11 o'clock having arrived. The House will come to Order. I would ask Members to be in their seats...and everyone else to be in their seats, please. Our chaplain for today is Reverend Russell Pittman of the Salem Baptist Church in Decatur. Reverend Pittman is the guest of Representative Noland. I invite our guests in the gallery to rise and join us for the invocation."

Reverend Pittman: "Our Heavenly Father, we come into Your presence today to thank You for America. Thank You for the privilege of being here today, and we pray Your blessings upon everything that is taken care of in the business way. We pray that You'll guide our country in a special way. We thank You for the privilege of...You've given us of knowing what it is to live in a free country. And we pray that You'll bless every decision today. For Jesus' sake, Amen."

Speaker Breslin: "Representative Ropp will lead us in the pledge."

Ropp - 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?"

Matijevich: "Yes, Madam Speaker. On this side of the aisle let the record reflect the excused absence due to illness of Representative Bob LeFlore."

Speaker Breslin: "Thank you. Representative Kubik, are there any excused absences from the Republican side?"

Kubik: "Thank you, Madam Speaker. There are no absences on the Republican side of the aisle."

Speaker Breslin: "Thank you. Mr. Clerk, take the Roll Call. 117 answering the Roll Call. A quorum is present. Agreed

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Resolutions.

Clerk O'Brien: "House Resolution 2055, offered by Speaker Madigan. 2057, Munizzi. 2058, Ryder. 2059, Weaver. 2060, Zickus. 2061, Tenhouse. 2062, Ryder. 2063, Noland. 2064, Noland. 2065, Noland. 2066, Noland. 2067, Noland. 2068, Noland. 2069, Noland. 2070, Davis. 2071, Pullen. 2072, Stephens. 2073, Barger."

Speaker Breslin: "Representative Matijevich on Agreed Resolutions."

Matijevich: "Madam Speaker, both sides of the aisle have examined the Resolutions, they are agreed to, and I move the adoption of the Agreed Resolutions."

Speaker Breslin: "You've heard the Gentleman's Motion. On the question, is there any discussion? There being none, the question is, 'Shall the House adopt the Agreed Resolutions?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 144, offered by Representative Currie."

Speaker Breslin: "Committee on Assignment. Death Resolution."

Clerk O'Brien: "House Resolution 2056, offered by Representative Hultgren and Edley, with respect to the memory of Vista Nelson."

Speaker Breslin: "Representative Matijevich moves the adoption of the Death Resolution. All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Death Resolution is adopted. On the Order of Concurrence, under State and Local Government for a Motion to Nonconcur, appears House Bill 2872. Representative Homer."

Homer: "Thank you, Madam Speaker. I move that the House nonconcur on Senate Amendments 1, 2, 3, 4 and 5 to House

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Bill 2872."

Speaker Breslin: "You've heard the Gentleman's Motion. Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendments 1, 2, 3, 4 and 5 to House Bill 2872?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the House nonconcur in the Senate Amendments to this Bill. Representative Hasara is recognized on House Bill 1055."

Hasara: "Thank you, Madam Speaker. I move to concur in Senate Amendment...I need to take these separately. May I take the concurrence first?"

Speaker Breslin: "Surely."

Hasara: "I move to concur in Senate Amendment #1 to House Bill 1055."

Speaker Breslin: "You must tell us what the original Bill does and what the Amendment does."

Hasara: "Right. The original Bill creates the opportunity for the court to appoint a confidential intermediary...in the case of an adopted adult, who has a medical problem and needs genetic information. The Amendment is a cleanup Amendment at the request of the chief judge of the Adoption Division of the Cook County Circuit Court. This Bill has been agreed upon by all parties, every organization. It's the result of two years of working on this problem. And I would ask for a favorable Roll Call."

Speaker Breslin: "Okay. It is the Lady's intention to move to concur in Senate Amendment #1, and we'll at a later time move to nonconcur in following Amendments. She has explained the Bill and Amendment #1. Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1055?' All those in favor vote 'aye'. All those opposed vote

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'no'. Voting is open. This could be final action and sixty votes are required. Have all voted who wish? The Clerk will take the record. On this question there are 113...115 voting 'aye'. The House does concur in Senate Amendment #1 to House Bill 1055. This Bill, having received the Constitutional Majority, is declared passed. Representative Hasara is recognized on a Motion...Senate Amendments 2 and 3. Is there a third Amendment? Excuse me. Just Senate Amendment #2 then."

Hasara: "No. I move to nonconcur in Senate Amendment #2 to House Bill 1055."

Speaker Breslin: "I see. Representative Hasara, there is an Amendment #3. What is your intention with Amendment 3?"

Hasara: "I'm sorry for the mixup. I move to nonconcur in Senate Amendment #2."

Speaker Breslin: "And what do you intend to do with #3?"

Hasara: "Concur."

Speaker Breslin: "Okay. So we'll..."

Hasara: "I'm sorry, Madam Chairman. Senate Amendment #1 became the Bill and so I was confused about the numbers."

Speaker Breslin: "Okay. The Lady's Motion at this point is to nonconcur in Senate Amendment #2. On that question the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. Would the Sponsor yield?"

Speaker Breslin: "She will."

Cullerton: "Representative Hasara, do you have a commitment from Senator Macdonald to recede from Amendment #2?"

Hasara: "I just found out there was a problem with this, and I will ask her to do so."

Cullerton: "Okay. Is it your understanding, then that you will not attempt to include this Amendment in a Conference Committee if she does not recede."

Hasara: "I give you my word. It will not be, and I think

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Senator Macdonald will go along with me."

Cullerton: "I think, she's a nice Lady..."

Hasara: "She's very nice."

Cullerton: "...as is yourself."

Speaker Breslin: "Any further discussion? There being none, the question is, 'Shall the House nonconcur in Senate Amendment 2 to House Bill 1055?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendment 2 to House Bill 1055. Representative Hasara."

Hasara: "Thank you, Madam Speaker. I move to concur in Senate Amendment #3. It is at the request of the chief judge of the Adoption Division of the Cook County Circuit Court, and simply clarifies some of the genetic information."

Speaker Breslin: "You've heard the Lady's Motion. Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 3 to House Bill 1055?' All those in...excuse me, the Gentleman from...All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. Sixty votes are required. This is final action. Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye'. And the House does concur in Senate Amendment 3 to House Bill 1055 and this Bill having received the Constitutional Majority is hereby declared passed. On the Order of Concurrences, State and Local Government, appears House Bill 3695, Representative Myron Olson. Representative Myron Olson. Out of the record. On the Order of Nonconcurrency appears Senate Bill 177...67, Representative Dunn. John Dunn. Is the Gentleman in the chamber? John Dunn. Out of the record. House Bill...or rather Senate Bill 2084, Mr. Clerk, Representative Ewing. Representative Ewing. Out of the record. Senate Bill 2171, Representative Keane. Jim

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Keane. Out of the record. On the Order of Concurrences, we have a Bill of Representative Leverenz's, 3656. Is Representative Leverenz in the chamber? Out of the record. If those Sponsors, Leverenz, Dunn, Ewing and Keane, would come to the floor, we would go to their Bills immediately.

We're looking for Representative Leverenz, Dunn, Ewing and Keane. If you will come to the floor, we will be able to handle these Bills. Ladies and Gentlemen, just to give you a little advance notice, shortly we will probably stand at ease so that Members can go to lunch. So, if that helps you in planning your schedules, you won't have to order out for lunch. You can go out for lunch. We don't have a specific time, but it may be shortly if nobody comes to have their Bills heard."

Speaker Mulcahey: "Representative Black."

Black: "Yes. Thank you very much, Mr. Speaker. I was wondering if we could perhaps get some indication of your inclination to recess. It might be nice to have lunch that isn't served on styrofoam for a change."

Speaker Mulcahey: "I'll be back to you shortly."

Black: "Well, thank you. If you'd take that under advisement and get back to us, we'd appreciate it."

Speaker Mulcahey: "I certainly will."

Black: "Thank you."

Leverenz: "Now?"

Speaker Breslin: "On the Order of Concurrence appears House Bill 3656, Representative Leverenz."

Leverenz: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would now move to concur with Senate Amendments #1, 2 and 3. As this Bill left the House it was a vehicle Bill. As it comes back from the Senate it will establish a storm water management plan for Cook County that includes the Metropolitan Sanitary District or the new organization

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that is the old MSD and the Cook County. And also if the group cannot come up with an agreement then within one year after the organization meets and cannot establish a plan it will file a petition with the Illinois Department of Transportation and DOT then comes up with a plan for storm water runoff. I would ask the House to concur in Senate Amendments 1, 2 and 3."

Speaker Breslin: "You've heard the Gentleman's Motion, on the Motion the Gentleman from DuPage, Representative McCracken."

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

Speaker Breslin: "He will."

McCracken: "Thank you. As I understand it this is now an agreed package all the affected areas have gotten together and this represents that agreement."

Leverenz: "What you say is correct?"

McCracken: "Okay, thank you."

Speaker Breslin: "Any further discussion? There being none. The question is, 'Shall the House concur in Senate Amendments 1, 2 and 3 to House Bill 3656?' All those in favor vote 'aye', all those opposed vote 'no'. Sixty votes are required for passage. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in Senate Amendments 1, 2 and 3 to House Bill 3656. And this Bill having received the Constitutional Majority is hereby declared passed. Ladies and Gentlemen, the House is now prepared to stand at ease until the hour of 2:00 o'clock. The hour of 2:00 o'clock. We are asking, however, that you stay close to your offices or to your leadership, so that they will know where you are...when Conference Committees are being circulated.

