

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Speaker McPike: "... come to order. The House will come to order. The Members will be in their seats. The Chaplain for today will be Father Joe Molloy, Assistant Pastor of St. Aloysius Catholic Church of Springfield. Father Molloy is a guest of Representative Mike Curran. Will the guests in the balcony please rise and join us in the invocation?"

Father Molloy: "Let us pray. God, our Father, we ask Your blessing upon these people gathered here, these men and women who will enact laws and measures this afternoon in this Session. Please guide them in Your peace and in Your justice so that they may truly work for that peace and justice that the world needs, that the state and city needs. Help all of us each day to be mindful of all people, of their equality. May we be obedient to Your law and also to the laws of this land. Amen."

Speaker McPike: "Be led in the Pledge of Allegiance by Representative Ropp."

Ropp: "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 record. 117 Members answering the Roll Call, a quorum is present. Excused absences. Representative Piel."

Piel: "Yes, Mr. Speaker, would the record show that Representative Harris is excused today, please?"

Speaker McPike: "Thank you. Message from the Senate."

Clark O'Brien: "A Message from the Senate, by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed a Bill of the following title, the passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bill #339, passed by the

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Senate May 1, 1985. Kenneth Wright, Secretary."

Speaker McPike: "Representative Braun in the Chair."

Speaker Braun: "Senate Bills First Reading."

Clerk O'Brien: "Senate Bill 97, a Bill for an Act... sponsored by Representative McCracken, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 339, Giorgi, a Bill for an Act making an appropriation to the Department of Commerce and Community Affairs. First Reading of the Bill."

Speaker Braun: "Ladies and Gentlemen, we have in our presence today Alderman Joe 'Cutlarss' from the City of Chicago. He's in the back of the chamber. Welcome, Alderman. On page 13 of the Calendar, the Order of House Bills Third Reading, Short Debate Calendar, appears House Bill 31. Out of the record. House Bill 47. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 47, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Braun: "Gentleman from Cook, Representative Leverenz."

Leverenz: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 47 - it deals with the Department of Revenue and an organization known as the Illinois Prairie Path Organization. The Bill passed the House last term, and we are back here because of a faulty analysis that was written. And the Bill got vetoed last time. The Bill simply provides an extension of a property tax exemption to a not-for-profit organization. This organization will be signing a lease with the Department of Conservation. They, in turn, are the people that keep the Prairie Path, which is about 47 miles of old railroad right-of-way through Cook and DuPage and Will Counties, clear and develop the riding path, the jogging path, etcetera. They are receiving then, by this Bill being passed, an exemption from property tax and your analysis on an impact note will provide you with

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

the facts that I know, and that is, the state property is not taxed now. So we are extending that tax-free status to the organization that, in fact, is taking over the job of the Department of Conservation and that is to keep state property clean. I would ask for your 'aye' vote on House Bill 47."

Speaker Braun: "Is there any discussion? There being none, the Chair recognizes Representative Leverenz to close."

Leverenz: "For a Bill that passed here before that I have just explained, I would appreciate all of the 'aye' votes in the House."

Speaker Braun: "Question is, 'Shall House Bill 47 pass?' All in favor vote 'aye', opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', 1 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 190. Mr. Clerk, read the Bill."

Clark O'Brien: "House Bill 190, a Bill for an Act to amend Sections of an Act in relation to state monies. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Leverenz. House Bill 190."

Leverenz: "Let me get the right sheet. Thank you, Madam Chairman and Ladies and Gentlemen of the House. House Bill 190 is to facilitate the State Treasurer dealing with banks and savings and loans. It provides that the state may accept as security for state monies on deposit at banks and savings and loan organizations bonds and notes secured by mortgages or trust deeds on unencumbered real estate worth at least the sum of the invested or loaned amount. Now it is twice the sum invested or loaned. Passed out of Committee, of course, with no dissenting votes. I'd

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

appreciate everyone's 'aye' vote."

Speaker Braun: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield for a quick question?"

Speaker Braun: "He indicates he will."

Leverenz: "Sure."

Cullerton: "No, not a trick question - a quick question. The Treasurer... the Treasurer - does he have a position on the Bill?"

Leverenz: "He takes no position on the Bill as in terms of position."

Cullerton: "What is the reason for Amendment #1 - to have the Act apply to loans that are not secured by federal insurance?"

Leverenz: "As I understand it, they are unencumbered, so that they are... they fully can be used to protect state monies."

Cullerton: "Okay..."

Leverenz: "This simply makes it line up with all of the other places we deposit money."

Cullerton: "Alright. Thank you."

