

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

70th Legislative Day

October 17, 1989

Speaker McPike: "The House will come to order. The House will come to order. The Chaplain for today is Reverend Roland Shanks. Reverend Shanks is from the Federated Church of Welton Center in Welton Center, Illinois and he's a guest of Representative Weller. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Shanks: "Let's pray together first in silence. Heavenly Father, we ask You to bless the General Assembly this day. To provide protection for them and their families. We ask You to bless the leaders, all those who are involved in Committee in the various difficult decisions that will be made in this state. We ask that You'll give them wisdom as they lead the State of Illinois into a promising future. The ability to listen to one another and to work with people of differing opinion. We pray that all the decisions that are made are beneficial to the people of Illinois and we pray that they're respectful to You, our God. We ask this in Christ Jesus' name. Amen."

Speaker McPike: "We'll be led in the pledge of allegiance by Representative Ropp."

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 McPike: "Roll Call for attendance. Take the Roll, Mr. Clerk. Representative Matijevich."

Matijevich: "Mr. Speaker, let the record reflect the excused absence of Ben Martinez due to illness in his family and also, we are all saddened to hear that Representative Terry Steczo's wife passed away this morning. Representative Terry Steczo is excused due to the death of his wife and we offer our condolences."

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Speaker McPike: "Representative Matijevich, I'm not sure if everyone heard you."

Matijevich: "For the membership, Representative..."

Speaker McPike: "Can the Members please give Representative Matijevich your attention?"

Matijevich: "We are all saddened to hear that this morning Representative Terry Steczko's wife passed away. We all offer our condolences, as I said, and there's not much more we can say."

McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Would the record reflect that Representative Piel is excused today due to a death in his family? His father passed away yesterday afternoon."

McPike: "Representative McCracken."

McCracken: "I'd like to thank the Chair for asking Representative Matijevich to repeat that. It comes at a particularly trying moment. I pray for him and his family and thank you for letting us know, and if you could share your prayers for Bob Piel in the loss of his father, I would appreciate it."

Speaker McPike: "Representative McNamara. Representative Saltsman, you want to hit your switch? Thank you. Take the record, Mr. Clerk. 115 Members answering Roll Call, a quorum is present. Representative Olson. Representative Olson in the Chair."

Olson, B.: "Thank you, Mr. Speaker. Ladies and Gentlemen, when I came down here this morning I did not know I was going to be making an introduction right off the start of the session. Many people in this General Assembly who have served, have left this chamber and went on to, hopefully, bigger and better things. The young lady I am going to introduce has also served in this chamber. She has been a page on the Democratic side of the aisle for two years."

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Last summer I went to the county fair in Menard County and seen her crowned Miss Menard County Fair. I'd like to introduce to you and let her say a few words, Miss Menard County Fair, Chris Stumer."

Chris Stumer: "Thank you. It's quite an honor for me to be here today for two reasons. First of all, I have served as a page for the last two summers and have a great respect for all of you. Second of all, it is my honor to be Miss Menard County in the year that Menard County is celebrating its sesquicentennial. The Menard County Fair represents what's great about central Illinois. It's strong agricultural roots. Also with a small town camaraderie. We are happy to be celebrating our 150th, and I invite you all to come to Menard County very soon. Thank you. It's a great place to live."

Speaker McPike: "Committee reports."

Clerk O'Brien: "The Committee on Rules has met October 10, 1989, and pursuant to rule 29(c)3 the following Bills have been ruled exempt: House Bills number 313, 1211, 1287, 1487, 1621, 1885, 2756, 2828, 2829, 2830, 2831. Senate Bill 136, 572, 632, 752, 853, 1276, 1402 and 1403. Signed, John Matijevich, Chairman. The...Representative Matijevich, Chairman of the Committee on Rules has met and reported out Committee Resolution and moved its adoption. House Resolution 990, offered by Committee on Rules. Representative Terzich, Chairman of the Committee on Executive to which the following Bill was referred, action taken October 17, 1989, reported the same back with the following recommendation: Do pass Senate Bill 1402. Representative Homer, Chairman of the Committee on Judiciary II to which the following Bills were referred, action taken October 17, 1989, reported the same back with the following recommendations: Do pass as amended House

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Bill 1487."

Speaker McPike: "Representative Olson."

Olson, M.: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, on our very first day back I'd like to announce that we do have a birthday girl, Karen Hasara is somewhat in excess of 25 years of age, our Springfield Representative in this area. She has a beautiful cake back on the desk between sodbuster Olson and myself. She'd invite you to come back."

Speaker McPike: "Supplemental Calendar announcement, Mr. Clerk."

Clerk O'Brien: "Supplemental Calendar #1 is being distributed."

Speaker McPike: "Introductions, First Reading."

Clerk O'Brien: "House Bill 2835, offered by Representative Hallock and Giorgi, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill 2836, B. Pedersen, a Bill for an Act to enlarge the corporate limits of the Metropolitan Water Reclamation District of Greater Chicago. First Reading of the Bill. House Bill 2837, Countryman, Frederick and Kubik, a Bill for an Act to amend the Illinois Income Tax Act. First Reading of the Bill. House Bill 2838, Bowman, a Bill for an Act in relation to property tax deferral. First Reading of the Bill. House Bill 2839, Sutker, a Bill for an Act concerning the use of replacement cash parts for damaged cars...crash parts for damaged vehicles. First Reading of the Bill. House Bill 2840, Cullerton, a Bill for an Act to amend sections of an Act in relation to the sale of tickets to certain places of entertainment or amusement. First Reading of the Bill. House Bill 2841 offered by Representative Novak, a Bill for an Act concerning municipal taxes, amending named Acts. First Reading of the Bill. House Bill 2842, Ropp, a Bill for an Act to amend sections of the Regency Universities Act. First Reading of the Bill."

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Speaker McPike: "Agreed Resolutions."

Clerk O'Brien: "House Resolution 843, offered by Representative Ronan. 845, McGann. 847, Hoffman. 849, Trotter. 851, Regan. 852, Rice. 853, Black. 854, B. Pedersen. 855, Black. 856, Terzich. 861, Black. 862, Curran. 863, Stephens. 865, Stephens. 867, Krska. 868, Black. 869, DeJaegher. 870, DeJaegher. 871, DeJaegher. 872, DeJaegher. 873, DeJaegher. 874, DeJaegher. 875, DeJaegher. 876, Novak. 877, Black. 878, Klemm. 881, Johnson. 882, Johnson. 883, Johnson. 884, Curran. 885, Black. 886, Flowers. 891, McGann. 892, Curran. 893, Curran. 898, Black. 899, Black. 900, Black. 901, Black. 902, Black. 903, McGann. 906, White. 907, Black. 909, Hultgren. 910, McCracken. 911, Williamson. 912, DeJaegher. 913, DeJaegher. 914, DeJaegher. 915, DeJaegher. 916, DeJaegher. 917, DeJaegher. 918, DeJaegher. 919, Johnson. 921, Johnson. 922, Johnson. 923, Johnson. 925, Johnson. 926, Johnson. 927, Johnson. 928, Johnson. 929, Didrickson. 931, Barger. 932, Barnes. 933, Black. 934, Black. 936, Edley. 937, McGann. 938, Terzich. 939, DeJaegher. 940, DeJaegher. 941, DeJaegher. 942, DeJaegher. 943, DeJaegher. 944, Giglio. 945, Barnes. 946, Hultgren. 947, Stephens. 948, Johnson. 949, Johnson. 950, Johnson. 951, Johnson. 952, Johnson. 953, Johnson. 954, Johnson. 955, Johnson. 956, Giglio. 957, Stephens. 958, Morrow. 960, W. Peterson. 961, Terzich. 962, Novak. 964, Deuchler. 965, DeJaegher. 966, DeJaegher. 967, DeJaegher. 968, DeJaegher. 969, DeJaegher. 970, DeJaegher. 971, Balanoff. 972, Balanoff. 973, Wojcik. 974, Johnson. 976, Matijeovich. 978, Hultgren. 979, Hultgren and 987, Johnson. And 989, Shirley Jones."

Speaker McPike: "Representative Matijeovich."

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Matijevich: "Speaker, we have examined the Resolutions. They are all agreed to. I move the adoption of the Agreed Resolutions."

