

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

40th Legislative Day

April 26, 1991

Speaker McPike: "The House will come to order. The House will come to order. We'll be led in the prayer today by the Clerk of the House, Jack O'Brien."

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

Speaker McPike: "We'll be led in the Pledge of Allegiance by Representative Hartke."

Hartke - 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. Representative Matijevich."

Matijevich: "Mr. Speaker, on this side of the aisle, Representative Flinn is excused due to his injuries."

Speaker McPike: "Representative Kubik."

Kubik: "First of all, Mr. Speaker, I wonder if Clerk O'Brien would like a permanent job as the a...a...let the record reflect that Representative..."

Speaker O'Brien: "Mr. Kubik. Mr. Kubik. The Clerk informs me that this is a permanent job."

Kubik: "Well, maybe we can expand his duties. Representatives Barnes and McAuliffe are excused due to illness and Representatives Sieben and Persico are excused for today."

Speaker McPike: "Take the record, Mr. Clerk. 110 Members answering Roll Call. A quorum is present. Page 14 of the Calendar. House Bill Second Reading. Appropriation Bills. House Bill 375. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 375, a Bill for an Act making Appropriation. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Hold this Bill on Second Reading."

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Speaker McPike: "Consent Calendar. Second Reading. Read the Bills, Mr. Clerk."

Clerk O'Brien: "Consent Calendar. Second Reading. Second Day. Page 40 on the Calendar. House Bill 135, a Bill for an Act to amend the School Code together with Committee Amendment #1. Second Reading of the Bill. House Bill 162, a Bill for an Act to amend the Illinois Income Tax Act together with Committee Amendment #1. Second Reading of the Bill. House Bill 169, a Bill for an Act to amend an Act in relation to certain taxes collected from the state. Second Reading of the Bill. House Bill 420, a Bill for an Act to amend an Act concerning local sharing. Second Reading of the Bill. House Bill 439, a Bill for an Act to amend the Illinois Lottery Law. Second Reading of the Bill. House Bill 460, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 500, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 673, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. House Bill 914, a Bill for an Act to amend the School Code together with Committee Amendment #1. Second Reading of the Bill. House Bill 943, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Second Reading of the Bill. House Bill 945, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Second Reading of the Bill. House Bill 1025, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. House Bill 1026, a Bill for an Act to amend the Retailer's Occupation Tax Act. Second Reading of the Bill. House Bill 1109 has been removed from the Consent Calendar. House Bill 1123, a Bill for an Act to amend the Liquor Control Act together with Committee Amendment #1. Second Reading of the Bill. House Bill 1235, a Bill for an

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Act to amend the School Code. Second Reading of the Bill. House Bill 1256, a Bill for an Act to amend the Special Service Area Tax Act. Second Reading of the Bill. House Bill 1376, a Bill for an Act to amend the Truth and Taxation Act. Second Reading of the Bill. House Bill 1440, a Bill for an Act to amend the Title Insurance Act together with Committee Amendment #1. Second Reading of the Bill. House Bill 1601, a Bill for an Act to amend the Public Utilities Act together with Committee Amendment #1. Second Reading of the Bill. House Bill 1659, a Bill for an Act to amend an act concerning market of grain together with Committee Amendment #1. Second Reading of the Bill. House Bill 1695, a Bill for an Act...1695 is being held for a fiscal note. So 1695 is held on Second Reading, Consent Calendar. House Bill 1734, a Bill for an Act to amend an Act in relation to taxation together with Committee Amendment #1. Second Reading of the Bill. House Bill 1752, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 1828, a Bill for an Act to amend the Poultry Inspection Act. Second Reading of the Bill. House Bill 1838 is removed from the Consent Calendar. House Bill 2380, a Bill for an Act to amend the Illinois Drainage Code together with Committee Amendment #1. Second Reading of the Bill."

Speaker McPike: "Representative Black. Were you seeking recognition before I move these to Third Reading?"

Black: "I think that you've removed all that we had objection to. Thank you very much."

Speaker McPike: "Alright. On the Consent Calendar, Second Reading, the Bills that the Clerk read. Third Reading. Under the Order of Motions, Representative Black."

Black: "I'm sorry, Mr. Speaker, we have removed our objection to 1838, if you wish to put that back on."

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Speaker McPike: "Mr. Clerk."

Clerk O'Brien: "House Bill 1838, a Bill for an Act to amend the Illinois Municipal Code together with Committee Amendment #1. Second Reading of the Bill."

Speaker McPike: "Third Reading. Under the Order of Motions on page 47 of the Calendar. A Bill to...for a Motion for Senate Bills, Appropriations...Senate Bills Appropriations. Page 47 of the Calendar appears Senate Bill 952. Representative LeFlore. Mr. LeFlore."

LeFlore: "Alright, Mr. Speaker, thank you. Pursuant to Rule 77, I move to discharge Appropriation Human Services from consideration and advance to the Order of Second Reading. Senate Bill 952."

Speaker McPike: "The Gentleman's Motion is to discharge Appropriations on the Senate Bill 952 and move it to the Order of Second Reading, Second Legislative Day. This is the Senate Supplemental. Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I was unaware of the desire to make this Motion. If the Sponsor would wish to take it out of the record for a moment so we can discuss it, I would be glad to make consideration to his Motion, perhaps we can agree. We just haven't had any conversation about it."

Speaker McPike: "Well, Representative LeFlore, we'll take this out of the record for just a moment. Also, Ryder, if you will talk to Mr. LeFlore. Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker. In talking to Representative Ryder, he agreed, you know, he's going to go ahead along with the agreement and we can move..."