Speaker Braun: "Is there any further discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken."

McCracken: "I'm confused, Representative. Would the Sponsor yield?"

Speaker Braun: "Indicates he will."

McCracken: "Does this mean that the mortgage security is equal to the loan amount? Is that what it means, or am I mistaken?"

Leverenz: "Whatever they have in terms of security. The bonds and notes that are secured by mortgages or trust deeds that are unencumbered on real estate can be used to secure the deposits of state money. That's correct."

McCracken: "Alright. Now, would this make it easier for a bank

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

to get state money or not easier for a bank to get state money?"

Leverenz: "In essence, it will make it easier for them, because it appears that it will be lessened. It will be one to one instead of two to one."

McCracken: "Okay. But the rates are still competitive, right? The Treasurer has got to deposit on a competitive basis?"

Leverenz: "They compete for the rate. The bid for the rate?"

McCracken: "Okay."

Leverenz: "They bid for the state deposit, that's correct."

McCracken: "Thank you."

Speaker Braun: "Is there any further discussion? There being none, Representative Leverenz, to close."

Leverenz: "Again, I would simply ask for your 'aye' vote on House Bill 190."

Speaker Braun: "Question is, 'Shall House Bill 190 pass?' All in favor vote 'aye', all opposed vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 109 'ayes', no 'nays', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate, appears House Bill 196, Representative Klemm. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 196, a Bill for an Act to amend Sections of the Illinois Governmental Ethics Act. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Madam Speaker. House Bill 196 amends the Illinois Governmental Ethics Act so that we end up with the Ethics Act being uniform and standard for all positions in Illinois. Right now there is a problem in that if somebody

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

is appointed to a position that must require the filing of the Ethics Act, after May 1st they have different deadlines than others do. So really what I'm doing is closing up that small loophole so that it will be uniform throughout Illinois. Everybody will at least be able to do their job in filing it properly and promptly and I think giving them time to make a full disclosure as required. I'll be delighted to answer any questions; otherwise, I'd move for its adoption."

Speaker Braun: "Is there any discussion? There being none, Representative Klena, to close. Question is, 'Shall House Bill 196 pass?' Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'yes', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 241, Representative Ronan. Out of the record. House Bill 301, Representative Bowman. Out... Chair recognizes the Gentleman from Cook, Representative Bowman."

Bowman: "Yes, Madam Chair, these next seven Bills are on a Special Order of Call, subsequently. So I would recommend we take them out of the record all the way down to and including 307."

Speaker Braun: "Those Bills, 301, 302, 303, 304, 305, 306 and 307, are taken out of the record. House Bill 375, Representative Hicks. Representative Hicks. Out of the record. House Bill 394, Representative Barnes. Out of the record. House Bill 626, Representative Ropp. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 626, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from McLean, Representative Ropp."

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Ropp: "Thank you, Madam Speaker and Members of the House. House Bill 626 deals with a problem that we currently have in that the current law states that the Department of Child and Family Services shall pay for the young people who are minors that have problems, but it also states that three percent of their total budget shall go... shall be a part of their budget. What the General Assembly has done in the past is that they have underfunded what has been mandated by law to do, and this Bill merely states that those counties that have been awarded young people to supervise, that their daily care and the shelter shall be funded by the state at the same proportion that the state currently funds young people who are in care of DCFS. I welcome any questions that you may have."

Speaker Braun: "Is there any discussion? On this question... The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Cullerton: "Representative Ropp, you started out with a Bill and then you amended it, and the Amendment deleted the Bill. Is that correct?"

Ropp: "That's correct. The Amendment - I was striking the statutory provision that says three percent of the total amount of funds for DCFS shall be appropriated into their budget."

Cullerton: "Okay. Let me start over again. The way the law works now there is a cap of three percent of the annual appropriations from the General Revenue Fund to the Department of Children and Family Services. There's a cap of three percent of those appropriations from the funds that go to reimbursements or expenditures to counties for care and shelter of minors."

Ropp: "Correct."

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Cullerton: "That's what exists right now."

Ropp: "The problem is..."

Cullerton: "And what does your Amen... what does your Bill do as amended?"

Ropp: "The problem is that we did not fully implement that three percent. We only allocated something like 300,000, which was certainly not enough for those counties who were taking care of these minors. The Bill now states, very clearly, that the Department shall pay counties who are taking care of these minors at the same rate that DCFS takes care of children which the court has awarded to the state."

Cullerton: "What is your..."

Speaker Braun: "Excuse me, Representative Cullerton. Could the Members in the chamber keep your conversation down so that this debate may proceed and people can hear one another? Could you please reduce your voices? Thank you. Representative Cullerton."