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

Clerk O'Brien: "House Resolution 844, offered by Representative Curran, with respect to the memory of Juan Larue Morrison. House Resolution 846, offered by Representative Johnson, with respect to the memory of George A. Legg. House Resolution 848, offered by Representative Anthony Young, with respect to the memory of Reginald Jordan. House Resolution 850, offered by Representative LeFlore, with respect to the memory of Jerome Christine (sic, Jerome and Kristin) Halbert. House Resolution 857, offered by Representative Morrow, with respect to the memory of Annie Lee Boone. House Resolution 858, offered by Representative Morrow, with respect to the memory of Leona Abrams. House Resolution 859, offered by Representative Morrow, with respect to the memory of Thomas Neal, Jr. House Resolution 860, offered by Representative Johnson, with respect to the memory of Charles A. Petry. House Resolution 864, offered by Representative Anthony Young, with respect to the memory of Kewanis Johnson. House Resolution 866, offered by Representative LeFlore, with respect to the memory of Lois Sorrell Johnson...Jackson. House Resolution 879, offered by Representative Johnson, with respect to the memory of Robert Mathis. House Resolution 880, offered by Representative Johnson, with respect to the memory of Jack L. Hough. House Resolution 887, offered by Representative Johnson, with respect to the memory of Kenneth Stotler. House Resolution 888, offered by Representative Morrow,

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with respect to the memory of Lyn Logan Weaver. House Resolution 889, offered by Representative LeFlore, offered in the memory of Cheryl Dixon...Dix. House Resolution 890, offered by Representative LeFlore, with respect to the memory of Gertrude Snodgrass. House Resolution 895, offered by Representative Wyvetter Younge, with respect to the memory of Dr. Leon Homer Reed, Sr. House Resolution 896, offered by Representative LeFlore, with respect to the memory of Londell Sanders. House Resolution 897, offered by Representative Johnson, with respect to the memory of David E. Kippershone...Kuperschmidt. House Resolution 904, offered by Representative Anthony Young, with respect to the memory of Anita Taylor. House Resolution 905, offered by Representative Anthony Young, with respect to the memory of Joseph Davis. House Resolution 908, offered by Representative Hultgren, with respect to the memory of William Plumer. House Resolution 920, offered by Representative Johnson, with respect to the memory of H. R. 'Tiz' Bresee. House Resolution 924, offered by Representative Johnson, with respect to the memory of Ralph Grim. House Resolution 930, offered by Representative Countryman, with respect to the memory of Dr. James Conrad Ellis. House Resolution 935, offered by Representative Johnson, with respect to the memory of Weaver Healey. House Resolution 959, offered by Representative Morrow, with respect to the memory of Jesse Carter. House Resolution 963, offered by Representative Petka, with respect to the memory of Marvin Matlock. House Resolution 977, offered by Representative Matijevich, with respect to the memory of Reverend Michael Stan...Stancez. House Resolution 980, offered by Representative LeFlore with respect to the memory of Lee Gertha Cherry. House Resolution 982 offered by Representative Shirley Jones,

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with respect to the memory of Adam D. McGowan. House Resolution 985, offered by Representative Johnson, with respect to the memory of Wilbur Freitag. House Resolution 986, offered by Representative Johnson, with respect to the memory of Albert Knox. House Resolution 988, offered by Representative Countryman, with respect to the memory of Crosby A. Schmidt."

Speaker McPike: "Representative Matijevich moves for the adoption of the Death Resolutions. All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Death Resolutions are adopted. Representative Monroe Flinn."

Flinn: "Well, Mr. Speaker, I would like to announce today is Bruce Richmond's birthday. He and Karen Hasara were born on the same day, but I think it was a different year. If you take a look at them, you can tell the difference in the years. So we have a cake back here at Bruce's desk. Anybody who'd care for a bit of birthday cake on Bruce Richmond, please come back and help yourself."

Speaker McPike: "Representative Flinn, is Karen older?"

Flinn: "I would rather not say. I've got a Bill coming up right away."

Speaker McPike: "Page 5 of the Calendar, Total Veto Motions appears House Bill 44, Mr. Goforth. Mr. Goforth, we're going to start with your Bill. "

Goforth: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, if we can have your attention here for just a minute, this is a kind of important Bill to me. As you know, we passed this Bill out of this House I think about 3 different times. The last 2 sessions, with your help we passed it out on a Consent Calendar. The Governor vetoed it one time, he's done it again this time. It passed the Senate by 44 votes. He said in his veto message that the Bill's a good idea, but however we don't have the money.

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Well, it's not costing us any money. It was the State Police that filed for the Motion. The fiscal note said a million and a half dollars. It won't cost that much money to keep the Merit Board alive anyhow, but it should be separated. We've got the best State Police force they is in the nation. The Merit Board's supposed to oversee them. They can't oversee them if the State Police is paying their salaries. This Bill don't cost the taxpayers one lousy dime. In fact, it'll save them money in the long run. I ask for your support for override."

Speaker McPike: "Further discussion? Representative McCracken."

McCracken: "Yes, thank you. I very reluctantly rise in opposition to the Motion to override. I think if the fiscal considerations were not there, that it would be a clearly a good idea. The Governor's office is adamant that there is a...an unbudgeted cost to this and for that reason and that reason alone I respectfully rise in opposition."

Speaker McPike: "Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Cullerton: "Representative Goforth, it appears to me that the previous speaker and myself, and you all voted for this Bill, is that correct?"

Goforth: "That's right. Two times. Consent Calendar both times."

Cullerton: "Well perhaps it's because, when we voted for it on the Consent Calendar, we didn't read it carefully. Was this..."

Goforth: "I believe, if my memory's correct, you're the one that asked me to take it off the Consent Calendar and after the fiscal note, agreed...you...yourself agreed to put it back on the Consent Calendar."

Cullerton: "That's right. In other words, a fiscal note was

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filed by the Illinois State Police, correct?"

Goforth: "That is correct."

Cullerton: "And I'm supporting you on this Motion, so..."

Goforth: "I know you are."

Cullerton: "I just want to...I just wanted to make it clear that we had a fiscal note present when we put the Bill back on the Consent Calendar."

Goforth: "That's right."

Cullerton: "What'd the fiscal note say?"

Goforth: "The fiscal note said a million and a half dollars is what it costs. All that money was in the State Police budget, but if I may, there was one issue in there which he didn't put in writing. Right now he pays the State Police overtime, time and a half to investigate candidates to come on the State Police. That's an absolute waste of money right there. I'm sure we can find investigators out here to investigate clients. So the Bill will actually save money instead of costing money."

Cullerton: "Well now, you know, we passed a rule that indicated that if the Governor was going to amendatorily veto a Bill that he would...if we wanted to be consulted as legislators, that we would just indicate that to the Governor. Did the Governor consult you before he vetoed your Bill?"

LeFlore: "No. In fact, his press secretary told me down at DuQuoin Fair that I wasn't about to override. I...He hadn't even vetoed the Bill yet at that time. I have not been consulted by the Governor's office at all."

Cullerton: "Well, do you have any...do you have any idea as to why the Governor misread the Bill and got it wrong and decided to veto it?"

LeFlore: "Yes. I have some ideas, but..."

Cullerton: "Can you tell us what they might be?"

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LeFlore: "Well, I think it's a personal thing. I think Director Margolis don't want to separate the Merit Board from it. As long as he's controlling their salary, he can control the Merit Board. That's my personal thoughts, though."

Cullerton: "Okay. Well, Mr. Speaker. I...I...I can't hear myself think here, Mr. Speaker. All I can tell you is I voted for this Bill once before, as did 115 other people. We did have a fiscal note and it was on the Consent Calendar and I think we should support Representative Goforth in this Motion."

Speaker McPike: "Representative Matijevich."

Matijevich: "Yes. Mr. Speaker, Members of the House, I would echo the remarks of Representative Cullerton. I handled this Bill before. This Bill, as Representative Goforth has said would provide the independence. Believe it or not, there can be some politics in the matter of Police Merit Board considerations, and I think we want to eliminate that. This Bill is strongly endorsed by the trooper's lodge and I would urge the Members to give it the same vote that we did in the regular session. If we do that, we're doing the right thing and it'll go on to the Senate and be overridden where it should be. I strongly support an 'aye' vote and hope that everybody on this side of the aisle votes 'aye'."

Speaker McPike: "Representative Stephens."

Stephens: "Well thank you, Mr. Speaker. The Gentleman...I rise in support of his Motion. It's unfortunate that on the very first vote that we have to cast that we have to, on this side of the aisle, stand against our Governor's veto. However, the Gentleman should know that he has friends on this side of the aisle. He's right on the issue and I urge Members on this side of the aisle to rise in support of Representative Goforth's Motion."

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Speaker McPike: "Representative Goforth to close."