Speaker McPike: "Alright. The Gentleman's Motion is to discharge Appropriations and advance it to the Order of Second Reading, Second Legislative Day. All those in favor of the Motion vote 'aye', opposed vote 'no'. All voted? All voted who wish? Clerk will take the record. On this

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Motion there are 106 'ayes', no 'nays' and the Motion carries. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 952, a Bill for an Act to make an appropriation from the General Revenue Funds Department of Central Management Services. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Leave the Bill on Second Reading, Mr. Clerk. Agreed Resolutions."

Clerk O'Brien: "House Joint Resolution 37, offered by Representative Ronan; House Resolution 395, offered by Representative Cowlshaw; 396 by Representative Ronan; 397, Weller; 399, Deering; 400, Cowlshaw; and 401, Parke."

Speaker McPike: "Representative Matijeich."

Matijeich: "Yes, Mr. Speaker. We've examined the Resolutions, they're 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 398, offered by Representative Morrow, with respect to the memory of Mr. Samuel Parks."

Speaker McPike: "Representative Matijeich moves the adoption of the Death Resolution. All in favor say 'aye', opposed 'no', the 'ayes' have it. The Death Resolution is adopted. Page 45 of the Calendar under Motions. House Bill 57. Representative Santiago. Representative Santiago."

Santiago: "Thank you, Mr. Speaker. Pursuant to Rule 77(a), I move to discharge Judiciary II. from consideration and advance to the Order of Second Reading, First Legislative Day, House Bill 57. The reason for this was that this Bill was never posted."

Speaker McPike: "Does anyone arise in opposition to the

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Gentleman's Motion? Representative Homer. I think the Chair will recognize the Committee Chairman and the Committee spokesman if...if they wish to be recognized. Mr. Homer."

Homer: "Thank you, Mr. Speaker. I've conferred with the Sponsor. He's filed some other Motions here, as well, which I plan to oppose, in fact, he tells me he's going to withdraw those, but on this particular Bill, it's a currency reporting statute that I think is noncontroversial. We had it last year, passed out of the House, I believe was held in Senate Rules, he didn't get it posted. He indicates he asked that it be posted and it was not. I have no objection to the Gentleman's Motion on this Bill."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I have no particular objection either, other than I would like to make sure that our Members, also, are extended the same courtesy that if inadvertently their Bills did not get posted that they will also have the same privilege, and I would appreciate fairness."

Speaker McPike: "Representative Homer."

Homer: "Speaker, I have a suggestion on this Bill, Representative Santiago concurs. I didn't know that this Motion was going to be called nor the reasons for it until the Sponsor just came back here. I would like to ask the Gentleman to take this Bill from the record to confer with the Minority spokesman, Representative Petka, and if Representative Petka has no objection, then we can recall this Motion. So, I would ask Representative Santiago to temporarily take this Motion from the record."

Speaker McPike: "Alright, he will. And House Bill 82, Representative Santiago, do you wish to call that Motion? Alright, that Motion is out of the record. House Bill 421.

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Representative Phelps. Out of the record. House Bill 622, Representative McNamara. Mr. McNamara. Is the Gentleman here? There he is."

McNamara: "Thank you, Mr. Speaker. House Bill 622 is a pro-life Bill that was incorrectly put into the Judiciary I Committee. We tried to change it, but due to the shortage of time and the constraints in the volume, it could not be changed where it should have actually been, to amend the Criminal Code. I understand that it is pretty much in favor for a discharge Motion, I urge your approval on the discharge Motion on House Bill 622."

Speaker McPike: "The Chairman of J I or the Vice-Chairman. Representative John Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I suppose the most relevant comment is, the Sponsor never requested that this Bill be called in this Committee. He had the entire Spring Session to come into the Committee and request that it be called, so, if he didn't care enough about the Bill to call it to committee, I don't see why we should discharge the committee at this point, and I urge the Members to resist this Motion."

Speaker McPike: "The question is, 'Shall the Motion prevail?' All those in favor of this Motion vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 58 'ayes' and 42 'nos'. Representative McNamara."

McNamara: "Poll of the Absentees, please."

Speaker McPike: "The Gentleman asks the Poll of those not voting."

Clerk O'Brien: "Brunsvold. DeJaegher. Deuchler. Homer. Klemm. Kulas. Laurino. Leitch. Matijevich and Ronan. No further."

Speaker McPike: "Representative Mautino changes from 'no' to

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'aye'. Representative Laurino votes 'aye'. Representative Wojcik changes to from 'no' to 'aye'. Any others? Representative Davis. You have your light on to speak? Representative DeJaegher votes 'aye'. Representative Ellis Levin votes 'no'."

Clerk O'Brien: "I don't think he's here. I think he's locked out."

Speaker McPike: "Representative Ellis Levin is in his chair. He wishes to vote 'no'. Mr. Levin, were you on the Roll Call? You should check with the Clerk to see if you were on the Roll Call."

Clerk O'Brien: "I can't vote him cause he's locked out."

Speaker McPike: "Mr. Levin, you're not on the Roll Call. Representative Balanoff."

Balanoff: "If this should read, receive 60 votes, I want to do a verification."

Speaker McPike: "Thank you. Representative Dunn, is asking for a verification?"

Dunn: "Verification."

Speaker McPike: "So does Mr. Balanoff. Any others? On this Motion there are 63 'ayes', 40 'nos'. Representative Balanoff has asked for a verification. Of those not voting, have already been polled. Representative McCracken. Mr. McCracken would like to be verified, he's right there. Mr. Clerk, proceed with a poll of those voting 'aye'."