Cullerton: "What is your definition of similar services? What other similar services do you have in mind that are provided by DCFS?"

Ropp: "It's strictly daily care and shelter."

Cullerton: "Well, would this have the effect of increasing the appropriations from... or the..."

Ropp: "No, not really. What it specifically says is how the Department shall fund it."

Cullerton: "Do you eliminate the cap?"

Ropp: "No."

Cullerton: "There still is a cap..."

Ropp: "We're funding it at the same amount. We're paying the counties the same rate for the county taking care of minors as the state currently takes care of minors through DCFS?"

Cullerton: "Well, what's the overall effect of the Bill then?"

Ropp: "The overall effect is that counties will now be funded at

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

the same rate that the state takes care of minors."

Cullerton: "Alright. And what will be the... If we don't pass this law, how will they be reimbursed?"

Ropp: "Okay. If we don't pass this law, current counties of which my county is one and many others are picking up a sizeable tab to take care of daily care and shelter for minors, which, in fact, the current law says the state shall be taking care of."

Cullerton: "So this Bill will provide more money for your county, but it won't increase the cap so that means that the money will come from some other county, won't it?"

Ropp: "No."

Cullerton: "Why not?"

Ropp: "The current law states that we should fund DCFS to the tune of three percent of their total budget. We have not been doing that and; therefore, DCFS funds at a very small portion of the amount of funds for the daily care and shelter of minors who have been wards to the county."

Cullerton: "Okay. Thank you very much."

Speaker Braun: "Any further discussion? The Chair recognizes the Gentleman from Cook, Representative Steczo. Ladies and Gentlemen, Ladies and Gentlemen. Ladies and Gentlemen, colleagues, may I have your attention? Keep your voices down, please, while the debate is proceeding. Thank you. Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. To clarify further the intent of House Bill 626, Representative Keane and myself were successful two years ago in increasing the cap from one percent to three percent of the total Department of Children and Family Services budget. While we have been funding at approximately a little less than the one percent cap, we were informed in the Counties and Townships Committee that the Department of

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Children and Family Services was interpreting the law in a different manner. The bills were coming in from the counties to the Department of Children and Family Services; and, in many cases, they were only paying those bills or the reimbursement on those bills at a one to three percent level. This... The effect of House Bill 626 is to better clarify the rate by which the Department of Children and Family Services should reimburse the counties, and it is in line with the original intent of this program. So, I would encourage the Members of the House to support House Bill 626."

Speaker Braun: "Is there further discussion? There being none, the Gentleman from McLean, to close."

Ropp: "Thank you, Madam Speaker. I urge your favorable support. Counties need this program to be funded just like the state funds young people who are in need. I welcome your favorable support."

Speaker Braun: "The question is, 'Shall House Bill 626 pass?' Voting is open. All in favor vote 'aye', opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 109 'ayes', 3 'nos', no Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 14 of the Calendar appears House Bill 639, Representative Woodyard. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 639, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Edgar, Representative Woodyard."

Woodyard: "Thank you, Madam Speaker. House Bill 639 is an identical Bill to the one that Representative Hicks and I passed out of the House 117 to nothing two years ago. And

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

what it does, in some research and some constituent responses, we found that every headlight on every snowplow in the State of Illinois was illegal. That includes both private snowplows as well as all the state, municipal and county snowplows due to the height of the headlights. This Bill allows, under conditions in which a plow would be on a truck for those headlights to be at a greater height than the 42 inch height presently allowed. It also takes care of a problem that Representative Hicks had in his district in which we also found that those lights on top of pick-up trucks with the little covers on them, even having the covers on those lights, they were still illegal, and this would also legalize that. That's basically what the Bill does, and I would be glad to answer any questions or encourage your support for 639."

Speaker Braun: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Cullerton: "Isn't this governmental intervention and governmental regulation of a vehicle? I mean, do you think the government should have the right to tell the people..."

Woodyard: "We already have..."

Cullerton: "Do think the government should have the right to tell people how many inches above the surface their lights should be?"

Woodyard: "We already have a stipulation in the law that says that they can be no more than 42 inches and, yet, practically all of the snowplows that we have in the State of Illinois are of a greater height than that."

Cullerton: "I understand that. But do you think... Isn't this governmental... Isn't this a deprivation of..."

Woodyard: "I see your point, and I don't have any problem..."

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Cullerton: "... constitutional right to drive a car and have their lights as high up or as low as they may want, or is this related to safety? Is..."

Woodyard: "Well, certainly it's related to safety."

Cullerton: "Is that why you think it's constitutional?"