Goforth: "Thank you, Mr. Speaker. Once again, people, even the Governor himself says this is a good idea, but he claims we don't have the money. I contend that it's going to save money instead of costing us money. When Governor Stephens passed this law in the General Assembly back in 1949, it was to take politics out of the State Police. The Merit Board was set up to oversee and so they've done. They's no way that a Board can oversee a Department if the Department is paying their salary and wages. People of the General Assembly, this General Assembly has three times said, this is what we want our Governor to do. Let's uphold the override. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 44 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Representative McCracken."

McCracken: "Just to say I was glad no one was listening."

Speaker McPike: "Mr. McCracken, did you wish to change your vote? Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 112 'ayes', no 'nays', none voting 'present'. This Motion having received the required three-fifths majority is adopted and this Bill is hereby declared passed, the veto of the Governor notwithstanding."

Speaker Madigan: "Speaker Madigan in the Chair. Ladies and Gentlemen, if we could have your attention. If the Members would please take their chairs. Would the staff please retire to the rear of the chamber? If the staff would please retire to the rear of the chamber, and if the Members would please take their chairs. We're very fortunate today to have with us Father George Clemons, who is a Catholic priest from Chicago. Father Clemons has adopted a very visible and aggressive posture relative to

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the drug culture in our society. I'm sure those of you from the Chicago Metropolitan area have read or heard of his activities. For those of you outside of the Chicago area, why, let me simply say that he has done some outstanding work in this very vital and critical area of our society and with no further ado, let me give to you Father George Clemons."

Father Clemons: "Thank you. Thank you very much. Thank you. Thank you. I would simply like to say that I was born in this state, lived in this state all my life and this is the first time in my life I was ever privileged to be here in this incredibly historic place with all of you, and I just want to tell you of my gratitude to you for all of the work that you do, but in particular for what you did recently in passing the Bill to outlaw drug paraphenalia throughout the state. I'm just so grateful, for it was my understanding that there wasn't any dissenting vote, and I don't know if you get that on hardly anything here. So I want to tell you thank you and that we're praying for all of you. You've got an awesome responsibility on your shoulders in this...this great State of Illinois, and I just want you to know you can't do it by yourself, you need the help of God and there are those of us in the state who are praying to God to help you in carrying out the responsibility that you've taken on your shoulders. God bless all of you."

Speaker McPike: "House Bill 193, Representative Ropp. Mr. Ropp."

Ropp: "Thank you. Mr. Speaker, Members of the House, there is a Bill exactly like this one that the Governor's already signed into law, so Mr. Speaker, I'd like to withdraw this Motion."

Speaker McPike: "The Motion's withdrawn. Mr. Cullerton, did you wish to speak?"

Cullerton: "I just wanted to ask Representative Ropp a question."

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Speaker McPike: "He withdrew the Motion."

Cullerton: "Is that because of a similar Bill, identical Bill that was signed by the Governor?"

Speaker McPike: "Yes. Similar."

Cullerton: "I think it was identical."

McPike: "Identical."

Cullerton: "Yes. I wanted to ask him why the Governor always signs the Senate Bills and vetoes the House Bills. I wondered if Representative Ropp knew the answer to that."

Speaker McPike: "Representative Ropp left."

Cullerton: "Well then, we're all better off."

Speaker McPike: "Representative Preston, would you like to call your Bill? No interest in it? Just withdraw it? Okay. Representative Giorgi. Representative Giorgi here? Representative Zeke Giorgi. Want to call your Bill? It's 257. Yes. House Bill 308, Mr. Countryman."

Countryman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 308 is...it passed the House and the Senate, provides that uninsured and underinsured motorist coverage for bodily injury be included in the amounts up to the bodily injury limit of the policy and policies applied for after June 30th, 1990. The insurers must advise applicants of the availability of such coverage and the required premium in a brief explanation of the...of the nature of the coverage involved. Each application must contain spaces indicating the reduction...rejection of additional uninsured and underinsured coverage. No rejection of coverage shall be effective unless the applicant initials the indication of rejection. The effective date was July 1, 1990. The Governor indicated in his veto message that he wasn't certain, really, that what we wanted to do was what we intended to do. However, I will say to you that this Bill had considerable hearing in

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Committee, that it was a compromise between the insurance industry and myself...that everybody had agreed to it, and I was most surprised by the Governor's veto. I really believe that this Bill is good law and I would ask you to join me in voting to override the Governor."

Speaker McPike: "Representative Terzich on the Motion."

Terzich: "Representative, can you basically...this is what...underinsured and noninsured motorist coverage?"

Countryman: "That's correct."

Terzich: "And what does it basically do?"

Countryman: "What it makes them do, is when they apply for insurance they have to sign off as you would like with credit life insurance or other things that you might desire to purchase with a...a note where you're signing at the bank, you have to initial you either want to purchase in the amount of the limits of your policy or you want to take a lesser limit, and you have to have a brief explanation on the policy form...application for policy, rather...that you understand the nature of that insurance and you initial that you don't want it in the amount of the policy limits."

Terzich: "So...this would be basically when someone is purchasing automobile insurance that right now we have a mandatory requirement that they purchase a minimum amount of uninsured motorist coverage and that they would have to sign off that if they didn't want to purchase an additional amount over and above the minimum?"

Countryman: "To the extent that I can hear you, I think the answer is 'yes'. I'm having a hard time understanding everything you said there. What I think you said was, if they want...if they want to buy less than the amount of the policy limit they can do so, they just have to initial on the application for policy that they understand what it is that they are doing."

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Terzich: "In other words, if I purchase a liability of say...three hundred thousand dollars and I am required to purchase uninsured motorist coverage, I believe up to...ten or forty thousand dollars. If I didn't want to buy the uninsured motorist coverage say, of three hundred thousand dollars, I would have to sign off that I only want the minimum amount of uninsured motorist coverage?"

Countryman: "Right. But you're talking about the minimums."

Terzich: "Yes."

Countryman: "I mean, you would have to take the minimums on uninsured. You don't have to take that on underinsured."

Terzich: "You don't have...so, if I don't take it, I have to sign off?"

Countryman: "All you have to do is initial."

Terzich: "That I don't want it."

Countryman: "That you don't want it."

Terzich: "Alright. Thank you."

Countryman: "On the application for policy only."

Terzich: "Okay, thank you."

Speaker McPike: "Further discussion? Mr. Countryman to close."

Countryman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I believe I have explained the Bill, I hope you understand it. It passed 114 to 2 on the day it was voted here and 59 to nothing in the Senate. I think the Governor just made a mistake and misunderstood it when he vetoed it and I ask for your override vote."

Speaker McPike: "The question is, 'Shall House Bill 308 pass, veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 104 'ayes', no 'nays', and 2 voting 'present'. This Motion having received the required three-fifths Majority is adopted and this Bill is hereby

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declared passed, the veto of the Governor notwithstanding.
House Bill 322, John Dunn."

Dunn: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move to override the Governor's Total Veto of House Bill 322. This is a piece of legislation which would create the Division of Defense Contract Procurement within the Department of Commerce and Community Affairs. It's a good piece of legislation and I ask for an 'aye' vote."

Speaker McPike: "Any discussion? Representative Churchill."

Churchill: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in opposition to the Gentleman's request. The reason the Governor vetoed this Bill was that the Department of Commerce and Community Affairs already has a program called the Illinois Procurement Assistance Program. This program has been in effect since 1984. Approximately 264 million dollars have been spent through this program, of which 90 percent of this total has been for the U. S. Department of Defense contracts. The state already has a program, there's no reason to duplicate the program, there is no reason to spend the money on it. I would ask that we vote 'no' on this Motion to override the Total Veto."

Speaker McPike: "Representative Dunn to close."

Dunn: "Thank you, Mr. Speaker..."

Speaker McPike: "I'm sorry, I'm sorry. Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I also rise in opposition to the Motion to override. The last thing we need is duplication and this Bill, although worthy in its concept, would do just that. It's just not necessary. It costs money that we don't have to spend and I rise in opposition."

Speaker McPike: "Representative Dunn to close."

Dunn: "Thank you, Mr. Speaker. Ladies and Gentlemen of the

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House, the opponents have indicated that DCCA has a program in place and has had it since 1984. Well, in 1987, 3 years after DCCA instituted their program, the State of Illinois was 45th out of 50 states in the return of defense dollars. Whatever DCCA has been doing hasn't been working. At the current time, depending upon how you calculate it, we are either 19th or 22nd among all the states in return of defense dollars. What DCCA has been doing hasn't been working. This is a program which would provide for a specific division within the Department of Commerce and Community Affairs to lobby for defense contracts and a return of our taxpayer dollars to the State of Illinois. We are a heavily industrialized state, we deserve more return of defense contract dollars. This would arm the Department of Commerce and Community Affairs to go to Washington and lobby for the return of that money and it would accentuate their efforts and if it is successful, we could fund it with a decent amount of money to keep pushing and make it grow. We need 'aye' votes on this Bill. I ask for your 'yes' votes. Please vote 'yes'."