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Your signature may well be needed on Conference Committee Reports. So, please let us know where you are, if you are going off the Capitol Complex. Otherwise...stick around, okay? The House will be at ease now until the hour of 2:00 o'clock, 2:00 o'clock. There will be a Conference Committee Hearing on a Mental Health Bill that Representative McGann is chairing in Room 114. If you are involved in that Bill, go immediately to Room 114...oh, no, at 1:00 o'clock. At 1:00 o'clock go to Room 114 for a Conference Committee Meeting chaired by Representative McGann. Representative Giorgi, therefore, moves that the House stand in recess until the hour of 2:00 o'clock. All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the House stands in recess until 2:00 o'clock."

Speaker Giglio: "Come to Order. Supplemental Calendar #2. Representative McGann, House Bill 951. Out of the record. House Bill 3337, Representative Homer. Representative Homer, 3337. Supplemental Calendar #2, Ladies and Gentlemen."

Homer: "Thank you, Mr. Speaker. Ladies and Gentlemen, this is the Drug-Free Workplace Bill that has already passed the House in May, and it's gone through some negotiation. Some changes have occurred since the Bill left. The Bill establishes a standard by which employers doing business with the state by virtue of receiving contracts or grants must establish a drug-free workplace environment. There is no drug testing whatsoever in the Bill. There was a controversial Amendment that was added by the Senate that would have had to do with drug-testing. That has been taken off and is not any part of this Conference Committee Report. The Railroad Association may have talked to some of you. At one point they were opposed to the Bill. They

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are now neutral on the Bill, as is the Teamsters Union that had initially had some reservation, are now neutral on the Bill. And there is also a further provision that was added by the Senate that has to do with money laundering, which is an initiative of the Cook County States Attorney Office making money laundering of less than \$10,000 a Class III Felony, over \$10,000 a Class II Felony, over \$100,000 a Class I Felony, and also a provision added in the Senate having to do with delivery of a controlled substance to a pregnant woman that would elevate penalties, where someone knowingly delivers controlled substance to a woman known to be pregnant. I would answer questions, but I would...I think the report is noncontroversial. It has been the subject of considerable negotiation. I would move the adoption of Conference Committee Report #1 or the First Conference Committee Report on House Bill 3337."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Well, thank you very much, Mr. Speaker. The Sponsor's indicated he'll yield for questions. Representative, if indeed there is no underlying controversy in this Conference Committee Report, might you enlighten me as to why no Member of the Minority Party has signed it?"

Homer: "I didn't circulate it, and I don't know the reason why. You'll have to talk with...I notice Representative Didrickson and Churchill were appointed to the committee and did not sign. I have no knowledge of why they did not."

Black: "I don't purport to speak for them, Representative, but I think we do have some concerns with this Conference Committee Report. Would further ask you on page 4 of the Conference Committee Report, Section 12 thru 46 is not that

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language and some of the language on page 5 what it seems that that was embodied in Senate Bill 2275, was it not? It did not...as I recall it did not even make it out of the Judiciary II Committee here in the House."

Homer: "I don't know if it was in a House Bill. I know that this Amendment was added in the Senate, and the Senate did pass this Amendment and sent it over to us on House Bill 3337. I don't know if there was a companion House Bill, Representative Black, or what happened to it."

Black: "If I'm informed correctly, staff has indicated that most of this language comes from the Cook County States Attorney, would you agree with that?"

Homer: "Yes. That's my understanding."

Black: "They also inform me that most of this language was on a...I believe a Senate Bill 2275, that was held in the House Judiciary II Committee."

Homer: "Well, a lot of Bills were held in there. We had almost 200 Bills in that Committee. Some of which just didn't get a hearing. I don't remember this one, it could be."

Black: "Thank you very much for your indulgence, Representative. Mr. Speaker, Ladies and Gentlemen of the House, I think since we seem to have ample time as we draw toward adjournment this year. When we have a Conference Committee Report that is not signed by any Member of the Minority Party, and that there does seem to be some language in here...of controversy, perhaps language embodied in a Bill that was not even reported out of committee by this Body. I would respectfully ask those Members to be very careful how they vote, would ask Members on our side of the aisle to either vote 'no' or 'present', and would request that perhaps the Gentleman would ask for a Second Conference Committee Report."

Speaker Giglio: "Representative Homer."

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Homer: "Speaker, could we momentarily take that Bill out of the record?"

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Representative McGann, are you ready on House Bill 951? The Gentleman from Cook, Representative McGann."

McGann: "Thank you, Mr. Speaker. Members of the Assembly, I would like to move to...move the First Conference Committee Report on House Bill 951. What happens with this Conference Committee Report is it concurs in Senate Amendment #1, that makes the new Mental Health Planning Council effective April 1 of 1991. It also requires the existing Illinois Planning Council on Developmental Disabilities to incorporate into its annual plan the specific...developmental services plan, which was required by Public Act 86-921, or better known as House Bill 69, in order to have their work codified and be reporting back to us next year. So, I'd ask for movement of Conference Committee Report #1 on House Bill 951. Answer any questions."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the First Conference Committee Report on House Bill 951?' All those in favor vote 'aye', opposed 'no'. This is final action. Have all voted who wish? The Gentleman from Macon, Representative Dunn."

Dunn: "Yes. Mr. Speaker, just a point of inquiry. This is the Second Conference Committee Report that no one around here has had a copy of. I wish before we vote on these things, we could have copies of them around here somewhere."

Speaker Giglio: "This is a First Conference Committee Report, Representative Dunn. And the Clerk informs the Chair that it has been distributed. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 116 voting

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'yes', none voting 'no', and the House does accept the First Conference Committee Report to House Bill 951. And this Bill having received the required Constitutional Majority is hereby declared passed. Representative Stern, the Lady from Lake. Representative Stern in the chamber? How about Representative Cullerton? Senate Bill 1949. The Gentleman from Cook, Representative Cullerton. Senate Bill 1949."

Cullerton: "Yes. Thank you, Mr. Speaker. Ladies and Gentlemen of the House, This is the Cemetery Care Act that was an Agreed Bill, which passed both Houses. All the Amendment does is...all the Conference Committee does is to take out a portion of the Bill that had been requested by Senator Donahue, it was later discovered that it was not intended to be in the Bill. Now, the background of the Bill is...I indicated is that it amends the Cemetery Care Act, it's a product of negotiations with the Cemetery Care Association and the Comptroller's Office, and the provisions of the Conference Committee Report are supported by the Illinois Cemetery Association, the Comptroller, the Illinois Funeral Directors Association, the Archdiocese of Chicago, the Cemetery Association of Greater Chicago and the Chicago Funeral Directors Association. The changes to the Act address two distinct sets of issues. These issues relate to definitions, enforcement and procedural matters, and secondly, the need to address a potentially serious problem of adequate amounts in the trust funds provide for the perpetual care of cemeteries covered by the Act. I'd be happy to answer any detailed questions, but I can assure you that this Bill...this Conference Committee is virtually identical to the Bill, with the exception of some minor language which was included in Senate Amendment #1...I'm sorry House Amendment #2, which was put in at the request

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of Senator Donahue by Representative Parcells, and now it is removed."

Speaker Giglio: "Any discussion? Question is, 'Shall the House accept the First Conference Committee Report to Senate Bill 1949?' All those in favor signify by voting 'aye', those opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 116 voting 'yes', none voting 'no'. And the House does accept the First Conference Committee Report to Senate Bill 1949, and this Bill having, received the required Constitutional Majority, is hereby declared passed. Representative Stern. Representative Stern, are you ready with House Bill 3826? The Lady from Lake, Representative Stern on House Bill 3826."

Stern: "Mr. Speaker and Members of the House, this is the First Conference Committee Report on one of the three House Election Bills. This deals with party matters and includes the Democratic delegate selection plan, which also has in it a Republican and Democratic arrangement whereby any Democratic or Republican...state central committee person elected and bumped by virtue of the redistricting after the Census will continue to serve through the end of his or her term. As far as I know, that's all that is in it. And we request its adoption."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. The Conference Committee Report on line 16 refers to page 17. There is no page 17 in the Bill. They've got a...you have a drafting error in this. We'd request that it be pulled from the record, and we'd like to have a Second Conference Committee Report. Because, quite frankly, there are some other things wrong with it. But

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there is definitely an error in this report."

Speaker Giglio: "Representative Myron Olson."

Olson, M.: "Yes. Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I'd like to address the issue of First Conference Committee Report to 3826. While I've been assigned as one of the signatories to this, I have as yet not had anyone approach me to sign off on it, despite the fact they've had the notice for a couple days. I'm going to suggest to my caucus that we reject this Conference Committee Report and go to Conference Committee Report #2, and I would ask the colleagues on this side of the aisle to join me."

Speaker Giglio: "Representative Leverenz."

Leverenz: "Would the Sponsor yield for a quick question?"

Speaker Giglio: "While the Parliamentarian is checking the suggestion by Representative Black, Representative Leverenz would like to ask the Sponsor a question. Proceed."

Leverenz: "Representative Stern, does this have anything to do with filing of petitions in Chicago?"