Woodyard: "I don't know that it's ever been tested for constitutionality. I would have no comment on that."

Cullerton: "Okay. Thank you."

Speaker Braun: "Is there any further discussion? There being none, Representative Woodyard, to close."

Woodyard: "Thank you, Madam Speaker. As I mentioned in the Bill, what it does is actually legalize what is presently happening already, and certainly this Bill is supported by the Department of Transportation and all of the municipalities in county government for their snowplow headlights."

Speaker Braun: "Question is, 'Shall House Bill 639 pass?' All in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', none voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Calendar on page 14 appears House Bill 705, Representative DeJaegher. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 705, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Braun: "The Chair rec... The Chair recognizes the Gentleman from Rock Island, Representative DeJaegher."

DeJaegher: "Thank you, Madam Speaker. Originally, when this Bill was introduced there were problems with the Department of Public Aid. Since that time, there has been an Amendment put on that particular Bill. The Department of Public Aid

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

is supportive of this Bill. And basically what this Bill does and probably you have had the same situations that I have - oftentimes, sometimes when people are certified under Public Aid and receiving assistance from that agency, it's quite possible that a member of that family could either have cancer of the liver or kidney problems or etcetera. And oftentimes what happens, when the community gets aware of situations such as this, they want to help that particular family by having a fundraiser. And by them having that fundraiser, that disqualified them from public aid. But with the Amendment in place, fundraisers could be enacted. This family could benefit, and hopefully that all of you will be supportive of this particular Bill. I think it's a Bill that blends compassion into the community. It's people helping people when problems arise, and I will be receptive to any questions that any Member has."

Speaker Braun: "Is there any discussion? There being none, the Gentleman from Rock Island, to close."

DeJaegher: "Hoping that all of you will give me a favorable vote."

Speaker Braun: "Question is, 'Shall House Bill 705 pass?' All in favor vote 'aye', all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 117 voting 'aye' and none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The hour of 12:00... 12:30 having arrived and pursuant to Rule 39, we will call the following Bills on Third Reading: House Bill 50, 51, 52, 53 and 711, all dealing with the subject matter of child abduction. Mr. Clerk, read the Bill. House Bill 50. Mr. Clerk, read the Bill. The Gentleman..."

Clerk Leone: "House Bill 50, a Bill for an Act to amend the

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

School Code. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Preston."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Bill is the first in a package of five Bills designed to protect children from abduction and from exploitation. Every year in the United States somewhere around 1.8 million children are reported missing. Of that number, somewhere around 150,000 of those children are reported missing and are not recovered for a protracted period of time, something over two weeks. Many of those children, unfortunately, are never recovered and are never found. Illinois and more specifically Chicago is the missing children capital of the world. We have more children reported missing each year in the City of Chicago than do the cities of San Francisco, Los Angeles and Indianapolis put together. We have more children reported missing each year in the City of Chicago than does New York City, a city of over twice the population of Chicago. And, no, I don't have answers to the question I'm most frequently asked as to why that's the case. Different cities and municipalities, different counties and states have different reporting requirements. That could explain some portion of it. But whatever the reason is, last year in Illinois we had something around 13,500 children reported missing. Of that number today still 113 of those children are missing. That doesn't sound like an enormous number unless, tragically, one of those 113 children belongs to you or to someone you know, a neighbor, a relative, a friend, someone you care about. This package of legislation grew out of a seminar we held in November of 1984 where we brought in John Walsh, the father of Adam Walsh, who was a six year old child, and the subject of a

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

TV program movie called 'Adam'. The six year old child, Adam Walsh, was abducted and later found dead. His family's response was to try to see to it that the tragedy that befell them did not befall others in this country. The Walsh family founded the National Center of Missing and Exploited Children in Washington, D.C. and spend all of... John Walsh spends all of his time traveling throughout the United States to try to see that the states adopt progressive child protection legislation designed, again, to, of course, protect our children from abduction and from abuse. This is the first Bill in the package. House Bill 50 would require every school district in Illinois - kindergarten through eighth grade - to include in its curriculum a course of instruction to children on how to avoid being kidnapped. There is a giant difference between being told not to talk to strangers and being taught how to deal with the situation where a child is approached by a stranger, where a child is approached by someone who says, 'Your mother or your father is ill, and they sent me to pick you up. Get in the car, and I'll drive you to the hospital.' Teaching a child how to deal with situations that may occur, teaching a six year old or a seven year old or an eight year old how to say no to an adult, how to say no, in fact, to someone who is dressed in the garb of a priest or someone who is dressed in the uniform of a police officer where, in many instances, people in these outfits have been in the business of abducting children. That takes a course of instruction - more than just telling. It takes teaching and repeating and showing a child how to deal with situations that might occur. That's what this Bill does. I'd like to just address the cost factor since this is a mandate, and I have been asked and I myself have said I don't want mandates on the public school system

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

unless we fund it. This is a cost-free mandate. This Bill requires school systems to have the program but does not stipulate what the program may entail. Our purpose is to leave it up to the school systems to be as creative as their assets permit and as their interests permit but to require them to do something to confront a problem which is a very real one, a very tragic one and, very unfortunately, a growing one in our country and in our state. And I'd be glad to answer any questions."