Clerk O'Brien: "Ackerman. Black. Bugielski. Burke. Burzynski. Capparelli. Churchill. Cowlshaw. Cronin. Curran. Daniels. Deering. DeJaegher. DeLeo. Doederlein. Ewing. Farley. Giglio. Giorgi. Granberg. Hannig. Harris. Hartke. Hasara. Hensel. J. Hoffman. Johnson. Keane. Kubik. Laurino. Levin. Martinez. Mautino. McCracken. McGann. McGuire. McNamara. Mulcahey. Munizzi. Noland.

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Novak. Bob Olson. Myron Olson. Parke. B. Pedersen. W.
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Ryder. Saltsman. Santiago. Stange. Tenhouse. Wait.
Walsh. Weller. Wennlund. Wojcik. Woolard and Mr.
Speaker."

Speaker McPike: "Representative Levin will change from 'aye' to
'no'. Mr. Weaver."

Weaver: "Please change me from 'no' to 'aye', Mr. Speaker."

Speaker McPike: "Representative Weaver from 'no' to 'aye'. Any
other changes? Representative Balanoff."

Balanoff: "Representative Farley?"

Speaker McPike: "Representative Farley? Mr. Farley here? The
Gentleman is not here. Remove him from the roll. Mr.
Farley."

Balanoff: "Representative Mulcahey?"

Speaker McPike: "Mr. Farley is not here. Remove him from the
roll. Say again?"

Balanoff: "Representative Mulcahey?"

Speaker McPike: "Representative Mulcahey? Is the Gentleman here?
Dick Mulcahey. The Gentleman's not here. Remove him from
the Roll."

Balanoff: "Representative Johnson?"

Speaker McPike: "Representative Tim Johnson. Mr. Johnson here?
Gentleman's not. Remove him from the Roll."

Balanoff: "Representative Bugielski?"

Speaker McPike: "Say again."

Balanoff: "Bugielski?"

Speaker McPike: "Representative Bugielski. He's here.
Representative Leitch would like to vote 'aye'."

Balanoff: "Representative DeLeo?"

Speaker McPike: "Mr. Clerk, vote Leitch 'aye'. Mr. DeLeo? He's
here."

Balanoff: "Representative Novak?"

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Speaker McPike: "Representative Novak. He's here."

Balanoff: "Representative Wait? Representative Keane?"

Speaker McPike: "Representative Keane. He's here."

Balanoff: "What about Representative Wait?"

Speaker McPike: "Representative Wait. Mr. Wait. Right here."

Balanoff: "Where?"

Speaker McPike: "He's here."

Balanoff: "Representative Bob Olson?"

Speaker McPike: "Representative Bob Olson. Robert Olson. Gentleman here? Not here, remove him from the Roll. I guess he's here. Put him back on. Mr. Clerk, Representative Bob Olson should be on as an 'aye' vote."

Balanoff: "How about Representative Weller?"

Speaker McPike: "Representative Weller. He's here. He's here."

Balanoff: "Representative Jim Stange?"

Speaker McPike: "Representative Tim Johnson has returned, vote him 'aye'. Representative Stange. Mr. Stange here? He's not here. Remove him from the Roll."

Balanoff: "How about Representative Wennlund?"

Speaker McPike: "He's here. Mr. Novak would like to have leave to be verified."

Balanoff: "How about Representative Capparelli?"

Speaker McPike: "Representative Capparelli. Mr. Capparelli here? He's here."

Balanoff: "How about Representative Ackerman?"

Speaker McPike: "Representative Ackerman. He's here."

Balanoff: "How about Manny Hoffman?"

Speaker McPike: "He is voting 'no'."

Balanoff: "How about Representative Burzynski?"

Speaker McPike: "He's here. Representative Leitch would like to change

Balanoff: "Thank you, nothing further."

Speaker McPike: "Representative Leitch would like to change

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from 'aye' to 'no'. Mr. Clerk, change Mr. Leitch from 'aye' to 'no'. On this Motion there are 60 'ayes' and 41 'nos' and the Motion carries. Returning to House Bill 57, Representative Santiago."

Santiago: "Mr. Speaker, on House Bill 57, I have spoken to the Minority spokesperson in the Republican side and we have agreed to let the Bill go."

Speaker McPike: "Alright, on the Gentleman's Motion, discharge J II and House Bill 57. All in favor vote 'aye', those opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 103 'ayes' and no 'nays' and the Motion carries. House Bill 681, Representative Tim Johnson. Mr. Johnson. Mr. Johnson. Tim Johnson. Turn him on, please."

Johnson: "This Bill as a bipartisan Bill would assure, through a formula, that money from the Illinois Lottery goes to the common schools, which it doesn't now."

Speaker McPike: "Representative Johnson, this is a Motion to Discharge, not an explanation of the Bill."

Johnson: "Oh, okay. Sorry. This didn't get a hearing, along with a lot of other Bills, no one's fault in particular, but it needs to be debated and I'd ask for your support."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. It was somebody's fault. It was the Sponsor's fault. The Bill was posted several times and each time, he failed to appear in Committee and I would urge the Members to reject this discharge Motion. The Bill is opposed by the State Board of Education and I think there's no reason for this Bill to move to the House floor."

Speaker McPike: "Representative Johnson, the close."

Johnson: "That is not accurate, Mr. Speaker, Members of the House. Apparently there was a subcommittee that we didn't

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get notice of. We came as we were noticed to do, when the Bill was sent to Revenue Committee, Representative Noland and I, and others, and I think Representative Curran, and were told, 'There's a subcommittee hearing; that we didn't get notice of and it had to go to the subcommittee first. But, we didn't fail to appear, we did what we were requested to do by the notice we received. I'd ask for your support.'