Stern: "No, Sir."

Leverenz: "That's not included here?"

Stern: "That's not in this."

Leverenz: "Is there another Bill that will have something dealing with that?"

Stern: "That is proposed for 3824, but has been rejected for the most part up to now...I shouldn't have added that."

Leverenz: "We shall do nothing before its time."

Stern: "It has been discussed, Sir."

Leverenz: "Thank you."

Stern: "Okay. May I take this out of...may I take this out of the record for the moment, Sir?"

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Representative McGann, are you ready on Senate Bill 2075,

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Sir? The Gentleman from Cook, Representative McGann on Senate Bill 20...8075 (sic-2075)."

McGann: "Thank you, Mr. Speaker. Members of the Assembly, once again this is a Mental Health Committee Bill and the First Conference Committee Report actually takes care of some technical changes that was in the original Senate Bill 2075. I believe that it's been agreed on both sides of the House. I don't think we have any problems. I'd move for...move the First Conference Committee Report on Senate Bill 2075."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Question is, 'Shall the House accept the First Conference Committee Report to Senate Bill 2075?' And on that question all those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Lady from Cook, Representative Shirley Jones. Are you seeking recognition? Have all voted who wish? Mr. Clerk, take the record. On this question are 112 voting 'yes', none voting 'no', and the House does accept the First Conference Committee Report to Senate Bill 2075, and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Martinez, for what purpose do you rise, Sir?"

Martinez: "Thank you, Mr. Speaker. Would you please record me as 'aye' on the last Bill 2075, likewise on..."

Speaker Giglio: "Mr. Clerk, let the record so indicate that Representative Martinez wants to be recorded as voting 'aye'."

Martinez: "I'd like to add another Bill to that. I believe that's 951."

Speaker Giglio: "951. Andy McGann's first Bill? Yes. Let the

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record so indicate, Mr. Clerk, that Representative Martinez would like to be voted 'aye' on House Bill 951 and Senate Bill 2075."

Martinez: "Thank you very much."

Speaker Giglio: "Page 3 of the Calendar. Senate Bills, Second Reading appears Senate Bill 2083. The Gentleman from Jefferson, Representative Hicks. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2083, a Bill for an Act to create the Savings Bank Act. This Bill has been read a second time previously. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Levin. Representative Hicks, do you want to run the Amendment?"

Hicks: "I would...it's withdrawn."

Speaker Giglio: "Representative Levin asks that the Amendment be withdrawn. Withdraw Amendment #1, Mr. Clerk. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Speaker Madigan and Cullerton."

Speaker Giglio: "Representative Cullerton on Amendment #2 to Senate Bill 2083."

Cullerton: "Yeah. I wish to withdraw the Amendment."

Speaker Giglio: "Withdraw Amendment #2. Further Amendments?"

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

Speaker Giglio: "Representative Hicks on Amendment #3."

Hicks: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #3 to Senate Bill 2083 actually becomes the Bill. Even though this Amendment is quite lengthy. It really is a very simple Amendment dealing with

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technical type changes. The reason for the length of the Amendment itself is simply because there are so many Sections of the Act that have to be changed from the savings bank in reference to its Illinois financial institution. And that's...this Bill actually becomes the Illinois Financial Institution Banking Act. It adds many Sections of reference, I'd be happy to try to answer any questions about the Bill."

Speaker Giglio: "Any discussion? All those in favor of the Amendment signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

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

Speaker Giglio: "Representative Piel."

Piel: "Mr. Speaker, would you take the Bill out of the record for a moment? We'll get back to it in a few minutes."

Speaker Giglio: "If that's your pleasure, yes. The Gentleman from Macon, Representative Noland, for what purpose do you rise, Sir?"

Noland: "It's my pleasure to announce that former State Representative Mike Tate is here on the floor with us today. Mike, please raise your hand and be recognized."

Speaker Giglio: "Representative Hartke, are you ready on Supplemental Calendar #1 on Motions? House Bill 982."

Hartke: "Thank you very much, Mr. Speaker. I move having voted on the prevailing side...I'd like to move to reconsider the vote by which House Bill 982 concurred in Senate Amendment #1."

Speaker Giglio: "You've heard the Gentleman's Motion. On that the Gentleman from DuPage, Representative McCracken."

McCracken: "Well, what's the problem, Representative Hartke? Why do you want to reconsider that? Do you want to send it to

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a Conference Committee?"

Hartke: "No. I've had a change of opinion and heart."

McCracken: "This is the Insurance Mandates Bill, which we discussed at length yesterday."

Hartke: "That's correct."

McCracken: "Has the...some union or something talked to you about this?"

Hartke: "Representative, after thinking about it last night, I think there was a possibility that I made a mistake, and pursuant to the rule I've...would like to reconsider the vote."

McCracken: "Why don't you ask the record to reflect that you would have voted 'no' yesterday?"

Hartke: "I guess that's a possibility, but considering the outcome of the vote I think that many others may have also. So, I'd like for the vote to be reconsidered."

McCracken: "Have you filed a Motion in writing?"

Hartke: "Yes, Sir."

McCracken: "When today did you do that?"

Hartke: "It was signed last night, Sir."

McCracken: "Was it filed while we were still in Session last night, do you know?"

Hartke: "Sure...Could we take it...Mr. Speaker, could we take it out of the record for a minute?"

Speaker Giglio: "Take the Bill out of the record. Representative Jones, for what purpose do you rise?"

Jones: "Mr. Speaker, while we're waiting can we have some Italian sausage and raviolli, please?"

Speaker Giglio: "You want some Italian food?"

Jones: "Right."

Speaker Giglio: "You can have all you want."

Jones: "Thank you."

Speaker Giglio: "Representative Parcells in the Chair."

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Speaker Parcels: "This is the announcement you've all been waiting for...holding your breath waiting for the results of the Seventeenth Annual Legislators Tennis Championship. Now it was very close and my partner and I, Art Turner, came in very close second, but the awards go to Jesse White and Bob Cook, from Cook Witter, his partner. And they were tied. Now I think there was some cheating going on here with Ron Stephens and Bill Hall, of DCFS, and we have some nice awards for them, and I hope you'll all join us for this next year. It is a lot of fun. Thank you."

White: "Ladies and Gentlemen of the Assembly, it is a pleasure to be the recipient of this wonderful trophy. I must admit that I just reached my fifty-sixth birthday a few days ago, and Mr. Bob Cook is 65 and together. We were...we had about 121 years on some of these young people whose combined ages was in the vicinity of about 50 years of age. So, we're very proud of the fact that we were able to represent our older citizens and represented them well. Thank you."

Stephens: "My partner was 11 and that's why we did what we did. Thank you."

Speaker Parcels: "We need a clarification here. After discussing this Representative White informs me that there was a playoff between he and his partner and Mr...Representative Stephens and his partner. And that in fact Jesse White, who says, 'I don't come here to play. I come here to win.' In fact won that. So, he is the Championship...won the Championship and Representative Stephens was the runner up. Representative Stephens."

Stephens: "As long as we're not talking elections, I can handle that. And the record should be clear, Jesse White cleaned our hoe."

Speaker Parcels: "He is the champion."

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Stephens: "We recognize him as the champion for two years running."

Speaker Parcells: "That's right. Maybe three. And I had the pleasure of being his partner one year, we won which was two or three years ago."

Stephens: "Representative Hasara thinks that her son won the tournament. So, there is a protest being filed."

Speaker Parcells: "That's true. There is an A division, and probably because he's not in the General Assembly, his award is not here."

Stephens: "Who's in charge of this tournament, Representative? Madam Speaker."

Speaker Parcells: "Representative White."

White: "Madam Chairman and Ladies and Gentlemen of the House, I would like to thank Mr. Bob Walters for hosting such a wonderful tournament. And it gives all of us an opportunity to exercise in a proper manner, and when that happens all of us are the beneficiaries. So, again thanks to you, and to Mr. Walters for hosting this wonderful, wonderful tournament. And I would like to take my hat off to Representative Stephens and his partner, because they played well and they were a class act."

Speaker Parcells: "Thank you."

Speaker Giglio: "The House will convene in about five minutes, we've got a lot of things to do, and the sooner we get here, the sooner we'll get out. So, all those that are in listening distance, please return to the House chambers to do the House's business."

Speaker Giglio: "The House will come to Order. On page 6 of the Calendar under Motions appears SJR 190, Representative Woolard."

Woolard: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move that we discharge from Coal and

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Oil Committee SJR 190."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Nothing."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House...discharge the Select Committee on Coal and Oil from further consideration and advance to the Speaker's Table?' All those in...leave for the Attendance Roll Call. Hearing none leave is granted."

Woolard: "...discharge from committee...immediate consideration."

Speaker Giglio: "The Gentleman now asks leave for immediate consideration. By the Attendance Roll Call, hearing none, leave is granted. Proceed."

Woolard: "What this Senate Joint Resolution 190 will accomplish is it creates a task force to investigate how effective the Mine Subsidence Insurance Program is functioning. There are several questions in several people's minds and various areas of the state have some real concerns. This will give us the opportunity to look into this over the summer vacation."

Speaker Giglio: "Any discussion? The Lady from Sangamon, Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I just stand in support of this Resolution. As most of you know in Springfield we had indeed quite an unusual occurrence of mine subsidence. It has brought many issues to us that have not been addressed in the past. And so we are looking forward to having some time this summer to study some of these things. And the Insurance Fund is very grateful for this Resolution."

