

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

March 26, 1991

Speaker Curran: "...10 o'clock having arrived, the House will be in Perfunctory Session. We'll be led in prayer by the Clerk."

Clerk O'Brien: "Let us pray. Lord, bless this House and all those that serve and work here. Amen."

Speaker Curran: "We'll be led in the Pledge of Allegiance by Lee Crawford."

Crawford: "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."

Clerk O'Brien: "Introduction and First Reading of Bills. House Bill 1058, offered by Representative Persico, a Bill for an Act to amend the Legislative Commission Reorganization Act. First Reading of the Bill. House Bill 1059, offered by Representative Tenhouse, a Bill for an Act to amend the Boat Registration and Safety Act. First Reading of the Bill. House Bill 1060, offered by Representative Doederlein, a Bill for an Act to amend the Surface Mine Land Conservation and Reclamation Act. First Reading of the Bill. House Bill 1061, offered by Representative Woolard, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. House Bill 1062, offered by Representative Woolard, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. House Bill 1063, offered by Representative Woolard, a Bill for an Act to amend the Counties Code. First Reading of the Bill. House Bill 1064, offered by Representative Novak, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 1065, offered Representative Stange, a Bill for an Act to amend the State Mandates Act. First Reading of the

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Bill. House Bill 1066, offered by Representative Woolard, a Bill for an Act to provide for the election of trustees to the University of Illinois by districts. First Reading of the Bill. House Bill 1067, offered by Representative Petka, a Bill for an Act to Amend the Code of Civil Procedure. First Reading of the Bill. House Bill 1068, offered by Representative Petka, a Bill for an Act concerning uneconomic remnants of eminent domain proceedings. First Reading of the Bill. House Bill 1069, offered by Representative Petka, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. House Bill 1070, offered by Representative Petka, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. House Bill 1071, offered by Representative Petka, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. House Bill 1072, offered by Representative Petka, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. House Bill 1073, offered by Representative Stern, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. First Reading of the Bill. House Bill 1074, offered by Representative Stern, a Bill for an Act to amend the Probate Act. First Reading of the Bill. House Bill 1075, offered by Representative Stern, a Bill for an Act to amend the Code of Criminal Procedure. First Reading of the Bill. House Bill 1076, offered by Representative Stern, a Bill for an Act to amend the Mental Health and Developmental Disabilities Confidentiality Act. First Reading of the Bill. House Bill 1077, offered by Representative Curran, a Bill for an Act to amend the Illinois Purchasing Act. First Reading of the Bill. House Bill 1078, offered by Speaker Madigan, a Bill for an Act to amend the School Code. First Reading of

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the Bill. House Bill 1079, offered by Speaker Madigan, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 1080, offered by Speaker Madigan, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 1081, offered by Representative McNamara, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 1082, offered by Representative McGann, a Bill for an Act making an appropriation of the board of higher education. First Reading of the Bill. House Bill 1083, offered by Representative McGann, a Bill for an Act making an appropriation of the state board of education. First Reading of the Bill. House Bill 1084, offered by Representative Currie, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. House Bill 1085, offered by Representative Currie, a Bill for an Act in relation to taxation. First Reading of the Bill. House Bill 1086, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 1087, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 1088, offered by Representative Caparelli, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 1089, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 1090, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 1091, offered Representative Capparelli, a Bill for an Act to amend the Illinois Housing Development Act. First Reading of the Bill. House Bill 1092, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Housing

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Development Act. First Reading of the Bill. House Bill 1093, offered by Representative Lang, a Bill for an Act to amend the Juvenile Court Act. First Reading of the Bill. House Bill 1094, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 1095, offered by Representative Curran, a Bill for an Act to amend the Illinois Income Tax Act. First Reading of the Bill. House Bill 1096, offered by Representative Bob Olson, a Bill for an Act to amend the Civil Administrative Code. First Reading of the Bill. House Bill 1097, offered by Representative McNamara, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 1098, offered by Representative Homer, a Bill for an Act to amend the Ticket Scalping Act. First Reading of the Bill. House Bill 1099, offered by Representative Matijevich, a Bill for an Act to amend the Clinical Social Work and Social Work Practices Act. First Reading of the Bill. House Bill 1100, offered by Representative Matijevich, a Bill for an Act to amend the Motor Fuel Tax Law. First Reading of the Bill. House Bill 1101, offered by Representative DeJaegher, a Bill for an Act to amend the Illinois Controlled Substance Act. First Reading of the Bill. House Bill 1102, offered by Representative Currie, a Bill for an Act to amend the Illinois Income Tax Act. First Reading of the Bill. House Bill 1103, offered by Representative Currie, a Bill for an Act to amend the Retailer's Occupation Tax Act. First Reading of the Bill. House Bill 1104, offered by Representative Black, a Bill for an Act to amend the Build Illinois Act. First Reading of the Bill. House Bill 1105, offered by Representative Mulcahey, a Bill for an Act to amend the Illinois Enterprise Zone Act. First Reading of the Bill. House