Speaker McPike: "All in favor of Representative Johnson's Motion vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 51 'ayes' and 55 'nos', and the Motion fails. House Bill 709, Representative McCracken."

McCracken: "Thank you, Speaker. House Bill 709 amended the Abortion Act. It was a piece of criminal legislation, making a Class IV Felony a certain action committed in violation thereof..."

Speaker McPike: "Representative McCracken, the Chair has asked Representative Johnson not to explain the Bills, and I will ask you not to explain the Bill."

McCracken: "Will you please let me finish? It's consistent with your ruling. I had to explain that because it was assigned to Judiciary I Committee which does not handle criminal legislation. I did not call it for a vote for that reason."

Speaker McPike: "Representative Dunn."

Dunn: "Mr. Speaker. I don't know why we bother to have committees. If a Bill is assigned to a committee, and the Sponsor does not request a hearing for the Bill, and then moves to discharge. However, I was just beaten on one of those, so, I don't...whatever the Members do, I think it's a slap in the face to the committee process. It's one thing to come to committee and say that the Members weren't

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there, you didn't get a fair hearing or your witness wasn't there, or to have some excuse, but to never ask for a Bill to be called and then move to discharge, shows contempt for the committee process and I would ask the Members to uphold the committee process and defeat this Motion.'

Speaker McPike: "Representative McCracken, to close."

McCracken: "Thanks, Mr. Speaker, and as far as raising my voice, I apologize, it was certainly nothing personal, I just had to make that point which is a little unusual in the course of a discharge Motion. I move its passage."

Speaker McPike: "Question is, 'Shall Representative McCracken's Motion carry?' 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 60 'ayes' and 40 'nos'. Representative Balanoff."

Balanoff: "For a verification."

Speaker McPike: "The Gentleman asks for a verification. Mr. McCracken would like a poll of those not voting. Mr. Clerk."

Clerk O'Brien: "Deuchler. Homer. Kulas. Matijevich. Mautino. Mulcahey. Ronan. Stange. Stern and Wait. No further."

Speaker McPike: "Mr. Balanoff asks for a verification. Poll the Affirmative, Representative Matijevich."

Matijevich: "Mr. Speaker, let me explain my nonvoting. If I voted 'no' I think my vote would be misinterpreted. However, I feel that there's many times where a Bill has been referred to a committee, for example, in the Executive Committee this morning, we had an appropriation Bill and we acted on it. So, there have been many times when a Bill, even though it may revert to the Criminal Code, may be in another committee. So, that is why I have consistently, through my career, tried to protect the committee system. Therefore, I'm not voting on this Bill."

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Speaker McPike: "Representative Brunsvold, for what reason do you arise?"

Brunsvold: "Thank you, Mr. Speaker, to explain my...how am I recorded?"

Speaker McPike: "You're recorded as 'no' and we're on a verification."

Brunsvold: "Would you change me to 'present', please?"

Speaker McPike: "Yes. Representative Brunsvold from 'no' to a 'present'."

Brunsvold: "Mr. Speaker, to explain my 'present' vote. I will support...I would support these Bills if they do get to the floor, and that's my position."

Speaker McPike: "Representative Brunsvold, we're on a verification not on explanation of votes."

Brunsvold: "Thank you, Sir."

Speaker McPike: "Mr. Clerk, please proceed with the Poll of the Affirmative."

Clerk O'Brien: "Ackerman. Balthis. Bugielski. Burke. Burzynski..."

Speaker McPike: "Excuse me, Mr. Clerk. Representative Hicks, for what reason do you arise? Mr. Hicks votes 'no'. From 'aye' to 'no'. On this Motion there are 59 'ayes' and 40 'nos'. Representative Mautino votes 'aye'. Mr. Balanoff now has the right to ask for a verification, and he does. Mr. Clerk proceed with a Poll of...the...you start over with a Poll of the Affirmative."

Clerk O'Brien: "Ackerman. Balthis. Bugielski. Burke. Burzynski. Capparelli. Churchill. Cowlshaw. Cronin. Curran. Daniels. Davis. Deering. DeJaegher. DeLeo. Doederlein. Ewing. Farley. Giglio. Giorgi. Granberg. Hannig. Harris. Hartke. Hasara. Hensel. J. Hoffman. Johnson. Keane. Kubik. Laurino. Martinez. Mautino. McCracken. McGann. McGuire. McNamara. Munizzi. Noland.

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Ryder. Santiago. Tenhouse. Walsh. Weaver. Weller.
Wennlund. Wojcik. Woolard and Mr. Speaker."

Speaker McPike: "Representative Parke, for what reason do you
arise?"

Parke: "I would like to ask for leave to be verified."

Speaker McPike: "Representative Balanoff, Mr. Parke would like to
be verified. Yes. Representative Davis would like to
change from 'aye' to 'no'. Representative Pedersen."

Pedersen: "Have leave to be verified, please."

Speaker McPike: "Mr. Balanoff? Yes. Proceed, Mr. Balanoff."

Balanoff: "Representative Farley?"

Speaker McPike: "Mr. Farley. Is the Gentleman here? He's not.
Remove him from the Roll."

Balanoff: "Representative Novak?"

Speaker McPike: "Mr. Novak. He's here."

Balanoff: "Representative Wennlund?"

Speaker McPike: "Mr. Wennlund. Representative Wennlund. He's
not here. Remove him."

Balanoff: "Nothing further."

Speaker McPike: "Yes, Mr. McCracken. Mr. McCracken."

McCracken: "I think Representative McNamara's convincing a few
people. I need to make a little speech while he works."