Speaker Giglio: "Further discussion? Question is, 'Shall Senate Joint Resolution 190 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This will take sixty

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votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 114 voting 'yes', none voting 'no' and none voting 'present'. And the House does accept Senate Joint Resolution 190. And this having received the Constitutional Majority is hereby declared passed. House Bill 3853. On the Speaker's Table appears Senate Joint Resolution 205, Representative McNamara. Representative Keane. Out of the record. On page 5 of the Calendar under Motions appears House Resolution 1988. Representative Shaw."

Shaw: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move that we...adopt House Resolution 1988. The Resolution is dealing with the Department of HUDs and Veteran Affairs as it relate to mortgages. I move for its adoption."

Speaker Giglio: "Gentleman moves to bypass committee and place on the Speaker's Table for immediate consideration House Resolution 1988. Does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted. The Motion is on the Speaker's Table for immediate consideration. Does the Gentleman have leave for immediate consideration? Hearing none, leave is granted. Representative Shaw."

Shaw: "As I explained, Mr. Speaker. This is dealing with the Department of HUD and Veteran Affairs as they relate to mortgages, foreclosures in the City of Chicago and across the state. And I move for its adoption."

Speaker Giglio: "All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Van Dwyne, are you seeking recognition?"

Van Dwyne: "Yes. Thank you, Mr. Speaker. While we're on that

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Order of Business, I wonder if we couldn't go to House Joint Resolution 31. It's been on the Calendar for a long, long time and take just eight seconds."

Speaker Giglio: "Take the record, Mr. Clerk. On this question there are 70 'yes', 42 'no'. And the House does adopt House Resolution 1988. Senate Joint Resolution 205, Representative Keane."

Keane: "Thank you, Mr. Speaker. I move the adoption of Senate Joint Resolution 205. Basically, it sets up a joint committee on college tuition, composed of the Chairman and Minority Spokesman of the Higher Education Committee in both Houses, a representative of the students designated by the Illinois Student Association for each of the four public university or university systems and a member of each of those systems. And that they look into...they'll study and determine policy regarding the undergraduate tuition, that it shall not be increased that tuition in any public college or university shall not be increased pending submission of the joint committee's report to the General Assembly. The report has to be submitted no later than January 9th, 1991."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? The Gentleman from McLean, Representative Ropp."

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

Speaker Giglio: "He indicates he will."

Ropp: "Will there be designated areas for hearings, or how will this be conducted?"

Keane: "That would be up to the committee itself as to where the hearings take place."

Ropp: "Okay, in other words there might be several throughout the state or..."

Keane: "Yeah. That would be...well...you as spokesman would be

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making those decisions."

Ropp: "Thank you."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Bowman."

Bowman: "Question of the Sponsor, please."

Speaker Giglio: "Proceed."

Bowman: "Representative Keane, did I understand you correctly to say that tuition should not be increased pending the filing of the report, which will not be until a year from...until January?"

Keane: "The...it says that the resolved that the undergraduate tuition at any Illinois public college or university shall not be increased pending submission of the joint committee's report. And that report, the latest date for it to be reported is January 9th, 1991."

Bowman: "1991. So, that would be midway through the fiscal year."

Keane: "That would actually be before second semester of next year...next school year."

Bowman: "But the budget year for the state would be the one that's upcoming...the budget we're just passing?"

Keane: "Yeah. It would be for this coming budget year. For the first semester of this coming budget year."

Bowman: "Okay. Thank you very much."

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

Satterthwaite: "Will the Sponsor yield for a question, please?"

Speaker Giglio: "Indicates he will."

Satterthwaite: "Representative, do you know whether there are any of the four year institutions or any of the community colleges that already have a tuition increase scheduled for this fall? I would assume, if that is already in the works that we're not telling them that they have to reverse

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something that has already been decided."

Keane: "Not...my understanding is that there are none for undergraduates and that's all this applies to. This only applies to..."

Satterthwaite: "There are none, even at any of the community colleges?"

Keane: "None that we're aware of."

Satterthwaite: "But it would not be your intent if a community college, for instance, has already announced a tuition increase, that this would negate that?"

Keane: "Let me clarify your previous statement. This is not intended to deal with community colleges."

Satterthwaite: "Was there not an Amendment adopted in the Senate that includes community colleges?"

Keane: "I'm told they are included in the composition of the committee, because the committee will report a pension...I mean a tuition policy statewide, but it's..."

Satterthwaite: "But the prohibition of tuition increases during the time of the study will not apply to community colleges?"

Keane: "Let me read it to you...that's correct."

Speaker Giglio: "Further discussion?"

Satterthwaite: "Okay. I think that that may...we may need to make that extremely clear."

Keane: "Well, let's make that then legislative intent."

Satterthwaite: "That if community colleges have already scheduled increases for this fall...they would not be under control of this Resolution."

Keane: "That does not affect them...agreed."

Satterthwaite: "Fine. I think that it is perhaps something that Members need to be quite aware of, however, that we're talking only about one semester and by the time a report from this committee might come out, there might still be an

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opportunity for an increase in tuition for the second semester. But that could not occur before the report of this committee."

Speaker Giglio: "Representative Keane to close."

Keane: "I believe that it has been pretty well described...the Resolution has been pretty well covered. I'd as for a favorable Roll Call."

Speaker Giglio: "Question is, 'Shall Senate Joint Resolution 205 pass?' All those in favor vote 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 93 voting 'yes', and 15 voting 'no' and 4 voting 'present'. And the House does accept Senate Joint Resolution 205. Chair would like to make an announcement. Those that are not entitled to the House floor, please leave immediately. Those that are not entitled to the House floor, please leave immediately. Supplemental Calendar Announcements."

Clerk O'Brien: "Supplemental Calendar #3 has been distributed."

Speaker Giglio: "Supplemental Calendar #2 appears House Bill 3826. The Lady from Lake, Representative Stern."

Stern: "Mr. Speaker and Members of the House, I ask that we adopt Conference Committee #1 of House Bill 3826. This is agreed by both sides of the aisle and includes mostly partisan legislation dealing with the delegate selection plan for the Democratic Party, permitting both party State Central Committee persons to serve through the expiration of his or her term following the reapportionment providing a designation of a proxy for State Central Committeemen in the Democratic Party, providing that female State Central Committeewomen in the Democratic Party shall be called State Central Democratic Committeewomen, not Committeeman Female. That's pretty much it, and I ask

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that...oh...provides that each member of the Democratic State Central Committee shall be delegate to the State Convention and be authorized to appoint two additional delegates. That's the whole shot."

Speaker Giglio: "You've heard the Lady's Motion. Any discussion? The Gentleman from Lee, Representative Myron Olson."

Olson, M.: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, we join Representative Stern in urging adoption of the First Conference Committee Report to House Bill 3826."

Speaker Giglio: "You've heard the Gentleman's...or heard the Lady's Motion. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. 'Shall the House adopt First Conference Committee Report to Senate (sic - House) Bill 3826?' Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 116 voting 'yes', none voting 'no' and none voting 'present'. And the House does adopt the First Conference Committee Report to House Bill 3826. And this Bill, having received the required Constitutional Majority, is hereby declared passed. Supplemental Calendar #3, Representative McGann, McPike, Ryder and Homer. Representative McCracken."

McCracken: "This has not been distributed. Has it? The Report? I don't mean the Calendar, I mean the Report, the Bill."

Speaker Giglio: "The Bill?"

McCracken: "The Conference Committee Report."

Speaker Giglio: "Take it out of the record, Mr. Clerk. Representative Homer. Balanoff. Senate Bill 1518. We'll go back to Motions, page 5 of the Calendar appears House Resolution 273, Representative Weller."

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Weller: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move to discharge Executive from further consideration and advance to the Speaker's Table for consideration."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, all those in favor...by the use of the Attendance Roll Call signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Motion carries. Representative Weller now moves for the immediate consideration of House Resolution 273. Does the Gentleman have leave? By the Attendance Roll Call, hearing none, leave is granted. Proceed, Representative Weller."

Weller: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Resolution 273 points out the increased problem that we have with filling up of landfills and the problem of solid waste. And addresses the increased popularity of single serving consumer products, which are part of the problem. Urges the U. S. Congress to adapt National Packaging Regulations to encourage minimal packaging of consumer products, and also urges that these standard encourage biodegradable and ecologically sound packaging. I move for its adoption, and I ask for an 'aye' vote."

Speaker Giglio: "Any discussion on the Gentleman's Motion? Hearing none, all those in favor signify by voting 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Mr. Clerk, take the record. On this question 105 voting 'yes', 2 voting 'no'. And the House does adopt House Resolution 273. House Resolution 1548, Representative Hultgren. Mr. Clerk, House Resolution 1548."

Hultgren: "Thank you, Mr. Speaker, I move to discharge the

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Energy, Environment and Natural Resources Committee from further consideration of House Resolution 1548 and advance the measure to Order of the Speaker's Table for immediate consideration."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor of the use of the Attendance Roll Call signify by saying 'aye', opposed 'nay'. Hearing none the Motion carries. The Gentleman now moves for the immediate consideration. All those in favor signify by saying 'aye' by the Attendance Roll Call hearing none leave is granted. Mr. Hultgren, proceed."