Speaker Braun: "Is there any discussion? The Chair recognizes the Gentleman from Kendall, Representative Hastert."

Hastert: "Will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Hastert: "Representative, I think you have a noble cause here. I do want, for the record, to ask some questions, okay? First of all, you, in your explanation a few minutes ago, used the word 'course'. Are you requiring a course?"

Preston: "Representative, we're not requiring a course. What we're requiring is a course of instruction. And it is clear from the legislation, from the language itself, it says that the instruction could be as little as an assembly once a year. It could be included in the regular classroom instruction now. It could be a new class, if that's what the desires of a specific school district might be. The... From my standpoint, I would gladly sacrifice in the case of my own children the instruction they might receive on the State of Delaware and substitute child protection, how to protect yourself from abduction in its stead. But I'm leaving that decision up to an individual school district. So, they may or they may not have a separate course. They can do it by an assembly. They can do it by regular assemblies. It is my hope that it will be a repeated series of instructions throughout the school year. That's

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

my hope, but I'm leaving it up to a school district to do what they think they can do given the assets that they have."

Hastert: "So, you're saying this is a ... they're required, but they have to have it somewhere in their course of instruction, meaning the whole curriculum, somewhere, someplace and it's a local decision how and where."

Preston: "That's exactly right, Representative."

Hastert: "And then, for instance, in my county we used to have a sheriff that had a program and they went around from school to school and had, you know, those type of programs - that would suffice?"

Preston: "That would be within the purview of the law. The MacDonalds Corporation has Ronald MacDonald which goes around to schools, and they do an excellent program for children on child protection abduction prevention. The Chicago police department has a puppet show that they put on. Any one of those or all of those or all of those plus classroom instruction by a teacher who has looked at the many varieties of existing curriculum would suffice and be within the purview of this Bill."

Hastert: "Madam Speaker, to the Bill. I would just like to commend the Sponsor of the Bill. I did want to make clear for the record what a course of instruction was. I think it's a good idea to put it in the purview of the local school board to decide what that course of instruction should be, how it is incorporated into the curriculum. And I did want to clarify that it wasn't required, you know, nine hours a week or whatever a course... red flag type of thing might be. So thank you very much."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Will, Representative Regan."

Regan: "Madam Speaker, Members of the House, would the Sponsor

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

yield?"

Speaker Braun: "He indicates he will."

Regan: "I rise in strong support of this Bill. It faces to solve a problem - not totally, but any help that can help in this area is needed. We have people on the street that are snatching children to sell them. We have adoption from zero to four and five years old that can go for as high as 15,000 dollars in the adoption ring. There is also from seven years old to fourteen and fifteen years old children stolen to be sold into pornography and prostitution. I'm strongly in favor of this Bill, and I hope we all support it. Thank you."

Speaker Braun: "Is there further discussion? Chair recognizes the Gentleman from DuPage, Representative Hoffman."

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

Speaker Braun: "Indicates he will."

Hoffman: "Question. Does this cover only public schools, or is this a directive to public and private schools as well?"

Preston: "This covers only public schools, Representative."

Hoffman: "Is there a reason for that?"

Preston: "Yes, there is, Representative. I had... and private schools were discussed as part of the legislation, and it was pointed out to me by staff and by people of the numerous meetings that we had that we, in Illinois, make no require... statutory requirements now on private schools. We don't even require private school teachers to have any certificate, to have a college degree or even to have attended college for a single day. That's left to the requirements of that individual private school. To have this as the sole requirement that the General Assembly sees fit to put on private schools, it was thought to be inappropriate to break with a long standing tradition. And, frankly, it would jeopardize the Bill, and that's the

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

reason they were excluded. It is my hope to, at a future date, to make it ... to make it possible for the State Superintendent of Education to make materials available that come out of this program available to private schools as well."

Hoffman: "Do we have any statistics in terms of missing children as to types of schools that they attend?"

Preston: "I am not aware of a breakdown on that basis. I have... I have not seen it, and I've looked at an awful lot of the statistics on this. But I have not seen that breakdown."