Speaker McPike: "Alright. The Gentleman has no point of Order.
On this Motion there are 57 'ayes' and 41 nos', and the
Motion fails. We could speed the process if we wouldn't
vote those people that aren't here. House Bill 732
Representative Walsh. Is this Bill out of Committee, Mr.
Clerk? House Bill 732."

Clerk O'Brien: "732 was reported out of Judiciary I."

Speaker McPike: "Thank you. House Bill 1142, Representative
McCracken. Out of the record. House Bill 1287,

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Representative Regan. Out of the record. House Bill 1406,
Representative Johnson, Tim Johnson. Out of the record.
House Bill 1482, Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. I move to discharge according to Rule 77(a). It
was posted in the subcommittee. I was there at three
different occasions. However, the subcommittees ran late,
and they were put back, and I had to go back to my
committees that I was sitting on, and they never had a
chance to be heard. I would ask...that...we vote to get it
out."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker. I rise in reluctant opposition
to the Gentleman's Motion. I believe that the Bill was
posted several times, did have ample opportunity to be
heard. I think that the problem with the Bill is that it
has a lengthy list of opponents, and I would urge the
Members to reject the Gentleman's Motion."

Speaker McPike: "Is anyone else seeking recognition? Question
is, 'Shall this Motion pass?' 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 29 'ayes' and 71 'nos', and the Motion fails.
Mr. Clerk. Calendar Announcements."

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

Speaker McPike: "House Bill 1630, Representative Hasara."

Hasara: "Thank you, Mr. Speaker. Pursuant to Rule 77(a), I move
to discharge Environment and Energy from further
consideration and advance to the Order of Second Reading,
House Bill 1630. This Bill was posted. I did go to
committee. The Chairman informed everyone in the room that
there would be three or four Bills heard. Those Bills were
heard and passed out and we were then informed that no

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other Bills would get out of committee, so, I think this is a subject that's very important to many Members of this floor and I think it deserves a debate."

Speaker McPike: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Lady's correct, the Bill was posted, however, I told each Sponsor that I would listen to any Bill that wanted to be presented. The Lady never presented the Bill, therefore, I would move against this Motion to discharge."

Speaker McPike: "Representative Hasara, to close."

Hasara: "Thank you, Mr. Speaker. Yes, I was in the room. We were told we could give testimony on the Bills. They were all lumped into one 'do not pass' Motion. The Chairman had made it very clear that the Bills would not get out of committee so it was ridiculous to sit there and give testimony and waste the committee's time. I really think it should get a fair hearing on the floor. I ask for your favorable consideration. There were many of you who had Bills up that also did not get out because of one 'do not pass' Motion for a whole lump of Bills."

Speaker McPike: "The question is, 'Shall the Motion prevail.' All in favor say 'aye, opposed vote 'no'. Have all voted? Have all voted that wish? Clerk will take the record. On this Motion there are 44 'ayes' and 50 'nos'. The Motion fails. House Bill 1672, Representative Petka. Out of the record. House Bill 1674, Representative Petka. Out of the Record. House Bill 1705, Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. I move to discharge Rules from further consideration..."

Speaker McPike: "Representative Ropp. Mr. Ropp."

Ropp: "Yes, Sir."

Speaker McPike: "Have you read the Rules?"

Ropp: "Yes."

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Speaker McPike: "You can't discharge Rules."

Ropp: "Well, Mr. Speaker, I understand that, but...it's my impression, that the, second..."

Speaker McPike: "Proceed, proceed, Representative Ropp."

Ropp: "That the second year that we are all involved in this process, every Bill goes to Rules, and it seems like that it's only fair that individuals get a chance to have their Bill heard at least once. Now, we have followed through the normal procedure of attempting to get the Bill even heard in Rules, even to talking to the Chief of Staff or the Speaker, at which time he also told me that...Rules, you do not get them discharged. But it seems to me in the fairness that we talk about here so often, that at least it could be heard. Now, I'm not necessarily saying that this Bill is gonna pass or not but at least it seems like in Rules, we ought to at least be able to be heard and since it wasn't, I'm asking for the committee to be discharged, please. Thank you."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker. As the Members probably know, some years ago, we tried to get rid of commissions, task force, and so forth, and so we adopted a rule that Bills that create a task force or commission, or a commission of study, that they be referred to Rules Committee. Now, I'm almost tempted to say, we need this Bill because what the Bill does, it promotes personal and social responsibility, and, Gordi, your personal responsibility was to come and talk to somebody about this Bill and you didn't even do that so maybe we do need something to promote personal responsibility, but the Motion is out of order."

Speaker McPike: "Representative Matijevich is correct. The Motion is out of order. House Bill 2125, Representative Wennlund. Out of the record. House Bill 2129,

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Representative Petka. Out of the record. House Bill 2130. Out of the record. And, 2131. Out of the Record. House Bill 2133, Representative Wennlund. Out of the record. House Bill 2265, Representative Pullen. Out of the record. House Bill 2283, Representative Santiago. Out of the record. House Bill 2284, Santiago. Out of the record. House Bill 2379, Representative Martinez. Mr. Martinez."

Martinez: "Thank you, Mr. Speaker, Members of this House. I move to discharge Judiciary II from further consideration and advance to the Order of Second Reading, House Bill 2379."

Speaker McPike: "And on that, Representative Homer."

Homer: "Thank you, Mr. Speaker, this Bill was assigned to a subcommittee of the House Judiciary II Committee. It was a subcommittee on sentencing. I would like to yield to the Chair of that Committee, Representative Paul Williams."

Speaker McPike: "Representative Williams."