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Bill 1106, offered by Representative Stern, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. First Reading of the Bill. Further Introductions. House Bill 1107, offered by Representative Giorgi, a Bill for an Act to amend the Unemployment Insurance Act. First Reading of the Bill. House Bill 1108, offered by Representative Giorgi, a Bill for an Act to authorize State's Attorneys to appoint investigators defining their duties. First Reading of the Bill. House Bill 1109, offered by Representative Giorgi, a Bill for an Act to amend the Charitable Gains Act. First Reading of the Bill. House Bill 1110, offered by Representative Giorgi, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. House Bill 1111, offered by Representative Myron Olson, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. House Bill 1112, offered by Representative Giorgi, a Bill for an Act to amend the Counties Code. First Reading of the Bill. House Bill 1113, offered by Representative Giorgi, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. House Bill 1114, offered by Representative Giorgi, a Bill for an Act to amend the Circuit Court Act. First Reading of the Bill. House Bill 1115, offered by Representative Giorgi, a Bill for an Act to amend the Counties Economic Development Project Area Property Tax Allocation Act. First Reading of the Bill. House Bill 1116, offered by Representative Giorgi, a Bill for an Act making appropriations. First Reading of the Bill. House Bill 1117, offered by Representative Giorgi, a Bill for an Act to amend certain Acts in relation to riverboat gambling. First reading of the Bill. House Bill 1118, offered by Representative Myron Olson, a Bill for an Act to amend the Medical Practice Act.

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First Reading of the Bill. House Bill 1119, offered by Representative Myron Olson, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. House Bill 1120, offered by Representative Kubik, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill."

Clerk O'Brien: "Introduction and First Reading of Constitutional Amendments. House Joint Resolution Constitutional Amendment # 10 offered by Representatives DeLeo and Laurino.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, That there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 12 of Article VI of the Illinois Constitution as follows:

ARTICLE VI
THE JUDICIARY

SECTION 12. ELECTION AND RETENTION

(a) Supreme, Appellate and Circuit Judges shall be nominated at primary elections or by petition. Judges shall be elected at general or judicial elections as the General Assembly shall provide by law. A person eligible for the office of Judge may cause his or her name to appear on the ballot as a candidate for Judge at the primary and at the general or judicial elections by submitting petitions. The General Assembly shall prescribe by law the requirements for petitions.

(b) The office of a Judge shall be vacant upon his or her death, resignation, retirement, removal, or upon the conclusion of his term without retention in office. Whenever an additional

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Appellate or Circuit Judge is authorized by law, the office shall be filled in the manner provided for filling a vacancy in that office.

(c) A vacancy occurring in the office of Supreme, Appellate or Circuit Judge shall be filled as the General Assembly may provide by law. In the absence of a law, vacancies may be filled by appointment by the Supreme Court. A person appointed to fill a vacancy 60 or more days prior to the next primary election to nominate Judges shall serve until the vacancy is filled for a term at the next general or judicial election. A person appointed to fill a vacancy less than 60 days prior to the next primary election to nominate Judges shall serve until the vacancy is filled at the second general or judicial election following such appointment.

(d) Not less than six months before the general election preceding the expiration of his or her term of office, a Supreme, Appellate or Circuit Judge who has been elected to that office may file in the office of the Secretary of State a declaration of candidacy to succeed himself or herself. The Secretary of State, not less than 63 days before the election, shall certify the Judge's candidacy to the proper election officials. The names of Judges seeking retention shall be submitted to the electors, separately and without party designation, on the sole question whether each Judge shall be retained in office for another term. The retention elections shall be conducted at general elections in the appropriate Judicial District, for Supreme and Appellate Judges, and in the circuit for Circuit Judges. The affirmative vote of three-fifths of the electors voting on the question shall elect the Judge to the office for a term commencing on the first Monday in December following his election.