Speaker McPike: "The question is, 'Shall House Bill 322 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Representative Stephens to explain his vote."

Stephens: "Well, just to mention the fact that we're not getting defense dollars back is probably could be delivered a good message to deliver to Washington. We've got a majority of Democrat congressmen, we've got a majority of...or, both of our United States Senators are Democrats. Maybe they ought to be getting the job done and bringing that money back. This is not the way to get it done."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 61 'ayes'

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and 50 'nos' and the Motion fails. House Bill 418, Representative Homer. Is Tom Homer here? Out of the record. Now the next Bill, 441, is in the wrong place on the Calendar, it's not a Total Veto, it's an Amendatory Veto so it'll be taken out of the record. House Bill 506, Representative Davis. Representative Davis, would you like to call this Motion? Okay. Representative Davis."

Davis: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, we are asking that you override the Veto of the Governor. This Bill passed with overwhelming support from both sides of the aisle and from both Houses, the House and the Senate. This piece of legislation prohibits and forbids doctors or hospitals to experiment on patients without patients having the knowledge and the ability to consent or to reject that treatment. We recognize that the Governor was possibly attempting to please some part of the Medical Society. However, we feel that this is a very important piece of legislation that will protect the citizens in the State of Illinois. We urge you to support us in an override vote. Thank you."

Speaker McPike: "Representative McCracken on the Motion."

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

Speaker McPike: "Yes, Representative Davis."

McCracken: "Representative Davis, was language ultimately adopted in this Bill that was agreed to by the AMA?"

Davis: "I'm sorry, I can't hear your question."

McCracken: "Was the language ultimately adopted agreed to by the AMA? Our file shows that there was some concern at one time."

Davis: "At one time there was, we had worked these problems out. We worked with them, we met with them. I think if you look at the vote on this, Representative McCracken, you'll find that we had support from your side of the aisle on this

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Bill."

McCracken: "Well, that's why I'm asking. I just wanted to confirm that they got their language that they wanted."

Davis: "Yes, Sir."

McCracken: "Okay. Well then, I...I think in light of that that...the Lady's Motion is well-founded."

Davis: "Thank you."

Speaker McPike: "Would you like to close, Representative Davis?"

Davis: "I would just like to thank Representative McCracken for pointing out that the Medical Society certainly had an opportunity to meet with us and help to draft this legislation. And I certainly thank my colleagues for helping to override the Governor's Veto on this extremely important piece of legislation that will certainly affect all of our districts and our citizens. Thank you."

Speaker McPike: "Question is, 'Shall House Bill 506 pass, the Veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Take the record, Mr. Clerk. On this Motion there are 113 'ayes', no 'nays', none voting 'present'. This Motion having received the required three-fifths Majority is adopted and this Bill is hereby declared passed, the Veto of the Governor notwithstanding. Return to House Bill 441, Representative Leitch."

Leitch: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. House Bill 441, I hope, is a Bill that's...it's time has finally come. This is a Bill that went out of here 110 to 2. It went through the Senate 59 to nothing. It's passed about 5 times. It's one that unfortunately, some places in the bureaucracy it's been misunderstood. The Bill, very simply, is a Bill about fairness. If in your neighborhood, if the state owns a lot and there's a sidewalk improvement through the lot, all this Bill says is that the state would help along with other residential

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homeowners to pay for the sidewalk. And for those of you who are very concerned about tax relief and the irate taxpayers that you face in your communities, there is nothing that makes them more angry than trying to understand why the state is not paying its share for a sidewalk improvement that is going through their neighborhood like any other property owner would. This does not set bad precedence. It is not a major Bill. It is simply a simple fair Bill whose time has come and I'd appreciate an 'aye' vote."

Speaker McPike: "Any discussion? Is there any discussion on this Motion? If not, the question is, 'Shall House Bill 441 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. Representative Cullerton. Representative Cullerton."

Cullerton: "Seek a verification."

Speaker McPike: "Representative Curran."

Curran: "Would you vote me 'present', Mr. Speaker?"

Speaker McPike: "Change Representative Curran from 'aye' to 'present'. Laurino's voting 'no'. Matijevich changes his vote from 'aye' to 'no'. Representative Keane changes his vote from 'aye' to 'no'. On this Motion there are 69 'ayes', 27 'nos', 15 voting 'present' and the Motion fails. House Bill 789, Representative Balanoff. Do you want to call the Motion?"

Balanoff: "Yes. Mr. Speaker, I rise to override the Governor's Total Veto of House Bill 789, the Lake Calumet Water Study Bill. I think there are a number of reasons that this Bill is very important. The southeast side of Chicago is the largest concentration of landfills on the North American continent, according to the Illinois Environmental Protection Agency. The IPA has counted 31 landfills.

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Debra Nelson, in her recent series in the Sun-Times entitled 'Our Toxic Trap' counted over 50. The Illinois State Water survey mentions 62. Almost all of these landfills have received toxics at one time or another. A draft report just issued by the Hazardous Waste Research and Information Center on the ground water transport of pollutants to Lake Calumet indicates that the problem is much worse than anyone had believed. During storm conditions, the inflow of toxic metals to northeastern Lake Calumet was as high as 322 pounds of toxics per hour. The outlet for drainage from the Lake Calumet area is the Calumet River which discharges into Lake Michigan. The study suggests that present levels of water pollution generated in this area may be threatening the quality of Lake Michigan. Toxic sites in southeast Chicago have not qualified for super fund cleanup because it has previously been supposed that the toxics are not affecting peoples drinking water. We now see that it is possible that these toxics are entering the lake which provides drinking water for 4,570,000 people in Illinois alone. Engineers, particularly, Stu Cravens from the Illinois State Water Survey, have told us that it is possible that toxics from the Lake Calumet area are running off into wells in western Cook and yes, DuPage Counties. We supply drinking water for over 53 communities with 750,000 people who drink well water. We are finding more and more private wells within the Lake Calumet area than we had thought existed. 3 marinas on the Calumet River...Windjammer, Riverside and Sunset...used by...okay. At any rate, people on the southeast side of Chicago are dying in large numbers from cancer and we think that this study is certainly very necessary, and very necessary now so we can bring federal super fund money for cleanup into our area to protect the

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drinking water for millions of people. Thank you."

Speaker McPike: "Mr. Trotter."

Trotter: "Thank you very much, Mr. Speaker. I too, rise in support of overriding the Governor's veto of the Calumet Lake water study. My district also sits in part on the southeast side and as mentioned by Representative Balanoff, it is a district that has a high instance of cancer so I rise and ask that we do override because the impact of this study is immediate and direct, and I personally ask for the sake of my family and for my friends to vote 'aye' on this measure. Thank you.

Speaker McPike: "Mr. Mays."

Mays: "Thank you very much, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker McPike: "Yes."

Mays: "We passed a...in ENR's budget or EPA's budget an amount to start this study?"

Balanoff: "Yes."

Mays: "How much was that amount? What was the Governor's disposition on that amount when it went to his desk and what's the total cost of this study all 4 years?"

Balanoff: "The estimates of the cost over a 4 year period are between one million and 1.4 million dollars. The appropriation passed in the Department of Energy and Natural Resources budget this year was for \$200,000 and the Governor did veto that."

Mays: "Okay. To the Bill. Ladies and Gentlemen, I don't doubt that the Gentleman has a problem in this particular area that needs to be addressed. I don't doubt that the agency feels the urgency for the need also, but I do suggest that the appropriate process at this time, with the fiscal year looming as a very tight one for the next fiscal year, is to hold the line on this thing and see if the Gentleman,

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through various mechanisms of grants and things like that might be able to work through the Department in the various mechanisms that we have to address this problem in that manner. As a result, I would urge a 'no' vote on this Bill."

Speaker McPike: "Further discussion? Representative McCracken."

McCracken: "Thank you. I also rise in opposition. This study, or something like it has already been considered by the Department of Energy and Natural Resources and it is a comprehensive study to be done in conjunction with the IEPA. We cannot address this problem in an ad hoc manner as this Bill does. Environmental issues must be considered and dealt with comprehensively and should be done within the current system where there is some efforts in that regard already. It doesn't make any sense to substantively authorize or require the Department to undertake another study that is not something to be done in the context of its responsibilities generally. It's just an unnecessary waste of their resources. This is already being considered in a more comprehensive manner by the Department. It's money that would not have to be spent and still not sacrifice the Representative's area. Therefore, I rise in opposition to this Bill and ask the Republicans to join me."