Williams: "Yes...I reluctantly arise in opposition to the Motion because the Sponsor did have an opportunity to be heard. The Bill was called, he...at that time, I guess was the equivalent of taking it out of the record at the time, and at the end of the committee then, again asked would any Sponsor present come present their Bill before the committee adjourned and he did not. So, at this time, I have no choice but to...you know keeping with the process, to oppose the Motion." the process, to oppose the Motion."

Speaker McPike: "Representative Martinez, to close."

Martinez: "While I agree with Representative Williams that the Bill was called, I disagree with him when he said that I want to put this in Interim Study. I never mentioned that at all. As a matter of fact, what happened is...when my Bill was called, I made an announcement that I was waiting for witnesses coming from Chicago and they hadn't arrived. For that reason, I passed."

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Speaker McPike: "The question...are you finished, Sir?"

Martinez: "Yes, soon after that, the witnesses arrived and before I knew it, the subcommittee was adjourned."

Speaker McPike: "Question is, 'Shall this Motion pass?' 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 52 'ayes' and 40 'nos', the Motion fails. House Bill 2297, Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to discharge the Environment and Energy Committee from further consideration of the Landfill Neighbors Home Value Assurance Act. I was unable to attend committee last evening and although this Bill was presented on my behalf, I do believe that it is a major issue that should be heard on the House floor to protect the values of homes within a mile of a new landfill, and I would like to see the House take up this issue that it has never voted on and discharge this from the Committee."

Speaker McPike: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker. The Lady is correct. She sent a letter to committee asking Representative Pedersen to present her Bill. Representative Pedersen presented her Bill. The Bill lost in committee and I would ask that you post this Motion."

Speaker McPike: "Question is...Representative Pullen, to close. The question is, 'Shall the Motion prevail?' 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 44 'ayes', 53 'nos', and the Motion fails. House Bill 2573, Representative Balanoff. Out of the record. House Bill 2624, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I called this Bill for hearing in Judiciary I Committee yesterday. It was heard

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at about 1:15 and...at that time there were only five voting Members of the Committee present, including myself. The Bill received a total of...well, it was maybe 3 votes 'yes', 1 vote 'no' and 1 vote 'present', something like that. The total number of votes did not constitute a quorum of the Committee. I had out-of-town witnesses, and I went with the Bill when it was called, and...there weren't even enough votes for a quorum. I ask that the Committee be discharged."

Speaker McPike: "Representative Dunn."

Dunn: "Well, Mr. Speaker and Members of the House, I think that the Gentleman should have refrained from calling the Bill altogether. That seems to be a very popular and successful strategy. Since he did call this Bill, and it was defeated in Committee, I recommend that we uphold the Committee and defeat this Motion."

Speaker McPike: "Mr. McCracken, to close."

McCracken: "The only point I want to make is that there was no chance to get a prevailing vote because of the requirement that there be affirmative votes of at least the quorum count. There was not even a quorum, Sir. I served in the committee the entire three hours as a substitute Member. The Bill was called near the end, which I do not complain about, but the fact of the matter is, there was not even a quorum present for the vote. I ask the committee be discharged on that ground only."

Speaker McPike: "The question is, 'Shall this Motion prevail?' 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 64 'ayes, 31 'nos'. Representative Balanoff."

Balanoff: "Verification."

Speaker McPike: "Asks, for verification. Poll those not voting,

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Mr. Clerk."

Clerk O'Brien: "Davis. Homer. Shirley Jones. Kulas. Matijeovich. Mautino. Morrow. Mulcahey. Ronan. Staltsman. Stange. Stern. Turner. Williams and Wyvetter Younge."

Speaker McPike: "Any changes? Mr. Clerk proceed with the Poll of the Affirmative."

Clerk O'Brien: "Ackerman. Balthis. Black. Brunsvold. Bugielski. Burke. Burzynski. Capparelli. Churchill. Cowlishaw. Cronin. Curran. Daniels. Deering. DeJaegher. DeLeo. Deuchler. Doederlein. Edley. Ewing. Giglio. Giorgi. Granberg. Hannig. Harris. Hartke. Hasara. Hensel. J. Hoffman. Johnson. Keane. Klemm. Kubik. Laurino. McCracken. McGann. McGuire. McNamara. Munizzi. Noland. Novak. Bob Olson. Myron Olson. Parke. B. Pedersen. W. Peterson. Petka. Phelan. Phelps. Pullen. Regan. Ropp. Ryder. Santiago. Tenhouse. Wait. Walsh. Weaver. Weller. Wennlund. Wojcik. Wolf. Woolard, and Mr. Speaker."

Speaker McPike: "Representative Balanoff."

Balanoff: "Representative Farley?"

Speaker McPike: "Mr. Farley's not voting."

Balanoff: "Representative Ryder?"

Speaker McPike: "Representative Ryder? Mr. Ryder. Gentleman's not here, remove him."

Balanoff: "Representative Ewing?"

Speaker McPike: "Excuse me, Representative Mautino votes 'aye'. Mr. Rice, did you wish to, Mr. Rice, were you seeking recognition? Mr. Rice would like to go from 'no' to 'present.' Representative Ewing is here."

Balanoff: "Representative Churchill?."

Speaker McPike: "Representative Churchill. He's here."

Balanoff: "How about Representative Keane?"

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Speaker McPike: "Mr. Keane? Representative Keane here? He is not. Remove him from the roll."

Balanoff: "Let's see here. How about Representative Giglio?"

Speaker McPike: "Representative Giglio's here. He's here."

Balanoff: "Nothing further. Oh, Granberg?"

Speaker McPike: "Mr. Granberg is here."

Balanoff: "How about Bugielski?"

Speaker McPike: "Representative Bugielski? He's here."

Balanoff: "Nothing further."