(e) A law reducing the number of Appellate or Circuit Judges shall be without prejudice to the right of the Judges affected to seek retention in office. A reduction shall become effective when

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a vacancy occurs in the affected unit.

SCHEDULE

This Amendment takes effect upon its approval by the electors of this State.

Proposes to amend the Judiciary Article of the Illinois Constitution to make grammatical changes in Section on election and retention of judges. First Reading of the Constitutional Amendment."

Clerk O'Brien: "Further Introductions. House Bill 1121, offered by Representative Keane, a Bill for an Act in relation to taxation. First Reading of the Bill. House Bill 1122, offered by Representative Hasara, a Bill for an Act to amend the Airport Authorities Act. First Reading of the Bill. House Bill 1123, offered by Representative Hasara, a Bill for an Act to amend the Liquor Control Act. First Reading of the Bill. House Bill 1124, offered by Representative Hasara, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 1125, offered by Representative Hasara, a Bill for an Act to amend the Election Code. First Reading of the Bill. House Bill 1126, offered by Representative Wennlund, a Bill for an Act concerning local government plans for using recycled paper. First Reading of the Bill."

Clerk O'Brien: "Perfunctory Session will be in recess until 3 o'clock this afternoon. The Perfunctory Session will reconvene at 3 o'clock for further introductions this afternoon."

Clerk O'Brien: "The hour of 3 o'clock having arrived the Perfunctory Session will be in order. Introduction and First Reading of Bills. House Bill 1127, offered by Representative Trotter, a Bill for an Act to amend the Medical Practice Act. First Reading of the Bill. House Bill 1128, offered by Representative Trotter, a Bill for an

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Act in relation to alcoholism and other drug dependencies. First Reading of the Bill. House Bill 1129, offered by Representative Ropp, a Bill for an Act in relation to off-highway motorcycle user areas. First Reading of the Bill. House Bill 1130, offered by Representative Ropp, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. House Bill 1131, offered by Representative Ropp, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. House Bill 1132, offered by Representative Cowlshaw, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 1133, offered by Representative Cowlshaw, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 1134, offered by Representative Tenhouse, a Bill for an Act to amend the Illinois Enterprise Zone Act. First Reading of the Bill. House Bill 1135, offered by Representative Satterthwaite, a Bill for an Act to amend the Meat and Poultry Inspection Act. First Reading of the Bill. House Bill 1136, offered by Representative Weaver, a Bill for an Act to amend certain Acts in relation to employment training. First Reading of the Bill. House Bill 1137, offered by Representative Wennlund, a Bill for an Act to amend the Energy Assistance Act. First Reading of the Bill. House Bill 1138, offered by Representative Wojcik, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 1139, offered by Representative White, a Bill for an Act to amend the Infant Mortality Reduction Act. First Reading of the Bill. House Bill 1140, offered by Representative Schoenberg, a Bill for an Act to repeal the Postage Stamp Vending Machine Act. First Reading of the Bill. House Bill 1141, offered by Representative Santiago, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. House

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Bill 1142, offered by Representative McCracken, a Bill for an Act creating presumptions concerning nutrition and hydration. First Reading of the Bill. House Bill 1143, offered by Representative Stange, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. House Bill 1144, offered by Representative Stange, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. House Bill 1145, offered by Representative Stange, a Bill for an Act concerning disposal of landscape waste. First Reading of the Bill. House Bill 1146, offered by Representative Stange, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. House Bill 1147, offered by Representative Deering, a Bill for an Act to amend the Wildlife Code. First Reading of the Bill. House Bill 1148, offered by Representative Brunsvold, a Bill for an Act to amend the Military Code of Illinois. First Reading of the Bill. House Bill 1149, offered by Representative Mautino, a Bill for an Act relating to occupation of environmental health practitioners. First Reading of the Bill. House Bill 1150, offered by Representative John Dunn, a Bill for an Act to ensure equality in restroom facilities in state owned buildings. First Reading of the Bill. House Bill 1151, offered by Representative John Dunn, a Bill for an Act in relation to private decisions making to forego life sustaining treatment. First Reading of the Bill."

Clerk O'Brien: "There being no further business the House now stands adjourned until 10 a.m. tomorrow."

Clerk O'Brien: "And now the First Special Session of the 87th General Assembly will come to order. There being no further business the First Special Session now stands adjourned until 10:05 tomorrow."

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