Speaker McPike: "Mr. Giglio."

Giglio: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I urge an 'aye' vote to override this veto. I think the two Gentlemen explained it perfectly. This is not a Bill for Representative Balanoff's district. This is a Bill for all of us who drink Lake Michigan water, and I don't believe \$200,000 is a lot of money to start this project that's so vastly needed. Each and every one of you received a letter from Representative Balanoff and myself

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explaining the urgent...urgency of this override. You've seen in the headlines of the Chicago papers of the federal government's study of what's happened to Lake Michigan water. I don't think we can wait, and I would urge an 'aye' vote."

Speaker McPike: "Mr. Balanoff to close."

Balanoff: "I think...I think, as some of the previous speakers have pointed out, the bottom line is that people are dying in large numbers on the southeast side of Chicago from cancer and we have to find out why. In government we have a responsibility to find out why. It is not only the four and a half million people in Illinois that get their drinking water out of Lake Michigan, the states around...surrounding Lake Michigan get their drinking water there, but as I said, people from the Illinois State Water Survey who support this Bill have said that even western Cook and DuPage Counties drinking water could be affected. Certainly this is a drop in the bucket when it comes to protecting health and safety and I certainly would urge an 'aye' vote. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 789 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 69 'ayes' and 45 'nos'. Mr. Balanoff...and the Motion fails."

Balanoff: "Poll the...Can we poll the absentees?"

McPike: "I already declared the Motion failed. You can file another Motion, Representative Balanoff. Supplemental Calendar #1 under Motions. Representative Homer. Representative Homer, please."

Homer: "Thank you, Mr. Speaker. Ladies and Gentlemen, with respect to House Bill 1487, I move to suspend Rule 35(a)

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and advance from the Order of Second Reading First Legislative Day to the Order of Second Reading Second Legislative Day this legislation and suspend Rule 37(g)."

Speaker McPike: "Is there any discussion? Representative McCracken on the Motion."

McCracken: "Thank you. At the risk of asking a question and opening this up, may I ask why do we need to do this?"

Homer: "We are hopeful that the Bill can be fully considered by both the House and Senate during the fall Veto Session. In order for that to occur, we would have to take action...final action on the Bill Thursday of this week. To do that we would have to have the Bill tomorrow on Second Reading Second Legislative Day. That's the reason for the Motion."

McCracken: "If the Bill passed and were signed, when would it become effective?"

Homer: "July 1 of 1990."

McCracken: "Okay. I rise in opposition to the Motion and unfortunately...and I say this with all sincerity...unfortunately, the Grand Jury Bill has become politicized. It isn't...it isn't the drug paraphernalia portion of the Bill that anyone can object to, it isn't Father Clemons involvement that anyone can object to, but this Grand Jury Bill is a political issue, pure and simple. It isn't Representative Homer's political issue. He is not a recent convert. He has been after this for years and I admire his tenacity. But the timing of this and the support, and frankly, the lack of opposition which has been here historically worries me. Do you know that no opponent had the courage to testify publically to his opposition to this Bill? A Bill that has been defeated over the last 10 years numerous times? Everybody has been subjected to...political blackmail so that they don't talk against

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the Bill. What is the problem with considering the Bill on the merits? If the Bill is not going to be effective till July 1, 1990, why the haste? Why does it have to be done this week? You know, if this Bill moves to Second Reading today, some people on this side of the aisle who wanted to file Amendments will not have an opportunity to address those Amendments. Now, I know that Representative Homer has been after this for years, but it is now not only Representative Homer's interest at stake. He is not the only person interested in passage of this Bill and we do a disservice to the public by passing this so quickly. First it's declared an emergency. An emergency which the Rules Committee would not accord to abortion legislation where the lives of babies are at stake, but this is an emergency. The only possible reason one can conclude an emergency status is because of politics. Because the Attorney General wants to earn his spurs in the war on drugs, that's the reason. And it'll become effective July 1, 1990, when the Attorney General, who only coincidentally is running for Governor will be able to use it statewide. Say no to this. Say no to this. It is not an emergency on the merits. Representative Homer is certainly sincere in it and has been a long time proponent, I don't question that, but the political mischief it does is too much to ignore. There is no emergency. The legislation wouldn't even be effective till July 1, 1990. How can anyone conclude there's an emergency? We can handle it in the spring. Please, vote no."

Speaker McPike: "Mr...Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, we just heard Father Clemons on the podium. Father Clemons thanked us for what we've done with regards to the drug paraphenalia law. Father Clemons and all of us here know

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that the war on drugs is not over, it is just beginning. Even if we act today, it is too late. We cannot dilly-dally with regards to drugs. The Gentleman who just spoke knows that this Bill is going to be...it's going to be heard with regards to Amendments. If you have some Amendments, they can be heard. They can be added to the Bill. The youth of America has voted in polls to indicate what they think is the most crucial problem in the country. The youth of America themselves feel that drugs are the number one problem in the country. We cannot wait any longer. Now, I hear in this General Assembly very often when we talk about targets, when we talk about target districts for example, there's certain issues that they get pretty queasy about. This is such an issue. You can't vote...you can't say no on this vote. Say no to drugs, but don't say no to this vote, because if you do, you're saying yes to drugs. We have got to fight drugs. It's the number one problem and we've all got to vote for this Motion if we are sincere in that war on drugs. Mr. Speaker, I urge every Member, Republican and Democrat right now to show how they feel about drugs and to vote for this Motion."

Speaker McPike: "Mr. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. One of the previous speakers, whom I have the utmost respect for, indicated in his remarks that this Bill is not an emergency. He's saying that this is not an emergency at a time when at a large news conference the Governor of Illinois, rightfully and properly, enacted into law a package of anti-drug Bills and did it with great fanfare, as well he should have, and with great pride. The President of the United States indicated and with great fanfare and with great pride that he was declaring war on drugs in America. This piece of legislation, House Bill

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1487, is a step in that direction. This makes it more difficult for pushers to push drugs on the young people of Illinois. We have no greater emergency than we do in this legislation. We can't pretend that the Chicago school system and other school systems throughout the State of Illinois have a dire need for new monies that we give them as an emergency measure, and at the same time we're saying that they don't have an emergency need for protection from drugs and from drug pushers. We need this legislation, not today, not only is there an emergency that isn't met by this Bill today, we ought to have had this legislation in place a long time ago. This is a step in the right direction to assist law enforcement in Illinois to do what has long been necessary to do. To chase drug pushers wherever they may hide, no matter what county they go into, we can now have a way of following them from county to county to make it more impossible for them to ply their trade and their abuse and their destruction. I urge you to vote in favor of this Motion."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, we all agree that we have to do more in terms of protecting our youth from the ravages of drugs. There's no doubt, there's no question about that. But what we have now is that this Bill was introduced in Committee. Where were all these voices that are yelling now, saying that they want this discharged and moved forward...where were they then? You know, this Bill is not any different, very little different, than it was presented in Committee. It hasn't changed much. What has changed is that we have somebody running for Governor of the State of Illinois that wants to use this as a platform to run for. Where was his voice before? Now all we have is somebody using...trying

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to use this as a political opportunity. All of our side of this aisle should be voting 'no' on this and showing that if it had merit in the spring it should have merit now, and this is not the time to push this Bill out. There are other vehicles that we can be using. This is not the right kind of vote to vote for this at this time."

Speaker McPike: "Representative Petka."

Petka: "Thank you, Mr. Speaker. Members of the House, I rise to oppose this Motion. I've heard arguments from the other side of the aisle which basically state that to vote against this Motion and to advance this...the agenda at an accelerated pace is basically to say that one is in sympathy with drug pushers in this state. I don't think anything could be further from the truth. This is not a new idea. A statewide grand jury was first proposed by a Republican Attorney General back in the 1970's for a problem that was perceived to have statewide implications, that being the problem of pollution and environmental concerns. In 1982, when Attorney General Tyrone Fayner was seeking election to that office after his appointment, he proposed a statewide grand jury and in private mentioned that this was his quote reelection Bill. This Bill is simply warmed up leftovers. It is a bad idea for a number of reasons, many of which simply are not able to be comprehended by a layman because they involve very technical and very, very legalistic reasons. But simply a couple of things that should be emphasized. As much as this may be a blow to the State's Attorneys of the State of Illinois, I would simply like to point out that drug agents make drug cases. Prosecutors simply implement what drug agents make. What we really need in this state is not a centralized task force on drug prosecution, but the ability of drug agents working in their home communities to go out

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and do what they do best and that is to capture, gather, identify and ultimately indict and prosecute those individuals who are killing our youths. This is a bad idea. It simply does not need to be aggravated by accelerating the idea for floor debate. If we had an emergency it certainly existed back in...when this Bill was heard in Judiciary Committee and wisely held in Committee and I would urge a 'no' vote."