Speaker McPike: "On this Motion there are 63 'ayes', and 30 'nos', the Motion carries. That's it. Any announcement. Oh, yes, the Chair apologizes, we have a Supplemental. The Motions on a supplemental requires 71 votes. House Bill 1986, Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. This Motion was filed very simply because I didn't think that the hearing I received in front of Revenue Committee was complete or thorough, on a subject that is probably as important as any before this General Assembly and that's debt limitation. Our debt service in this..."

Speaker McPike: "Representative Ewing. Representative Ewing. The Chair has asked repeatedly to address...for the Members to address the Motion, not the Bill."

Ewing: "And that is the Motion. I said we didn't get a fair hearing on that Motion that is before the subcommittee. I think every Member here ought to have the chance to vote on whether there is a debt limitation in this state."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. Gentleman did have a hearing. He may not have liked the results of that Hearing, but he did have a hearing and I would ask the Members to oppose the Gentleman's Motion."

Speaker McPike: "Question is, 'Shall this Motion pass?' All

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those in favor vote 'aye', opposed vote 'no'. Have all voted? This Motion requires 71 votes. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 44 'ayes' and 48 'nos', and the Motion fails. House Bill 2369, Representative Noland."

Noland: "Mr. Speaker. House Bill 2369 is some beneficial ethanol legislation and when presented there were only three Members present, and the Amendment became the Bill, so the bulk of the committee never even saw the Amendment."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. The Gentleman did have a hearing. I would urge you to oppose the Gentleman's Motion."

Speaker McPike: "Question is, 'Shall this Motion pass?' 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 41 'ayes' and 52 'nos' and the Motion fails. Representative Noland, on HJRC9. That is Representative Ewing's Bill, mistake. Representative Ewing, the mistake on the Supplemental. Is there a mistake on the Supplemental? Mr. Ewing."

Ewing: "I think that's a mistake on the Supplemental. This is my Constitutional Amendment, which was heard in the Executive Committee today, was heard I think reasonably, I'd like to see everybody have chance to vote to discharge this, a Mandate Limitation Constitutional Amendment."

Speaker McPike: "Representative Saltsman."

Saltsman: "Yes, Mr. Speaker. This Bill did have a very fair hearing and it took...the...committee had voted on this, and it was voted down and just the matter of it being a few hours ago, and I urge the defeat of this Motion."

Speaker McPike: "The question is, 'Shall this Motion pass?' All those in favor vote 'aye', opposed vote 'no'. Have all

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voted? Have all voted who wish? Clerk will take the record. On this Motion there are 43 'ayes and 49 'nos'. The Motion fails. Senate Joint Resolution."

Clerk O'Brien: "Senate Joint Resolution 42, Resolved by the Senate of the 87th General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the Senate adjourns on Thursday, April 25, 1991, it stands Adjourned until Tuesday, April 30, 1991, at 12:00 o'clock noon, and when the House of Representatives adjourn on Friday, April 26, 1991, it stands Adjourned until Tuesday, April 30, 1991, at 12:00 o'clock noon."

Speaker McPike: "Representative Matijevich moves for the adopt the Adjournment Resolution. All in favor say 'aye', opposed 'no', the 'ayes' have it. The Adjournment Resolution is adopted. Any announcements? Representative Matijevich moves that the House stand Adjourned until...Representative Matijevich."

Matijevich: "Would you tell us how many days we have next week, so we can prepare properly?. Three or four?"

Speaker O'Brien: "Scheduled for four days, Tuesday through Friday."

Matijevich: "Alright."

Speaker McPike: "Representative Matijevich moves that the House now stand Adjourned until next Tuesday at the hour of 12:00 noon, allowing the Clerk Perfunctory Time for Committee reports. All those in favor say 'aye', opposed 'no', the 'ayes' have it, the House stands Adjourned. First Special Session of General Assembly will come to order. The Attendance Roll Call for the Regular Session will be used as the Attendance Roll Call for the Special Session. Representative Matijevich now moves that the Special Session stands Adjourned until...next, Adjournment Resolution for the Special Session, Mr. Clerk, read it."

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Clerk O'Brien: "Resolved by the Senate of the 87th General Assembly of the State of Illinois, that First Special Session thereof, the House of Representatives concurring herein, that when the Senate adjourns on Thursday, April 25, 1991, it stands Adjourned until Tuesday, April 30, 1991, at 12:00 o'clock noon, and when the House of Representatives adjourn on Friday, April 26, 1991, it stands Adjourned until Tuesday, April 30, 1991, at 12:05 p.m."

Speaker McPike: "Representative Matijevich moves for the adoption of the Adjournment Resolution. All in favor say 'aye', opposed 'no', the 'ayes' have it. Adjournment Resolution is adopted. Representative Matijevich now moves that the Special Session stands Adjourned until next Tuesday at the hour of 12:05 p.m. All in favor say 'aye', opposed 'no', the 'ayes' have it. The Special Session is Adjourned."

Clerk O'Brien: "Committee Reports. Representative Curran, Chairman of the Committee on State Government, to which the following Bills were referred, action taken April 26, 1991, reported the same back with the following recommendations: 'do pass' House Bills 143, 1297, 721, 12, 738, 841 and 2416. 'Do pass as amended' House Bill 313. 'Do pass Short Debate Status' House Bills 2512, 1843, 1309, 2078, 596, 2177, 2032 and 242. 'Do pass as amended Short Debate Status' House Bill 2174. 'Do pass Consent Calendar' House Bill 1159."