Hultgren: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Resolution 1548 encourages the Department of Transportation and the Department of Conservation to study the feasibility of a seedling planting program along the highway...highways of Illinois...along the roadsides of Illinois. Would be glad to answer any questions and encourage a favorable vote."

Speaker Giglio: "Any discussion? The Gentleman from DuPage, Representative Barger."

Barger: "Thank you, Mr. Speaker. Ladies and Gentlemen, we have here a Bill promoting the planting of trees along highways. This...these studies were made...studies on the effect of trees along highways were made over twenty years ago, so what we would be doing is reinventing a wheel. We found out that they are extremely dangerous on highways, if you run off the road onto the grass, as you do with the present structure, your car is only damaged in a minor fashion and hopefully, no one gets killed. If we plant trees along the highways, we end up with the probability of hitting one of them when we do go off of the paved area. And a very strong probability of people getting killed. It is a bad idea to promote the planting of trees along highways, and I

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would suggest that we vote against this. Thank you."

Speaker Giglio: "Further discussion? Representative Hultgren to close."

Hultgren: "Thank you, Mr. Speaker. I'd simply point out that the Resolution before the House urges both the Department of Transportation and the Department of Conservation to take into consideration the safety of motorists along the highways and would ask for a favorable vote."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The House Resolution 1548 carries. House Resolution 1950, Representative Weller."

Weller: "Thank you, Mr. Speaker. I move...oops, got the wrong one here. I move for immediate consideration to bypass committee and ask for immediate consideration of House Resolution 1950."

Speaker Giglio: "Heard the Gentleman's Motion. Does the Gentleman have leave to discharge committee and place on the Order of Speaker's Table, immediate consideration. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And leave for the Attendance Roll Call, leave is granted. House Resolution 1988...1950."

Weller: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Resolution 1950 basically entails language that was in House Bill 4067, passed the House without opposition and was stuck in Senate Rules. What it does, is it urges the Governor and legislative leaders to appoint a task force to look into the problems of the high rate of recidivism of young people who go through drug and alcohol abuse treatment, and recommend a proposal for the General Assembly to consider in March of 1991. Its...I ask for

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your 'aye' vote and move for its adoption."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt House Resolution 1950?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Representative Barger. Mr. Clerk, open...have all voted? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 105 voting 'yes', none voting 'no' and 6 voting 'present'. And the House does adopt House Resolution 1950. House Resolution 1812, Representative Trotter."

Trotter: "Thank you very much, Mr. Speaker. I ask for immediate consideration for House Resolution 1812, which is the Resolution that was submitted by the Select Committee on Children. Requires the Department of Public Health to undertake an assessment of the potential cost savings of competitive bidding for food products distributed on the special supplemental food program for women, infants and children, which is commonly known as the WIC program. The Department recognizes the importance of this containment and has agreed to..."

Speaker Giglio: "Excuse me, Representative Trotter. First we have to discharge the..."

Trotter: "Sorry about that."

Speaker Giglio: "...the Motion from the Human Services Committee. Does the Gentleman have leave by the Attendance Roll Call to discharge House Resolution 1812 and place on the Speaker's Table for immediate consideration by the Attendance Roll Call? Hearing none, leave is granted. The Resolution is on the Speaker's Table. Any Amendments?"

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

Speaker Giglio: "Representative Trotter on Amendment #1 House

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Resolution 1812."

Trotter: "Thank you. Amendment #1 simply asks that this report...the reporting date will begin in June 1991, effective date."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor say 'aye', opposed 'nay'. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "On the Motion, Representative Trotter."

Trotter: "Again I ask that the House Resolution 1812 be adopted. What it does simply it requires the Department of Public Health to undertake an assessment of the potential cost savings factors of competitive bidding. The food products which are distributed on the special and supplemental food program with WIC...the Department has agreed to it along with the Amendment that we have added for the effective date being June, 1991. And I would like favorable consideration."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'yes', none voting 'no', and the House does adopt House Resolution 1812. Representative Barger."

Barger: "Thank you, Mr. Speaker. Procedural question. On all of the Bills except one...on all of the Resolutions except one you have had a Roll Call vote. And on that one you had a voice vote, and I was wondering as I look at paragraph 43(c), it says that all votes that expend money are required to have a Roll Call vote. And I was just wondering why you didn't do that."

Speaker Giglio: "Well, if that is one of the Resolutions that

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didn't have no money and you only needed a voice vote, if it didn't create a task force, we could do it by a voice vote."

Barger: "Any time...any time you create a task force for something, some amount of money has to be expended. Therefore, it would require a Roll Call vote."

Speaker Giglio: "Which Resolution are you...are you referring to a particular one?"

Barger: "The one I spoke...oh, let's see...1548."

Speaker Giglio: "1548? Alright we'll take a Roll Call on House Resolution 1548 that was passed by a voice vote, we'll take a Roll Call vote. All those in favor of the Resolution signify by voting 'aye', opposed 'no'. Have all voted who wish? Mr. Clerk, take the record. Vote Representative Laurino 'aye'. Take the record, Mr. Clerk. On this question there are 94 voting 'aye', 14 voting 'no'. And the House does adopt House Resolution 1548. Representative Cullerton."

Cullerton: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I have a Motion on House Bill 3656. Having voted on the prevailing side by which the House concurred in Senate Amendments #1, 2 and 3, I now move to reconsider the vote by which the House did concur in Senate Amendments #1, 2 and 3 on House Bill 3656."

Speaker Giglio: "All those in favor signify by...Representative McCracken."

McCracken: "I didn't want to be overlooked. The rules require this to have either been done yesterday or the notice of it's being done to have been filed yesterday. Has it been filed? No, we didn't pass this today, we passed this yesterday."

Cullerton: "Mr. Speaker, this was 11:49 a.m."

McCracken: "Was that today."

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Cullerton: "6-28."

McCracken: "Are you sure?"

Cullerton: "Yeah, I got a copy of the Roll Call."

McCracken: "Where's Representative Leverenz? Well, since Representative Leverenz's isn't here let me ask the question. Why do you want to do this? What's the problem?"

Cullerton: "They didn't tell me."

McCracken: "Well, that's a very candid answer I appreciate that. Well, I think without knowing more we ought to oppose this Motion and I would hope some people over there would keep in mind that one of your colleagues Bill's is being reconsidered in his absence. I don't see Representative Leverenz around. I don't know that you want to approve of this anymore than we want to approve of it. I think we should vote 'no', and when we get an explanation then we can consider it on the merits."

Speaker Giglio: "Further discussion? All those in favor of signify by voting 'aye', opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative McCracken."

McCracken: "I have a Motion to make when you take the Roll Call."

Speaker Giglio: "Pardon."

McCracken: "I have a Motion to make relative to this issue when you take that Roll Call."

Speaker Giglio: "The Chair will recognize you Representative McCracken. Representative Stephens."

Stephens: "Two points of order, Mr. Speaker. I would ask the Chair to remove all unauthorized personnel from the floor. First of all, and secondly would you please take the Roll."

Speaker Giglio: "The Chair made that announcement a few minutes ago. All those personnel not entitled to the House Floor,

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kindly leave the House Floor. We are in the middle of a Roll Call, all those not entitled to the House Floor please leave. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. In explaining my vote, what we did was to concur in three Senate Amendments, it turns out that there was some language in one of those Amendments dealing with the pre-emption of home rule and there was a misunderstanding as to the position of the effected county. I believe it is Cook County by passing the Bill. So as a result we wish to bring the Bill back and perhaps put it in a Conference Committee and correct the language that concerns the preemption of home rule. That's simply what it does, the Bill deals with storm water management in Cook County, the purpose of the Bill is to improve storm water and flood plane management. However, the method by which the Senate Amendments were drafted is objected to by the County of Cook and it's intended to have those corrected. So, I don't think there should be any problem unless..."

Speaker Giglio: "Representative Madigan."

Madigan: "Mr. Speaker, unfortunately there were some...Mr. Speaker, unfortunately there were some miscommunications relative to this Bill and was passed earlier today for purposes of ongoing discussion it would be sufficient if the Motion to reconsider the vote were simply put on file which would keep the message here in the House, and permit us to continue discussions, that would require that there be leave of the Body to dump the Roll Call even though we're on record. And so I would request leave to dump the Roll Call and to take the matter out of the record and leave the Motion to reconsider on file."

Speaker Giglio: "You've heard the Gentleman's Motion. Hearing none. Leave is granted. Take the Motion out of the

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record, Mr. Clerk. Supplemental Calendar #1 on the Order of Motions, House Bill 982. Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. Pursuant to Rule 73 (a) and having voted on the prevailing side, I move to reconsider the vote by which House concurred in Senate Amendment #1."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Gentleman from DuPage, Representative McCracken."

McCracken: "Yes, Thank you. We still haven't determined, when was the Motion filed? If it wasn't filed yesterday, then you have lost control of the Bill. And the Motion is out of order. Now, I want to know. Someone tell me, when was it filed. And was it in writing? And do you have a copy for us to see? We don't think it was filed yesterday, because we adjourned immediately after the vote last night."

Speaker Giglio: "The Clerk informs the Chair that all those questions you have asked is 'yes'. It's been filed. It's been filed in writing, and it was filed in the proper time frame."