Hoffman: "Thank you very much. Ladies and Gentlemen of the House, I think the discussion that I have had with the Sponsor illustrates the dichotomy that the Legislature is continually placed in in terms of placing certain kinds of requirements on the public school system and not being in a position to require the same thing of private schools whom we allow to take responsibility for a certain segment of the population. This seems to be a significant issue. It has received a lot of attention, but it illustrates another thing that happens over the years through legislative bodies, and that is putting responsibilities on the public schools; one, because we can do it and, two, because that's the logical place to place those responsibilities because the children in those school systems are captive audiences. They can't escape. They are there, and we put the mandates whether it's driver training, consumer education or whatever it happens to be. Yet, there is an important segment of our population that we cannot and do not consider, probably the latter more than the former, and that is those children who attend private schools. It seems to me that at some point in time this Legislature is going to have to do what other states have done and that is to address the entire student population in these areas of

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

mandates. Thank you very much."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Madison, Representative Wolf."

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

Speaker Braun: "The previous question having moved, the question is, 'Shall House Bill 50 pass?' All in favor vote 'aye', all opposed vote 'nay'. Voting is open. Have all voted who wish? The Lady from Champaign, to explain her vote. Have all..."

Satterthwaite: "Mr. Speaker... or Madam Speaker and Members of the House, I believe the Sponsor of the Bill is in error in regard to what the Bill really calls for now in regard to private schools. As I read the language in Amendment #1, the State Board of Education, in fact, may prepare and make available to public and non-public schools materials relating to these programs. And I think, for purposes of legislative intent, we should clarify that and indicate that, in fact, what he suggests a future Amendment might do is done in Amendment #1."

Speaker Braun: "Have all voted who wish? On this question there are 109 voting 'aye', 1 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 51. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 51, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Braun: "Chair recognizes the Gentleman from Cook, Representative Preston."

Preston: "Thank you, Madam Chairman and Ladies and Gentlemen of the House. House Bill 51, the second Bill in the child protection package, is a Bill that would require every school district, kindergarten through eighth grade in

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Illinois, to adopt a call in-call back program. What that program is, it requires parents, when their child is to be absent from school for any reason whether it be illness, an early vacation, staying late on a late vacation, it requires those parents to call to contact the school. School districts that now have this program inform us that with the program notwithstanding, only about 80 percent of the parents comply, leaving 20 percent of the parents that, even though their required and requested to call the school, they don't call the school. This Bill would require that, in those instances, for the school to call the parents at one... at any one of two numbers that the parents have left with the school to ask the school to notify them in case of an emergency or because of this program. Many, many schools throughout Illinois today have a call in-call back program. Unfortunately, many schools today do not have that program. If a child is abducted on the way to school at 8:30 in the morning, his or her parents typically would not have any notice that that child is missing until 3:30, 4:00, 4:30 in the afternoon. In the case of latch-key children, and my children are latch-key children, those parents might not be notified that their child is missing until 6:00 or even 7:00 at night. From 8:30 in the morning until 6:00 or 7:00 at night, a child having been abducted in the morning could be not only in another city or another county, not only in another state, but in another country. Indeed, they could even be in another continent. In that period of time, a child could have been abducted and taken to Belgium. And if you think that doesn't happen, let me unfortunately and tragically assure you that, indeed, it does. There is recent articles in the Tribune about the business of abducting children, not kidnapping children for ransom, because that almost

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

doesn't exist in the United States anymore. There is not even a statistic on it - it's so rare, but there is the business of abducting children for purposes of prostitution, of abducting children for purposes of pornography, of abducting children for purposes of selling that child to a family who wants to adopt a child and, for one reason or another, is ineligible to do so. It happens. And with the large number of children who today in this country are abducted, it is important to let the families know as soon as possible after that child is missing that the child is, indeed, missing. Every law enforcement authority that spoke at our conference, from the FBI to local school officials, told us that the earlier the family is notified and law enforcement authorities are notified that a child is missing the better is the chance of recovering that child unharmed. Let me address also the cost factor, because Representative Hoffman and others were concerned about costs and again we're talking about a mandate here. Surprisingly enough, it is through our estimate that this is a cost-free mandate and let me tell you why. School districts that now have the call in-call back program, and again I've told you there are many, many throughout Illinois that do - there are many in my district in Chicago that do - adopted this program not as a prevention of abduction program, but as a truancy prevention program. And, indeed, they have found uniformly - and I've met with some now probably 25 different PTA's - they have found that in every, single case that this does reduce truancy, increases average daily attendance at the school and, thus, increases the funding that that school is eligible to get from the State of Illinois. Secondly, what is the real cost of the program in terms of just hard dollars? It is almost minimal,