Speaker McPike: "Representative Sutker."

Sutker: "Thank you, Mr. Speaker. This Bill was before the House Judiciary II Committee this morning. It had an extensive hearing, the witnesses were all heard and all of the Members of the Committee were heard. They had an opportunity to ask questions and make comments. It's interesting to note that the Committee considered it a bipartisan Bill. The vote was 13 to 3. All the Republicans but 3 voted to get this Bill on the House floor and supported this Bill in the Committee. I suggest that this is an opportunity to rise above partisanship and to vote for this Bill to come out on Second Reading, to advance this Bill, to submit your Amendments if any, and to vote for it now. President Bush has announced and reannounced, reiterated that drugs are a major problem facing this nation. Let's show that the State of Illinois is concerned with him in addressing the issue."

Speaker McPike: "Representative Weller."

Weller: "Thank you, Mr. Speaker. I rise in opposition to the Motion, not to the merits of the Bill. This is important legislation. In fact, the mayor of my home community, James R. 'Bud' Washburn was the original sponsor of this Bill back in 1975, so it has a lot of merit. I rise in opposition to the Motion because there are a number of us who also share, in fact every Member of this House shares

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concerns about the drug issue and is in a big hurry to get the job done to fight the war on drugs. But frankly, we don't need to be in a big hurry, we can wait till tomorrow, because frankly, some of us have Amendments we'd like to offer. Amendments of our own that we've been working on with people back in our home communities because we want to fight the war on drugs. I urge a 'no' vote."

Speaker McPike: "Mr. Homer to close."

Homer: "Thank you, Mr. Speaker. I think the argument of the last speaker points out the confusion there is over what this Motion is about. This Motion is not for immediate consideration of this Bill. This Motion is simply to advance the Bill tomorrow to Second Reading Second Legislative Day so that you can offer Amendments tomorrow and so that we can vote...debate the Bill on Thursday. That's all that this Motion does. We're not asking for immediate consideration today. Simply to allow it to be heard this week in an orderly fashion. There'll be ample time for Amendments, there'll be ample time for debate. The Bill is not something that was rushed through this Session. This Bill was filed early in the spring. It was before the House Judiciary Committee this spring, it was debated in that Committee this spring, was further debated today in House Judiciary II Committee. The Bill passed out with bipartisan support. It's chief hyphenated Sponsor is Representative Countryman, who is the minority spokesman on the House Judiciary Committee. There's nothing partisan about this Bill. It was first advanced back in the 70's by Attorney General Bill Scott. Advanced further by Attorney General Tyrone Fayner, now advanced by Attorney General Neil Hartigan. For the life of me I can't understand the sanctimonious debate here today about whether or not this is going to advance some candidacy of a candidate. When

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Secretary of State Edgar has been before us with DUI legislation, I've been proud to join where I thought it had merit and co-sponsorship and we passed those Bills without this kind of political rancor. If this Bill has merit, if you feel the people in your neighborhoods, in your districts are concerned about drugs and what is happening to the children in their districts, then I suggest the vote today would be to advance this Bill to let it be debated. Let's not misunderstand what this Motion is about. It's simply to give this body a chance to deliberate and debate this Bill and to vote on it on Thursday. I would urge Members on both sides to ignore the political rancor and to join in voting for this Motion."

Speaker McPike: "The question is, 'Shall this Motion pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Mr. Homer to explain his vote."

Homer: "Mr. Speaker, I'm surprised, quite frankly that we have a vote such as this, because candidly, those who are voting 'no' are making it clear that they oppose this legislation. They oppose even this body having a chance to consider this legislation. Unless this Motion is successful, this legislation has been effectively defeated for the...for the fall and I think that that is a travesty. The Bill is, offered in a bipartisan spirit to attack a drug epidemic. It's designed with very careful limitations, it's supported by every law enforcement interest that appears before us in Springfield. They come before us...the Cook County State's Attorneys' office, the Appellate Prosecutors, the Sheriffs' Association, the Police Associations, all are asking and joining with the Bill...with the promoters of the Bill to ask that this Bill be considered. Why would you want to deny an opportunity for this body to consider this Bill? If you don't want the Bill, then save your red vote for

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Thursday, because the red vote that you put up today is the same...has the same exact effect. You're trying to kill this legislation and if you want to go back home and try to explain to your constituents why you feel that the drug problem is not an emergency, why it is not important, then you should leave your red votes up there. If you think that this Bill has...if this is something that is weighing on the concerns of your constituents, if you're sick and tired of the drug kingpins infiltrating this state, of the obscene drug profits that are pouring into the coffers and the pockets of the dope dealers and the drug kingpins at the expense of our children, if you're concerned about drugs going into the schoolyards, into the neighborhoods, then I suggest that you allow this Bill to move forward. It's a Bill that has had ample debate. It came out of Committee 13 to 3. It came out on a bipartisan vote, it came out on a vote after full deliberation to the Bill after weighing the limitations that are in the Bill that were put in after careful consideration and negotiation on the Bill, and it amazes me that there are Members who would at this time vote to deny this body the opportunity to take action on the Bill on Thursday in an orderly fashion. So Mr. Speaker, I would hope that more Members will join, we need apparently 4 more votes and I would ask that those votes be put on the board to allow us to consider the Bill."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 57 'ayes'. Representative Jones. Representative Shirley Jones."

Jones: "Mr. Speaker, I urge everybody to vote 'aye' on this vote and I would like to vote 'aye'."

Speaker McPike: "Mr. Clerk, how is Representative Jones

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recorded?"

Clerk Leone: "The Lady is not recorded as voting."

Speaker McPike: "Record Representative Jones as 'aye'.
Representative Morrow. Mr. Clerk, how is Representative
Morrow recorded?"

Clerk Leone "The Gentleman is not recorded as voting."

Speaker McPike: "Representative Morrow would like to vote 'aye'.
Mr. Clerk, vote Representative Morrow 'aye'.
Representative Breslin would like to change her vote from
'no' to 'aye'. On this Motion there are 60 'ayes', 44
'nos', 4 voting 'present'...Representative McCracken."

McCracken: "For a verification."

Speaker McPike: "The Gentleman asks for a verification. Mr.
Clerk, poll the absentees."

Clerk Leone: "A poll of those not voting: Representatives
Countryman, Didrickson, Dunn, McAuliffe, William Peterson,
Williams and Anthony Young. No further."

Speaker McPike: "And the Gentleman has asked for a verification,
so Mr. Clerk, if you'll read the affirmative votes,
please."

Clerk Leone: "Poll of the Affirmative: Balanoff, Bowman, Breslin,
Brunsvold, Bugielski, Capparelli, Cullerton, Curran,
Currie, Davis, DeJaegher, Edley, Farley, Flinn, Flowers,
Giglio, Giorgi, Granberg, Hannig, Hartke, Hicks, Homer, Lou
Jones, Shirley Jones, Keane, Krska, Kulas, Lang, Laurino,
LeFlore, Leverenz, Levin, Matijevich, Mautino, McGann,
McNamara, McPike, Morrow, Mulcahey, Munizzi, Novak, Phelps,
Preston, Rice, Richmond, Ronan, Saltsman, Santiago,
Satterthwaite, Stern, Sutker, Terzich, Trotter, Turner, Van
Duyne, White, Wolf, Woolard, Wyvetter Younge and Mr.
Speaker."

Speaker McPike: "Now Mr. McCracken, do you have any questions of
the affirmative?"

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McCracken: "Representative Bugielski."

Speaker McPike: "Mr. Bugielski. Back in the back."

McCracken: "Representative Krska."

Speaker McPike: "Representative Krska's down front."

McCracken: "Representative Curran."

Speaker McPike: "Representative Curran. Mike Curran. Where'd Representative Curran go? No, not Currie, Curran. There he is. Representative Curran."

McCracken: "Alright. Representative Van Duynes."

Speaker McPike: "Yes. He's right down here in front talking to Mr. Black."

McCracken: "Representative Hartke."

Speaker McPike: "Hartke. Representative Hartke. There he is back in the back."

McCracken: "Where? I don't see him."

Speaker McPike: "Well, he's back there."

McCracken: "Alright, I see him. Representative Williams."

Speaker McPike: "Representative who?"

McCracken: "Paul Williams."

Speaker McPike: "Paul Williams. He's not voting."

McCracken: "Oh. Thank you, Paul. Representative Wyvetter Younger."

Speaker McPike: "She's right in the middle aisle."

McCracken: "Representative Anthony Younger."