McCracken: "When was it filed in the proper time frame? Was it filed before we adjourned?"

Speaker Giglio: "The Clerk informs me it was not filed during the time we were in Session, however, the Chair always...or the Clerk informs the Chair that we always accept Motions after we adjourn, as long as they are in writing...the Clerk will accept filed Motions."

McCracken: "Alright. I don't think that's proper and I ask the Chair to so rule. Whether you accept Motions or not is immaterial, because for most Motions, the timing is not an issue. But you have to file this Motion while the House still has control of the Bill and you did not have control

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of the Bill once we adjourned and it had already passed. So, any practice relative to other types of Motions is irrelevant."

Speaker Giglio: "Representative McCracken, the House is in control of all Bills until the Messages are read. And since that Bill was here in the House, we still have control of the Bill until it...until the Message is delivered to the Senate. Representative McCracken."

McCracken: "Thank you. Speaker, I move to overrule the Chair on that point of Order...or that ruling. And I realize that the people in opposition to our Motion will paint all sorts of dire consequences that follow from a successful Motion to overrule the Chair. None of that has to follow. What has to follow is this: Those of you who voted for this Bill yesterday, and who still want it to pass today, support us in this Motion. This is not an issue that is governed by partisan politics. This is our only parliamentary device to stop this Motion to reconsider. It doesn't have to mean anything other than that, and it means nothing other than that. If you were for the Bill yesterday, and you are for the Bill today, overrule the Chair now, that effectively will kill this Motion to reconsider and your vote will stand. That's my Motion."

Speaker Giglio: "Alright. The question is, 'Shall the Chair be overruled?' And on that question the Gentleman from Logan, Representative Robert Olson,"

Olson, R.: "Thank you, Mr. Speaker. Earlier this evening when 982 came up, if you would check the record, the question was asked by Representative McCracken of Representative Hartke, when this thought to ask for reconsider crossed his mind, and I believe the record will say it came to him last night after he returned to his place of residence or something to that effect. Now how could he go home and

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have the thought last night, and then say he filed the Motion yesterday afternoon? That's just a point I would like to point out. Thank you."

Speaker Giglio: "Further discussion? Representative Ryder."

Ryder: "Thank you, Mr. Speaker. To the Motion."

Speaker Giglio: "Proceed."

Ryder: "The Chair has indicated, although we have yet to see the document, there was exactly a minute by the documentation that we have for it to be filed. It was not filed within that minute. It was filed later. The Chair says that it was still within the House because a Message had not gone to the Senate. There was no Message to send the Senate. It was a concurrence vote. As soon as we vote and conclude that day...it is gone. It goes to the Governor on a concurrence vote. He didn't file it timely. The House doesn't have the Message. The Chair is not correct in this ruling. I concur with what Representative McCracken said. If you supported it yesterday, the proper issue...vote on this one is red."

Speaker Giglio: "Representative McCracken, even though we concur or nonconcur, the Message has to go back to the Senate to indicate to the Senate what the House did. Further discussion? Gentleman from Lake, Representative Matijevich."

Matijevich: "Mr. Speaker, I would urge the Members on this side of the aisle to uphold the ruling of the Chair. As I read Rule 73 the maker of the Motion has complied with that rule, I don't think it's my place to determine why, because the Gentleman who is challenging it is the one that's wrong. And so I would urge the Members on this side of the aisle particularly who know the Gentleman in the Chair to be fair to all, and if they read Rule 73, I believe they will find that it has been complied with. So, I urge you

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to uphold the ruling of the Chair."

Speaker Giglio: "The question is, 'Shall the Chair be overruled?' All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 50 voting 'yes' and 66 voting 'no'. Representative Bugielski, is there a problem? Giglio in the Chair. Vote Representative Bugielski 'no'. Have all voted? On this question there are 49 voting 'yes' and 67 voting 'no' and the Motion fails. Representative McCracken."

McCracken: "Speaker, I move to lay on the table the Motion to reconsider. That takes precedence at this point. I want a Roll Call vote on the Motion to table. This Motion will take sixty votes and you can consider this Motion, a Motion on the merits. This has no implication for the partisanship of the issue. It has no implication other than whether you agree with yesterday's vote or not. Period. If we prevail on the Motion to table, it will take seventy-one votes to do it again. This we can put it to rest with a single sixty vote Roll Call. If you are still with us today, vote 'yes' on the Motion to table, that is not a slap at the Speaker, it is not a slap at your party, it is not a victory for us as a party. Vote to table the Bill. I move to table the Bill...or the Motion."

Speaker Giglio: "You've heard the Gentleman's Motion. On the discussion, Representative Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House, I would urge the Members on this side of the aisle to vote against the Motion to table. No matter how you feel about the issue. It is obvious that Representative McCracken is attempting through parliamentary maneuver, which is shown by his attempt to overrule the Chair, that he evidently

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doesn't want anybody in this Body to hear further this particular issue. The Gentlemen makes a Motion that this matter be reconsidered at...well...I am by what I am doing telling the Membership. I am doing no different...I'm not debating the issue..."

Speaker Giglio: "Gentlemen. The Gentlemen's in Order. The Gentlemen..."

Matijevich: "Mr. Speaker, I have not brought up the issue at all. I have not brought up the issue at all. I am doing no different that what Representative McCracken did when he said, if you are with me today, be with me yesterday, be with me today. Nobody complained about that. All I am saying, by voting against this tabling Motion, this allows this Assembly to hear any new evidence that the maker of the Motion has made. I'm not bringing up the subject matter. So, I would urge the Members on this side of the aisle to vote against the tabling Motion."

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

Cullerton: "Will the Sponsor yield?"

Speaker Giglio: "Representative?"

Cullerton: "It is a question on procedure...a procedural question. Well, maybe I'll ask a hypothetical...what's? If this Motion prevails, then as I understand it, we will not be able to discuss the merits of Representative Hartke's Motion. So, I don't know why the people, who prevailed yesterday, are afraid to discuss the merits. That's really what this Motion is about. This Motion says we shall not discuss the merits. And I think that's wrong. That's why I'm speaking against his Motion. We should be allowed to discuss the merits of whether or not we should reconsider the vote. It's as simple as that. I'm not talking about the merits of the vote. Because we're not

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allowed to talk about the merits of the vote."

Speaker Giglio: "Alright. The question is, 'Shall the Motion to reconsider be tabled?' All those in favor vote 'aye', opposed 'no'. Representative McCracken, it is the ruling that this will take the majority of those voting. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there is 59 voting 'yes' and 55 voting 'no'. And the Gentleman...Motion...Representative Cullerton."

Cullerton: "I think I'd like to do a Verification because we need some of these Democrats here for some more votes in the next few minutes. So, why don't I do a Verification on this Motion?"

Speaker Giglio: "Entitled...you're entitled to your right, Representative Cullerton. Mr. Clerk, Mr. Cullerton...Representative Cullerton ask for a Verification. Take the record, Mr. Clerk. 59 'ayes', 55 'nos'. Take the record. Poll those not voting, Mr. Clerk."

Clerk O'Brien: "Poll of those not voting: Shirley Jones. Kirkland. and McAuliffe. No further."

Speaker Giglio: "Vote Representative Granberg 'aye'. Proceed with the Verification, Mr. Clerk, those in the Affirmative."

Clerk O'Brien: "Ackerman. Barger. Barnes. Black. Bugielski. Capparelli. Churchill. Countryman. Cowlshaw. Daniels. DeLeo. Deuchler. Didrickson. Doederlein. Ewing. Farley. Frederick..."

Speaker Giglio: "Excuse me, Mr. Clerk. Representative Cullerton."

Cullerton: "Yes. I would like to withdraw my request for a verification."

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Speaker Giglio: "Keane. Vote Representative Keane 'no'. On this question...Representative McAuliffe. Vote Representative McAuliffe 'aye'. Representative Monroe Flinn 'aye'. Anybody else? Representative Turner...'no'. Anybody else wish to change their vote? On this question there are...Turner. Representative Turner vote 'no'. Anybody else? On this question there are 61 voting 'yes'...On this question there are 60 voting 'yes' and 55 voting 'no' and the Motion to table prevails. Representative Cullerton on Supplemental Calendar #2 appears Senate Bill 2267."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill deals with Hate Crimes. This Bill was a Conference Committee that is identical to the Bill that passed the Senate, 47 to 4. What the Bill does is to change the Ethnic Intimidation Statute to retitle it Hate Crimes, and it adds to what was the ethnic intimidation statute, ancestry, sexual orientation, or physical or mental disabilities. And we add to a group of offenses, battery, aggravated battery, misdemeanor theft, misdemeanor criminal damage to property and criminal trespass to vehicle. What the Bill does is to enhance the penalties for a person who commits one of these offenses. The enhancement is for a second offense. If you commit one of the offenses the first time it remains a Class A Misdemeanor as it is in ethnic intimidation, if you commit a second offense it's a Class III Felony. Now, the Bill in its entirety is supported by a number of organizations and I'd like to indicate that to me one of the most significant supporters of this legislation is the DuPage County State's Attorney and the Republican candidate for Attorney General, and I commend Mr. James Ryan for issuing a press release and indicating his support for this Bill. Let me read to you what he said in giving his rationale for supporting