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

almost nonexistent. The costs... Some schools have told me, 'Well, we only have one phone line and we would have to put in another phone'. Yes, in some schools that might be true. They'd have to put in another phone. So that would cost somewhere in the neighborhood of 14 - count them - 14 dollars per month. Some school districts already have the phones and they have purchased, instead of having to purchase another phone, they have purchased an answering machine that would record the phone calls that parents make when they call in to say that their child is home ill. Well, the cost of the machine is approximately 100 dollars. And from the reports I've had, they last at least five years and are still functioning, because I checked it out with the schools in my district. So, when I say it's cost free - if, indeed, the cost is 20 dollars a year, perhaps even 100 dollars a year, I don't want to be considered a liar for that minimal, almost nonexistent cost, especially when it's taken in light of the reduced truancy and the increased average daily attendance. This Bill has been, as well as the other Bills, have been supported by the major newspapers, telephone... television station editorials. The Chicago Board of Education has endorsed this program and I ask for your 'aye' vote, and I'd be glad to answer any questions."

Speaker Braun: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Ronan."

Ronan: "Thank you. Thank you, Mr. Speaker... Madam Speaker and Members of the House. I rise to wholeheartedly support this legislation. I'm a hyphenated Cosponsor with Representative Preston. This is a very important package, and I think this particular Bill is significant because what's come to our attention in the Chicago Board of Education is the huge truancy rate problem we've got. And

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

we feel that this piece of legislation will have a tremendous impact on cutting the truancy rate up there. I think Representative Preston is absolutely moving in the right direction, and I urge 108 positive votes on this fine Bill."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Braun: "Indicates he will."

Friedrich: "I think you're objective certainly is above reproach and desirable. The question I have is, among other things, what constitutes reasonable effort. The question is... I'll raise question along with a couple others. Everybody is lawsuit happy these days, and unfortunately our courts and our juries are very liberal in their awards. And I think the telephone could just be a tip of the iceberg. I think the end of a liability suit could be the iceberg. And what I'm wondering is if some... this happens to some child whether the child just happens to skip school and go swimming or whatever, or whether he is actually abducted, I can see grounds here, if something happens to that child, this school is going to be sued for a million or two million or whatever. And I see all kinds of problems with our present jury and court system."

Preston: "Madam Speaker, if I might address the Representative's question."

Speaker Braun: "Is there any further discussion? The Gentleman from Cook, Representative Preston, to close."

Preston: "Thank you, Madam Speaker. Just in reference to the previous speaker's remarks, I want to point out this Bill specifically exempts from civil liability school district who, through negligence, fail to make the phone call.

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

If... Representative, if you had an opportunity to study the Amendment, it says it in expressed language to that effect. There is no civil liability for the negligent failure to make the phone call. And we put that in on purpose. You know, it was after discussion. That's why it's in the Amendment. We're not looking to create lawsuits for people. What we're looking for is to protect children, to protect them to make sure their families are notified. And let me tell you, right now if a child unfortunately and tragically is abducted on the way to school and that family isn't notified till late in the afternoon, in fact not notified at all by the school, I can't think of anything that would be a better lawsuit today without this legislation than that act of negligence. I can't imagine sending my child off to school and having my child not show up and not having... not being informed of that fact by the school at all. It would make one wonder exactly what the purpose that school has if one of their main purposes isn't to make sure that their charges are where they should be. But we wanted to address Representative Friedrich's concern, and that's what we did. With the language of the Amendment, we wiped out any civil liability for ordinary negligence in failing to contact the parents."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Greiman. Representative Greiman. Is there further discussion? The Chair recognizes the Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Madam Speaker. I certainly would like to add my words of support of this fine piece of legislation. To me, what this is going to do is to really bring not only parents, but administrators and the whole school system

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

much closer together. And it can't help but entrench the idea of cooperation in urging young people to get an education and, by greater support of all concerned, will be a great asset to our society and to those young people's future in general. Thank you."

Speaker Braun: "The question is, 'Shall House Bill 51 pass?' All in favor vote 'aye', all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', 3 voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 52. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 52, a Bill for an Act in relationship to child care facilities. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Preston."