Clerk Leone: "Committee Reports. Representative Preston, Chairman from the Committee on Children and Family Law, to which the following Bills or Resolutions were referred, action taken April 26, 1991, reported the same back with the following recommendations: 'do pass Short Debate Calendar' House Bills 2392, 1923, 1684, 257, 2460, 2223 and 1351. Representative DeLeo, Chairman from the Committee on

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Consumer Protection, to which the following Bills or Resolutions were referred, action taken April 26, 1991, reported the same back with the following recommendations: 'do pass' House Bill 2030. 'Do pass as amended' House Bill 1311. 'Do pass as amended Short Debate Calendar' House Bill 2523. Representative John Dunn, Chairman from the Committee on Judiciary I, to which the following Bills or Resolutions were referred, action taken April 26, 1991, reported the same back with the following recommendations: 'do pass' House Bills 624, 627, 628, 732. 'Do pass as amended' House Bill 1976. 'Do pass Short Debate Calendar' House Bill 1614. Tabled in Committee, House Bill 2519 and House Resolution 26D. Representative Saltsman, Chairman from the Committee on Executive, to which the following Bills were referred, action taken April 26, 1991, reported the same back with the following recommendations: 'do pass' House Bills 685, 855, 1117, 1198, 1592, 1871, 1878, 1935, 1947, 2048, 2056, 2485, 2507, 2508 and 2546. 'Do pass as amended' House Bills 452 and 1975. 'Do pass Short Debate Calendar' House Bills 2108, 2396, 2538. 'Do pass as amended Short Debate Calendar' House Bill 899. 'Do pass Consent Calendar' House Bill 1286. Representative Phelps, Chairman from the Committee on Health Care, to which the following Bills were referred, action taken April 26, 1991, reported the same back with the following recommendations: 'do pass' House Bill 1627. 'Do pass as amended' House Bills 1626, 2503 and 1220. 'Do pass Short Debate Calendar' House Bills 1953 and 1217. 'Do pass as amended Short Debate Calendar' House Bills 2228 and 595. 'Do pass as amended Consent Calendar' House Bills 2591, 1218 and 2592. Representative Levin, Chairman from the Committee on Public Utilities, to which the following Bills were referred, action taken April 26, 1991, reported the same back with

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the following recommendations: 'do pass Short Debate Calendar' House Bill 2057. 'Do pass as amended Short Debate Calendar' House Bill 2488. 'Do pass Consent Calendar' House Bill 1750. Representative Hartke, Chairman from the Committee on Counties and Townships, to which the following Bills were referred, action taken April 24, 1991, reported the same back with the following recommendations: 'do pass' House Bills 765, 1190, 1383 and 1949. Representative Flowers, Chairman from the Committee on Real Estate Law, to which the following Bills were referred, action taken April 25, 1991, reported the same back with the following recommendations: 'do pass' House Bills 2003, 2239, 2266, 2267, 2268, 2269, and 2270. 'Do pass as amended' House Bills 2372 and 1113. 'Do pass Short Debate Calendar' House Bills 1188, 909, 1379 and 910. 'Do pass as amended Short Debate Calendar' House Bills 1312 and 1929. 'Do pass Consent Calendar' House Bill 2494. 'Do pass as amended Consent Calendar' House Bill 2366. Representative Wolf, Chairman from the Committee on Personnel Pension, to which the following Bills were referred, action taken April 25, 1991, reported the same back with the following recommendations: 'do pass as amended' House Bill 2255. 'Do pass Short Debate Calendar' House Bill 391, 970 and 971. Representative Kulas, Chairman from the Committee on Environment and Energy, to which the following Bills were referred, action taken April 24, 1991, reported the same back with the following recommendations: 'do pass Short Debate Calendar' House Bill 1588. 'Do pass as amended Short Debate Calendar' House Bill 1199. Representative Mulcahey, Chairman from the Committee on Elementary and Secondary Education, to which the following Bills were referred, action taken April, reported the same back with the following recommendations: 'do pass' House Bill 572.

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'Do pass as amended' House Bill 2012. 'Do pass Short Debate Calendar' House Bills 2168, 1715, 1230 and 1914. 'Do pass as amended Short Debate Calendar' House Bill 770. Tabled in Committee, House Bill 349. A corrected committee action report. The Committee on Municipal and Conservation Law, House Bill 1714, was reported out as 'do pass' in error. House Bill 1714 remains in committee, dated April 25, 1991. Another corrected committee action report. Committee of Transportation and Motor Vehicles, the following Bills were reported out in error: House Bills, 17, correction, that's House Bill 718, 1189, should have been reported out 'do pass as amended Short Debate Calendar', on April 25, 1991. Committee Report, Representative Homer, Chairman from the Committee on Judiciary II, to which the following Bills were referred, action taken April 26, 1991, reported the same back with the following recommendations: 'do pass' House Bills 1921, 1951, 2130 and 2065. 'Do pass as amended' House Bills 1950, 2502 and 1595. 'Do pass Short Debate Calendar' House Bills 2125, 2487 and 56. 'Do pass as amended Short Debate Calendar' House Bill 840 and 434. 'Do pass Consent Calendar' House Bills 1415, 515 and 497. 'Do pass as amended Consent Calendar' House Bills 2075, 331, 1418, 2557 and 606. Tabled in committee House Bills 1785 and 2316."

Clerk O'Brien: "Perfunctory Session will be back in Order. Committee Reports. Representative Steczo, Chairman of the Committee on Registration and Regulation to which the following Bills were referred, action taken April 26, 1991, reported the same back with the following recommendations: 'do pass' House Bills 565, 1432 and 2282. 'Do pass as amended' House Bills 284, 495, 2329 and 1149. 'Do pass Short Debate Status' House Bills 1035, 2060 and 2465. 'Do pass Consent Calendar' House Bills 1118 and 2550. There

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being no further business the House now stands Adjourned."

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