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this Bill. Many crimes including violent crimes, and I'm quoting from States Attorney Ryan, tend to be committed on the spur of the moment in uncontrolled anger. While these emotional responses to circumstances can never be condoned, they can be understood. However, the Commission of Hate Crimes involves the premeditated and conscious choice by a perpetrator to translate his personal prejudices into violent attacks intended to punish another citizen for the conditions of that victim's life. That conduct is beyond understanding and is intolerable. It's important for us to make a strong statement against Hate Crimes. This Bill does make that statement and I support it. Now in addition to Jim Ryan, the Attorney General Candidate for the Republican Party. We of course have the support of Roland Burris, the Democratic Candidate for Attorney General. We also have the support of the mayor of the City of Chicago. We have the support of the Attorney General, Neil Hartigan. We have the support of the State's Attorney of Cook County, Cecil Partee, AFSCME, League of Woman Voters, the Illinois State Bar Association, the National Organization for Woman, Illinois Gay and Lesbian Task Force, the Anti-Defamation League has made this one of their top priorities, the Catholic Conference of Illinois and the Chairman of the Democratic Party, Mr. Gary LaPaille has indicated in a letter his strong support for this Bill. Now, the most controversial part of this Bill is the part that includes sexual orientation and I would point out that sexual orientation is defined in this Bill as heterosexuality, homosexuality or bisexuality. Now, I would like to state for the record that in my opinion this Bill does not in anyway condone or encourage anyone to have any particular sexual orientation. What we're saying with this Bill is that people who commit crimes against someone because of

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their sexual orientation ought to be punished and they ought to be punished in a more severe manner than one who simply on the spur of the moment, as Mr. Ryan had said in his letter, commits a crime. This does not in any way and should not be considered a Gay Rights Bill as the opponents would have us believe. It doesn't confer any statutory sanction on that type of activity, but of course it is supported by the Gay and Lesbian groups because it might have the effect of discouraging people from bashing them, and if you don't think that goes on, you're wrong. It does go on. It also includes and expands the ethnic intimidation, former Ethnic Intimidation Statute to include people's ancestry and their physical or mental disability. If someone beats up someone because they are disabled or because they're a senior citizen or because they happen to be of a certain religion, it's clearly wrong and it should be punished. I'd be happy to answer any questions and I would appreciate an 'aye' vote."

Speaker Giglio: "Any discussion? The Gentleman from Will, Representative Petka."

Petka: "Thank you very much, Mr. Speaker, Members of the House. This Bill that we now have before us coming out of Conference Committee is not, and I repeat, is not the Bill that left this House earlier, or late last week. The reason for this is very simple, placed back into this Hate Crime Bill is the terminology of sexual orientation. Now, Ladies and Gentlemen of the House, I think it really is astounding that we had an opportunity to pass the Hate Crimes Bill, which passed out by a very wide margin without this as the Sponsor alluded to, controversial provision. Once again I will state what I stated in debate previously, and that is this. The real purpose of this legislation is not so much to conjure up Hate Crime type of mentality so

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that we can prosecute people who are going out and committing crimes which really should be prosecuted. As I might, state under Illinois Law each and every one of these enumerated offenses, already the offender can be prosecuted. The real purpose here is simply this, that is to continue a drive towards full social acceptance by a small minority of people whose only common bond between them is that they engage in defiant sexual practices. Now, to have a position in this case or in this matter that says well if you vote for this Bill you're voting for basically being a bigot, it's simply wrong. Race, one's ethnic origin, one's physical or mental disabilities are matters which simply are beyond the control of the party who is offended, the victim. Sexual orientation, however folks, is simply not that, it is behavioral pattern. It is a pattern which can be controlled by the person who is engaging in that pattern. Now, to make this point even clearer, we have a situation now where under Illinois law those who are victims of crimes that the person committed the offense is mad at that person because he's a, he belongs to an ethnic class or because he is a certain race or creed or national origin under current law the person is already punished under something called ethnic intimidation. This legislation was sponsored in my opinion for one purpose and one purpose only, and I think that the Conference Committee points that out very, very dramatically and that is this, this legislation is special legislation for the homosexual community. Now, Members of the House, what we have is simply this, homosexuals throughout this nation have been able to go to legislative bodies and get special preferences passed. When these things are taken back to the voters in their community, invariably invariably they are beaten. This has happened

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in San Francisco, it has happened in Pittsburgh, it happened in St. Paul, Minnesota. I know the time is now getting late, we've been here a long time and we haven't done a lot. Many of you folks probably would vote for anything just to get out of here today and go have dinner. This is a very, very important matter to people who still have traditional concepts of family in mind who still believe that there is right and wrong in this nation. In my opinion to create an artificial status for homosexuals because they are a ever growing, vocal minority in this nation and in this state who have exerted disproportionate amount of authority in lobbying is simply wrong. We had a Bill that when we sent out of this House I believe could be supported by most of the people in this state. We now have a Bill which includes sexual orientation which in my opinion if put to the test in the State of Illinois to the voters would simply get turned down by an overwhelming mandate, by an overwhelming majority. Ladies and Gentlemen of the House, I would ask you once again to defeat this Conference Committee Report and send it back and ask the...those who are on the Conference to simply delete the offensive, the offensive provisions that have been placed in this Bill. Do the right thing, and that is do not create a special status for individuals who simply do not and should not enjoy protection. The Supreme Court over a number of number of years and a number of decisions have stated that homosexual behavior is not the type of behavior which is a fundamental right that needs to be protected. There is a very compelling reason for this because homosexual behavior in its form is simply anti-family. The bulwark and the central mark of a society. Please join me and others to delete this provision. Vote 'no' on this Bill and do yourselves, do your constituents and the

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overwhelming majority of right thinking people. Give them the right vote in this case, please vote 'no'."

Speaker Giglio: "The Gentleman from Cook, Representative Andrew McGann, five minutes."

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

Speaker Giglio: "He indicates he will."

McGann: "Representative Cullerton, I believe your intent of this Conference Committee Report and your presentation you explained that the sexual orientation part was in no way to condone these actions by individuals and the Conference Committee Report was not to condone those actions. Is that correct?"

Cullerton: "That is correct, and that is my belief, and as you know there are religious organizations that do not condone this behavior and yet they have indicated their support for the Bill because they know that the Bill simply says that when anyone who is a victim of a violent act should have certain protections. And to answer your question again, I don't feel that this Bill and I know that this Bill, in no way condones or encourages homosexual behavior."

McGann: "Thank you. Representative Cullerton, where does the Illinois Catholic Conference stand on this Conference Committee Report?"

Cullerton: "They are very much in favor of the Bill."

McGann: "Do you know of any religious groups that have been lobbying against the original Bill, where do they stand on this Conference Committee Report?"

Cullerton: "The religious groups that I am aware of that have indicated support for the Bill are the Anti-Defamation League, the Catholic Conference. And I would also indicate that I received a letter from a...let's put it this way, the pro-life organization is not lobbying against this Bill. There are individuals who are in the past been

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associated with that organization who are lobbying against it, and there are individuals who are associated with that organization who are lobbying for it."

McGann: "Thank you, Representative."

Speaker Giglio: "The Lady from Lake, Representative Stern."

Stern: "Mr. Speaker and Members of the House. I think we are off on a kind of red herring here, I don't think we have to approve, disapprove, censure, or even discuss homosexual behavior. I think our job here is to see that the citizens of Illinois are appropriately protected. I don't think it matters whether a public mandate would support homosexual behavior. I think what we have to recognize is that our job is to protect our citizens. If you read a city newspaper you are aware that there is such a thing as gay bashing. That people do in fact inflict injury upon people they suspect of being gay and therefore that is the issue here. Should they be protected by this Body? You bet your life they should."

Speaker Giglio: "Further discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "The way you protect your citizens is to make it against the law for somebody to hit them. And it's against the law. People deserve protection because they are people, they don't deserve protection because of every conceivable difference which differentiates a subset from one group of another people. This is absolutely unnecessary, it's absolutely the wrong way to go and don't kid yourselves and don't let your constituents be kidded this is an approval and it does condone homosexuality as a lifestyle, otherwise it wouldn't be here. That's the only reason it's here, it is not a necessary law enforcement tool. Regardless of a person's motivation if he hurts somebody, bashes somebody, he's guilty of a criminal act

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already, and if he inflicts great bodily harm he's already guilty of a felony. Period. Period. Period."

Speaker Giglio: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker, and Members of the House. This is a law and order Bill. A get tough on certain kinds of crime Bill. Yes, the Gentleman is right all of us deserve protection when we are hit upon, when we're beaten, when we're robbed, when we're attacked, but the point is that in this society there are some crimes that because of the hate that's involved in their perpetration are particularly appalling, particularly distressing to a civilized world. Those are the crimes that are the subject of this Bill, when someone writes with paint on an overpass, Ann loves Jimmy, that's a criminal act. When someone paints a swastika on a Jewish temple I think that same Act of painting becomes a more serious crime because of the hatred that's behind it. When an African American church is burned with white crosses burning crosses in the front lawn, that means something different than an act of arson for profit. This Bill is about seeing to it that when hate is involved as a motive in the crime, against people by virtue of their ethnicity their religious beliefs that we should take those crimes more seriously than other kinds of random violence. If you believe in law and order, if you believe on getting tough on crime in the State of Illinois, then the only sensible vote on this Bill, on this Concurrence on this Conference Committee Report is a 'yes' vote."