Speaker McPike: "He's not voting either."

McCracken: "Representative Levin."

Speaker McPike: "Ellis Levin. He's in his chair. He's always in his chair."

McCracken: "Representative Brunsvold."

Speaker McPike: "He's here. Representative Brunsvold's right over here by the door."

McCracken: "Representative Giorgi."

Speaker McPike: "Giorgi. In his chair."

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McCracken: "Representative White."

Speaker McPike: "Who?"

McCracken: "Jesse White."

Speaker McPike: "Representative White. Jesse White. Where'd Representative White go? Representative White? There he is, Representative Jesse White. There he is. Thank you."

McCracken: "Nothing further."

Speaker McPike: "On this Motion there are 60 'ayes', 44 'nos', 4 voting 'present' and the Motion passes. The Motion's adopted. On the same Calendar appears House Bill 45, Mr. Hicks. Representative Hicks. Larry Hicks. Out of the record? And Representative McNamara on House Bill 211."

McNamara: "Thank you, Mr. Speaker. Members of the House, on House Bill 211 I make a Motion to override the Amendatory Veto of the Governor. Apparently the Governor's staff, and I passed out a memo earlier to many of the people in the House. I passed out a memo earlier which indicates that the Governor and his staff did not understand some of the portions of the Bill. By deleting the presiding officer of the governing body from the membership section, we eliminated the concensus of the elected governing body. This is the Bill that is in response to Robbins which we've worked with for over 3 years. We've discussed the concept with the Municipal League and have come to the concensus that local input from the elected officials is important for the success. A second section was to remove the prohibition of the local officials who have held office during the preceding two years and the effect...has the effect of setting up a political power base. What has happened in the Village of Robbins is that the mayor and three trustees were voted out of office last year. If this provision is allowed to stand, what'll happen is is the former trustees who were part of the cause of this problem

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could come back into the town, get on to the Commission and create political havoc. This is not good for us. What we would like to see is is that it be done outside of the political arena. The third point is is that by deleting a provision to prohibit state agencies in our municipalities from enforcing liens against local government, it forces the Commission to work without funding. For example, the City of Chicago is owed 1.3 million dollars for water funds. The county has withheld funds and the state has withheld funds. What happens in effect is is that the town is bled dry without any dollars that are realistically to go to them. The City of Chicago is aware of this provision and it did not object to this provision and even recently has not objected to it. The Cook County has not objected to this provision. It is important that those funds be freed up to allow the Commission to do their work. Without that they would have to come for a handout from the state. We are not looking for a handout from the state. We want to restructure the financial aspect of Robbins and do it in a strong area so we have a concrete foundation in which to build a good government and do it with the financial expertise of the state without the state dollars. We'd like to tell you...urge you to override the Amendatory Veto of House Bill 211."

Speaker McPike: "On the Motion, Representative Black."

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

Speaker McPike: "Yes."

Black: "Thank you. Representative, as we look over the Amendatory Veto message, it doesn't appear...I'm sure with Robbins in your district it may appear more of an emergency to you than perhaps some of the rest of us...but it doesn't appear that the entire thrust of your legislation has been

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deleted. It simply makes the Governor's office the oversight authority rather than the Comptroller's office, and it has some language in that deletes the provision that no state agency or unit of local government may enforce any lien against a distressed unit of local government while the Commission is operating. I guess the question is, with the Governor's Amendatory Veto it would appear that the thrust of your legislation is still intact and yet you seem not to agree with that. Perhaps you could illuminate that point."

McNamara: "The main reason I disagree with that is that the provision that was deleted where the mayor was deleted from the Commission seat. The mayor of a municipality is the consensus of that municipality. In other words the board of trustees, the board of directors, whatever you wish to call them, work through the mayor. So by deleting the mayor's seat on that Commission, it deletes the local elected official from the decision making process. A second thing that happens in that area is is that on the cost...excuse me...on the...putting other members on to the Commission, which can be appointed on to the Commission. What my fear is, is a local political fear that those people who are elected of the office right now, if they were not permitted to serve for two years before, it would prevent the previous board that had been voted out of the office from serving on that Commission. We believe that if they were allowed to serve on that board that would create political in-fighting within the Commission itself which would create another problem for Robbins. Those are the main problems with it. I have no objection to changing and putting the fiscal Commission on at a later date, to changing the thrust of the Governor's...whoever is the head of that Committee, but the importance of it and the

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emergency of it is if those 2 provisions were in there, I couldn't live with the Bill."

Black: "Alright. One more question, if I could. You are...if I understand it correctly, you are preempting home rule. And let's just use the example of the community in your district vis-a-vis the City of Chicago and that community owes the City of Chicago more than one million dollars in fees and what have you, for I believe water bills, as I recall. Have you checked with the people from the City of Chicago? Are they in agreement with the subservient of their monetary rights in your Bill?"

McNamara: "I have talked with the people in the City of Chicago, the attorneys and the lobbyists that are down here. What they have said very succinctly is is that they have no chance of collecting 1.3 million dollars without the Commission. Therefor, since I did not say that they would be relieved of that Bill, a structured financial arrangement is the best way to operate with it, and they agreed with that provision."

Black: "Thank you very much, Representative. Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, I think the Sponsor has seen a serious problem in his district, and he's tried very hard to address that. It would appear to me, however, that some work still needs to be done on this measure and that the Governor's Amendatory Veto perhaps does not substantially change the Gentleman's legislation, although obviously he would not agree with that, and I think at this point in time I would simply rise to ask that we sustain the Governor's Amendatory Veto."

Speaker McPike: "Mr. McNamara to close."

McNamara: "Thank you very much. It is important at this time that you have known...that you know that we have worked over three years with the Illinois Municipal League, with

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all of the towns, with the City of Chicago and with all of the people in order to try to save a community and to do it in the right way. To bring forth a solid, concrete foundation so that that community can join the rest of this state in being financially responsible for its own debts. This Bill does not say that this is a bailout. It says that we are going to help a community that wants to do something for itself and we are going to help them with the financial expertise of this state to bring forth the help that is necessary. I urge your approval of this measure because it is an emergency. It is now. Let's help somebody today. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 211 pass, the specific recommendations for change of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 89 'ayes', 25 'nos', none voting 'present'. this Motion having received the required three-fifths majority, the Motion to override prevails and House Bill 211 is declared passed, the specific recommendations for change of the Governor notwithstanding. We'll return back to the Calendar under Total Veto Motions. The next Bill on the list is House Bill 795. Mr. Novak. Representative Novak here? You want to call that or out of the record. Out of the record. House Bill 1313, Representative Younge. You want to call that tomorrow? Out of the record. House Bill 1404, Representative Davis. Representative Davis. Davis. Davis."

Davis: "Yes. Thank you, very much, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 1404 is a Bill that includes those who have driver's license in the juror selection pool. It has been brought to our attention that

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very often a person is not called to serve on a jury because he has not registered to vote. This simply enlarges the pool of possible jurors for our court system. I think it's needed, I think it's necessary and I beg your support on House Bill 1404."

Speaker McPike: "Is there any discussion? Mr. Black."

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

Speaker McPike: "Yes, she will."

Black: "Thank you. Representative, if I'm reading my message from the Governor correctly, it says in effect the Bill in question, the Bill you're asking us to override, is simply duplicative of House Bill 353 which has been signed into law. And furthermore, 353 gives Cook County certain options that perhaps the largest county in the state would like to have. And therefor, I'm confused as to why you want to pursue this Bill when it appears that the underlying cause...or case for your legislation has been taken care of."

Davis: "Representative, it appears that the Governor for some reason has selected House Bill 353 as being totally similar to my legislation. Now House Bill 1404 provides that in Illinois counties other than Cook County. It includes those counties that are outside of Cook County in combining this driver's license holder and registered voter's list for the jurors pool."

Black: "Well, I see that, but it also says, if I'm reading correctly now, that Cook County could opt to add driver's license holders to their jury lists if Cook County wants to do so. Is that incorrect?"

Davis: "I appreciate you're saying that, because this is just why I have this legislation. Cook County should not opt to, it should be legislated, for the simple reason they have had

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this opportunity before and they have not done it. We have some cases, Representative, where one person is selected two and three times for jury duty, and there are other citizens out there who are certainly capable of being called."

Black: "Well, Representative, I...and again you live in that county and I'll certainly defer to your judgment, however, what you said I found very interesting that Cook County should be legislated rather than opted, and I'll perhaps next spring remind you of that when they are excluded from several Bills that effect the rest of the State of Illinois. Thank you, very much."

Davis: "Representative, I appreciate your comments. I beg you for your vote, and I, too, find a problem when Cook County is too often excluded from legislation. It has been their option in the past to opt out of including the driver's license holder and that was the reason for our legislation. We beg your support on this legislation. Thank you."

Speaker McPike: "Question is, 'Shall House Bill 1404 pass, the veto of the Governor notwithstanding?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 66 'ayes', 43 'nos', 1 voting 'present'. Representative Davis."

Davis: "We'd like to poll the absentees, Mr. Speaker."

Speaker McPike: "Mr. Clerk, poll the absentees...or poll those not voting."

Clerk O'Brien: "A poll of those not voting. Farley. Giglio. Keane. McGann. Satterthwaite. No further."

Speaker McPike: "Representative Keane, 'aye'. On this Motion there are 67 'ayes', 43 'nos', 1 voting 'present' and the Motion fails. House Bill 1559, Representative Younge. Out of the record. House Bill 1848, Representative Jesse

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White. Out of the record. Representative Pullen, I believe the next Bill is in the wrong category on the Calendar, and so we're going to skip over it. House Bill 1878, Representative Pullen. Out of the record. House Bill 1880. Out of the record. House Bill 2052, Representative Novak. 2052. Safe? Out of the record. And the next Bill is also yours, 2346. Well, it says it's yours. It's your Motion. On page 6 of the Calendar."

Novak: "Right. I see that, Mr. Speaker. That is not my Bill and somehow a Motion was erroneously filed. I think we need to check and take it out of the record."

Speaker McPike: "Okay. Mr. Clerk, who filed this Motion? Mr. Novak says he did not file it. Oh, it's Mr. Mulcahey. I might have known that. Mr. Mulcahey, this is your Motion."

Mulcahey: "Right."

Speaker McPike: "Would you like to call it?"

Mulcahey: "Yes, Sir, I would."

Speaker McPike: "Okay."

Mulcahey: "House Bill 2346, I believe. Okay. House Bill 2346, the purpose of it is to create a diagnostic and feasibility program to gather information and data as regard to lakes and long term restoration projects. And number two, in the same relationship to shorter term water quality maintenance programs. This is...the grants for this particular program shall not exceed fifty percent of the total cost and shall be administered by the Environmental Protection Agency, and I would move for the override of House Bill 2346."

Speaker McPike: "Is there any discussion? Representative Mays."

Mays: "Will the Gentleman yield, Mr. Speaker?"

Speaker McPike: "Yes."

Mays: "What is the price tag to this, Representative?"

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Mulcahey: "The price tag on this is \$100,000."

Mays: "Did the Governor take action on the dollars that were appropriated?"

Mulcahey: "I think that...I think he did. Yes."

Mays: "And what was this going to be funded from?"

Mulcahey: "This would be funded from General Revenue."

Mays: "And you were going to say something else?"

Mulcahey: "No. No. I was just going to..."

Mays: "Okay, well then I rise...I'll rise in opposition simply on the merits. It's \$100,000 that we will probably see a Motion to override on. If we override on this particular thing, I don't know that we ought to be getting into programs like that when we know we're going to be facing a fiscal crunch in the next year or so. I simply say we should sustain the Governor's veto on this."

Speaker McPike: "Mr. Mulcahey to close."

Mulcahey: "Mr. Speaker, let me just clear up some confusion. Jeff, this was...I don't think the \$100,000 was even there initially for the program. This is the enacting legislation, and I don't think there's really any money available at this time. I would like to get the substantive Bill there, and we can deal and talk about and go from there as far as the...as far as this revenue is concerned. That's the only reason the Governor's opposed to it. The EPA was in favor of it all the way along. They think it's a great program. And I would like to have...at least have the substantive language in place right now."

Speaker McPike: "Question is, 'Shall House Bill 2346 pass, the veto of the Governor notwithstanding?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 91 'ayes', 20 'nos', none voting 'present'. This

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Motion having received the required three-fifths majority is adopted and this Bill is hereby declared passed, the veto of the Governor notwithstanding. 2484, Representative Keane. Jim Keane. Mr. Keane here? Out of the record. Representative Currie, do you have a Motion?"

Currie: "Thank you, Mr. Speaker and Members of the House. I move to suspend the posting requirements so that Senate Bill 801 can be heard in Revenue Committee tomorrow. I've cleared this with the Minority Spokesman of the Revenue Committee."

Speaker McPike: "Does the Lady have leave to post Senate Bill 801 for Rules tomorrow...I'm sorry, for Revenue. It's been cleared with Minority Spokesman. All in favor of the Motion say 'aye', opposed 'no'. The 'ayes' have it, and by the Attendance Roll Call the Motion is approved. Now Representative Davis. Representative Davis here? Representative Saltsman, did you have a Motion or...announcement. Make your announcement then."

Saltsman: "Thank you, Mr. Speaker. The Committee on Roads and Bridges will meet immediately after this Session adjourns, and it'll be a short meeting, only last about ten minutes. Committee on Roads and Bridges in the Stratton Building in C-1."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, Members of the House, the attention of the Rules Committee in particular, the Democratic Members of the Rules Committee immediately after adjournment meet in the Speaker's Office. One-half hour after adjournment the full Rules Committee will meet in Room 114..."

Speaker McPike: "Excuse me, Representative Matijevich. The Rules Committee meeting that's scheduled for 2:00 p.m. will meet at 3:30."

Matijevich: "3:30."

Speaker McPike: "That is the one that will be considering

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Amendatory Vetoes, the Governor's Amendatory Vetoes. The Rules Committee that was scheduled for 2:30 will meet at 4:00 p.m."

Matijevich: "Alright."

Speaker McPike: "That is for all other matters. Is that alright?"

Matijevich: "Fine. And the Democratic Members meet immediately after adjournment in the Speaker's Office."

Speaker McPike: "Alright, did the Republicans hear that? The 2:30 Rules Committee meets at...the 2:00 p.m. Rules Committee meets at 3:30, the 2:30 Rules Committee meets at 4:00 p.m. Representative Cullerton."

Cullerton: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I would move to take House Bill 2756 from the Table, to suspend Rule 77e and place on the Order of Conference Committee Reports. This Bill has been cleared. It deals with the area of education and has been cleared with Representative Hoffman on the other side of the aisle."

Speaker McPike: "You heard the Gentleman's Motion. Is there any opposition? Mr. Electrician, turn off Mr. Matijevich, please. Is there any opposition? There being none, the Attendance Roll Call will be used. The Motion carries. Any further announcements? It's the intent of the Chair to adjourn on a Death Resolution of a former Member, and we will adjourn until 11:00 a.m. tomorrow morning. Representative Flinn, did you have an announcement?"

Flinn: "I just wanted to make an inquiry. I wonder if it would be in order if I introduced a Death Resolution for the Chicago Cubs."

Speaker McPike: "Mr. Countryman."

Countryman: "Mr. Speaker, if such a Resolution were introduced I would think it would be totally out of order and I would ask the Chair to so rule."

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Speaker McPike: "I don't know if the Chair would agree with you.

Well, that's alright. Mr. Clerk, do you have the Death Resolutions? Representative Jesse White here? Representative Jesse White. Representative White. Representative White is in the nurse's station, and there have been requests from other Members that we do this tomorrow, so the Chair will so oblige that request. Representative Cullerton now moves the House stand adjourned until tomorrow morning at the hour of 11:00 a.m. All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the House stands adjourned. The House adjourned on Representative Cullerton's Motion, allowing perfunctory time for introduction and First Reading."

Clerk O'Brien: "Introduction and First Reading of Bills. House Bill 2843, offered by Representative Anthony Young, a Bill for an Act to add Sections to the School Code. First Reading of the Bill. House Bill 2844, Anthony Young, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 2845, Matijevich and Churchill, a Bill for an Act to amend the Waukegan Port District Act. First Reading of the Bill. House Bill 2846, Leverenz, a Bill for an Act appropriating monies for awards and recommendations made by the Court of Claims. First Reading of the Bill. House Bill 2847, Leverenz, a Bill for an Act to amend an Act to revise the law in relation to notices. First Reading of the Bill. House Bill 2848, Breslin, a Bill for an Act in relation to the termination of health insurance coverage of dependent minors. First Reading of the Bill. House Bill 2849, Lang, a Bill for an Act to amend the Public Utilities Act. First Reading of the Bill. House Bill 2850, Lang, a Bill for an Act to amend the Public Utilities Act. First Reading of the Bill. House Bill 2851, McNamara, a Bill for

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an Act to amend the Public Utilities Act. First Reading of the Bill. House Bill 2852, Trotter and Balanoff, a Bill for an Act to amend the Illinois Controlled Substance Act. First Reading of the Bill. There being no further business, the House now stands adjourned."

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