Speaker Giglio: "Representative Flinn."

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

Speaker Giglio: "You've heard the Gentleman's Motion, all those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The previous question has been

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moved. Representative Cullerton to close."

Cullerton: "Mr. Speaker and Ladies and Gentlemen of the House. I indicated that the Bill had some controversial measures but actually, it certainly wasn't controversial in the Senate. There was an Amendment just like Representative Petka's Amendment and it was rejected in the Senate to take out sexual orientation, and the Bill was then overwhelmingly passed 47 to 4. I think the key to understanding this Bill is to make a decision in your own mind whether or not certain types of criminal behavior are more serious than others. And if you look to, and I think the strongest statement in behalf of this Bill is that of the States Attorney of Cook County...of DuPage County, Mr. Ryan. People who make a premeditated and conscious choice to translate personal prejudices into violent attacks to punish another citizen for conditions of that victim's life are the worst sort of criminal. That's what he said I agree with him. It is truly a Bill that is meant to discourage violent criminal acts and for that reason I ask for an 'aye' vote."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 2267?' On that question all those in favor vote 'aye', opposed 'no'. Voting is open. This is final action. Representative Levin, one minute to explain your vote."

Levin: "Speaker, in explaining my 'aye' vote, there are many classifications of our citizens. We are a very diverse country and one of those classifications is religion. We have many religions and people disagree fundamentally with each other in their beliefs. But we know it is wrong to commit acts of violence against people simply because of their religion. That's the same thing that is true here. Just because a person is of a particular classification

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they should not be subject to acts of violence. I would ask for a few 'aye' votes to reaffirm that fundamental belief of our own country."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? The Gentleman from Madison, Representative...Have all voted who wish? The Gentleman from Cook, Representative Preston, one minute to explain your vote."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I wonder if there is any Member of this House of Representatives who doubts for one second that indeed members of the gay and lesbian community are victims of assault and battery simply because of where they find themselves in nature. The nature of who they are and what they are and what nature has made them and for that reason and that reason alone do any of us doubt that they have become victims. This legislation is needed. These are people who need special attention. And yes, in response to some of those who said that human beings should be treated under the law simply as other human beings. I would agree with him, and I wish that were so in our society. But unfortunately it is not so. There are people who are picked out by those who would prey on other people simply for who they are. And therefore we need legislation to protect..."

Speaker Giglio: "Please bring your remarks to a close. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 64 voting 'yes', 51 voting 'no', none voting 'present'. And this Bill having received the requi...Representative McCracken. The Gentleman asks for a verification. Representative Cullerton asks for a Poll of those not voting."

Clerk O'Brien: "Poll of those not voting. Hoffman and Leverenz. No further."

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Speaker Giglio: "Proceed with the verification, Mr. Clerk."

Clerk O'Brien: "Balanoff. Barnes. Bowman. Breslin. Bugielski. Cowlshaw. Cullerton. Curran. Currie. Daniels. Davis. DeJaegher. DeLeo. Deuchler. Didrickson. Dunn. Edley. Farley. Flowers. Frederick. Giglio. Giorgi. Granberg. Hartke. Hicks. Homer. Hultgren. Lou Jones. Shirley Jones. Keane. Kirkland. Krska. Kulas. Lang. Laurino. Leitch. Levin. Martinez. Matijevich. McAuliffe. McGann. McPike. Morrow. Munizzi. W. Peterson. Preston. Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Steczo. Stern. Sutker. Terzich. Trotter. Turner. White. Williams. Wolf. Anthony Young. Wyvetter Younge and Mr. Speaker."

Speaker Giglio: "Questions of the Affirmative. Representative McCracken. Representative Hicks asks leave to be verified, Representative McCracken. Representative Hicks asks leave, he is in the back."

McCracken: "Yes."

Speaker Giglio: "Alright, leave is granted. Representative Dunn. Does Representative Dunn have leave, Representative McCracken? Representative Dunn."

McCracken: "Yes."

Speaker Giglio: "Leave is granted."

McCracken: "Representative Breslin?"

Speaker Giglio: "Representative Breslin is in the back."

McCracken: "Representative Giorgi?"

Speaker Giglio: "Representative Giorgi, is in the Speaker's Chair."

McCracken: "Representative Laurino?"

Speaker Giglio: "Representative Laurino, where is Representative Laurino? Representative Laurino in the chamber? Representative Laurino is in the back on your side of the aisle, Representative McCracken."

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McCracken: "Alright. Representative Hartke?"

Speaker Giglio: "Hartke is in his chair."

McCracken: "Representative Morrow?"

Speaker Giglio: "Morrow, Representative Morrow."

McCracken: "Oh, he's busy."

Speaker Giglio: "Representative Morrow is in the front. Does Representative Martinez have leave, Representative McCracken?"

McCracken: "Yes."

Speaker Giglio: "Leave is granted for Representative Martinez. Proceed, Representative McCracken."

McCracken: "Representative Turner?"

Speaker Giglio: "Representative Art Turner is in the back of the chamber, on the Democratic side."

McCracken: "Representative Satterthwaite?"

Speaker Giglio: "Satterthwaite is near her, by her chair."

McCracken: "Representative Bugielski?"

Speaker Giglio: "Bugielski. Is Representative Bugielski in the chamber? How is the Gentl...he is here by the press box."

McCracken: "Nothing further."

Speaker Giglio: "On this question there are 64 voting 'yes', 51 voting 'no', and none voting 'present'. Vote Representative Leverenz 'aye'. Representative Rice."

Rice: "Will you vote me 'present'?"

Speaker Giglio: "Vote Representative Rice, 'present'. Anybody else wish to change their vote? On this question there are 64 voting 'yes', 51 voting 'no' and one voting 'present'. And the House does adopt the First Conference Committee Report to Senate Bill 2267. And this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Homer in the chamber? Representative Homer, House Bill 3337. House Bill 3337, Representative Homer."

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Homer: "Thank you, Mr. Speaker. I move the adoption of First Conference Committee Report on House Bill 3337. This is the Drug-Free Workplace Bill that has received extensive negotiation with many parties of interest and has in it, I would emphasize, a provision that exempts railroads, which are covered by the federal drug-free workplace provisions. And as presented, the railroads are neutral on the Bill, and have no opposition. The Bill provides that those contractors who have state contracts or grants that employ 15 or more employees, and the grant is for five thousand...I'm sorry, 25 or more employees with 5000 or more in contract or grant shall be governed by the Drug-Free Workplace Program. I would also emphasize that there is no drug testing in this Bill. The Bill also has a provision that provides that the delivery of a controlled substance to a pregnant woman is a Class I felony for which the defendant may receive an extended term and a fine up to \$250,000. The provision requires that delivery be done with knowledge that the woman is pregnant. There is also a provision regarding money laundering, which is already against the law, and so as to provide threshold amounts consistent with the theft statutes on the books and the criminal damage to property legislation we passed earlier providing thresholds for dollar amounts with a Class III Felony...Class II Felony and Class I Felony depending upon the amounts involved, and..."

Speaker Giglio: "Any discussion? Representative Homer."

Homer: "One moment...One final matter that's in the Bill is drug induced infliction of great bodily harm, which is...which is a situation where there is an unlawful delivery of a controlled substance that results in great bodily harm to an...to another individual, would be a Class I Felony. I would answer questions and move the adoption of Conference

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Committee Report #1."

Speaker Giglio: "Any discussion? Question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3337?' And on that question all those in favor signify by voting 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 102 voting 'yes', none voting 'no', 12 voting 'present'. And the House does adopt the First Conference Committee Report to House Bill 3337, and this Bill, having received the required Constitutional Majority, is hereby declared passed. Agreed Resolutions."

Clerk O'Brien: "House Joint Resolution 145, Daniels. House Resolution 2074, Giorgi. 2075, Krska. 2078, Ryder. 2079, Barger. 2081, Daniels-Black. 2082, Daniels. 2083, Weller. 2084, Weller. 2085, Weller. 2086, Weller. 2087, Daniels. 2088, Daniels-Barnes. 2089, Weller. 2090, Daniels-et al. 2091, Breslin. 2094, Hicks. 2095, Curran. 2097, Mautino. 2098, Balanoff. and 2100, Keane."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Mr. Speaker, the Resolutions are agreed to and therefore I move the adoption of the Agreed Resolutions."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 2076, offered by Representative DeLeo, with respect to the memory of Police Officer Hauser...Gregory Hauser. House Resolution 2077, offered by Representative DeLeo, with respect to the memory of Raymond Kilroy. House Resolution 2080, offered by Representative Black, with respect to the memory of Robert Harry Wilson. House Resolution 2092, offered by Representative Pullen, et

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al., with respect to the memory of Dr. Bart Heffernan. House Resolution 2093, offered by Representative Daniels, with respect to the memory of Dr. Otto L. Bettag. House Resolution 2096, offered by Representative Klemm, with respect to the memory of Laurence Donald Vuillemot. House Resolution 2099, offered by Representative Woolard, with respect to the memory of Herman Albert Graves."

Speaker Giglio: "Representative Matijevich moves the adoption of the Death Resolutions. All those in favor signify by saying 'aye', opposed 'nay'. The Death Resolutions are adopted. Representative McPike now moves that the House stand adjourned until 10:00 a.m. tomorrow morning. 10:00 a.m. tomorrow morning. The House now stands adjourned."

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