Preston: "Thank you, Madam Chair and Ladies and Gentlemen of the House. House Bill 52 would require criminal background checks on day care center employees to disclose criminal history of convictions for certain crimes, and those are the crimes of murder, kidnapping, sex-related offenses and aggravated battery of a child. In my district and elsewhere in Illinois, but most recently, unfortunately, in my own district, or I should say about a block out of my district in Representative Bowman's district - I'm sorry I appropriated a bit of his district - we had a tragedy of right now say alleged, because no one has yet come to trial though the trial is eminent - of an employee of a day care center who allegedly was responsible for molesting anywhere from ten to 15 children who were students at that day care facility. We've seen similar problems at schools breaking into the newspapers - last week in the Chicago area. The

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

very sensitive position that day care center employees hold, which is that of authority figures, in what, in essence, is a... too frequently an unsupervised situation requires that we, as parents, have some security, minimal though it may be, in knowing that the people to whom we entrust the custody of our children at least do not have histories, criminal histories of murder, kidnapping, sex-related offenses and aggravated battery of children. We're not saying that someone who paid his or her debt to society should be forbidden from seeking an occupation, not that at all. We're only saying that people who have that minimal history, that criminal history seek employment elsewhere other than in the child care industry, because we, as parents, are entitled to that minimal protection, to that minimal security, to that security of feeling. What this Bill would do would require someone who wants to apply to become or presently is an employee at a day care facility to go to the Department of Children and Family Services and to fill out an authorization slip to have a criminal background check conducted. Now we don't have to wait for that individual to be... to get the results of that test to employ that individual, because that might be unfair. That might make that employee wait too long a period of time because, indeed, there might be a backlog of the background checks so that person would be out of work. What this requires is simply that that person brings the receipt from the Department of Children and Family Services to the day care center. The receipt has a number. The day care facility records the number, and then, at that point, they are free to start that employee on his or on her employment. But, at the same time, we, as parents, will have the added protection of knowing that our children are not being cared for by someone who has been... who has a

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

criminal history of abusing children. I ask for your 'aye' vote. I'd be glad to answer any questions that you might have."

Speaker Braun: "Is there any discussion? The Chair recognizes the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "... for a question?"

Speaker Braun: "Indicates he will."

Brunsvold: "Representative, the instance you gave in your opening remarks, would your Bill solve this problem of the abuse in your local area?"

Preston: "Well, in my opening remarks, I indicated that the purpose of the Bills were to try to protect children from a preventative, rather than a curative, standpoint. Preventative, meaning trying to protect those children before they're the victims of some tragedy. Now, yes, I can say... the situation at the day care facility adjacent to my district, no, this would not have prevented that person from being an employee so far as I know. However, if this person who is about to go to trial is convicted, this legislation would prevent that same employee from going to your district or anywhere else in this state and becoming an employee of a day care facility. It would act, one, as a deterrent to people seeking employment in those industries, and let me tell you how important that is; because, at our conference that we had and at subsequent meetings, pedifiles, it was pointed out by psychologists and psychiatrists to us, pedifiles, someone who has a physical or a sexual attraction to children, seek employment around children. It's not a terribly creative idea, but it's one that borne out by the facts. They seek employment around children. If they lose their employment around children, they seek other employment around children. So this Bill would prevent someone who has been

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

convicted from seeking employment in that same industry. So you don't know that your child is actually safe from someone who might be demented, but at least you know that your child might be safe from someone who has shown a history of that problem so that the employee at the day care facility where your children or my children might be cared for at least hasn't had prior convictions, prior founded complaints by the Department of Children and Family Services."

Brunsvold: "Representative, how does your Bill address fingerprints? Would you describe your fingerprinting..."

Preston: "Yes. The fingerprinting, as when I talk about criminal background check, there is one way and one way only to conduct criminal background checks and that's through fingerprints and feeding those fingerprints into the FBI computer that's maintained in Washington. That's the only system, and I spoke with the Director of Law Enforcement on a number of occasions. We tried to find something that was less onerous than fingerprints, and he assured me there is no other way of distinguishing a Representative Brunsvold from a John Brunsvold in Texas. Their computer in Washington can't distinguish someone with the same name other than by fingerprints. So that's what it entails. When you go down to the Department of Children and Family Services, you authorize a criminal background check. Part of that authorization procedure is that you submit your fingerprints for them to use to feed into the FBI computer in Washington."

Brunsvold: "This Bill demands a fingerprint check on everyone working at the day care center?"

Preston: "No, it requires the fingerprinting... the criminal background check on everyone who works at a day care facility and/or with children. So what it excludes from

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

that criminal background check is someone who works for day care centers, for example. If you work for an organization, Catholic Charities, Lutheran Social Services, and you don't work specifically with the children at that day care facility, you need not undergo this background check. But if you do, if you are in the care or work at the physical facility where children are cared for, then this does require the criminal background check."

Brunsvold: "Which includes the fingerprint."

Preston: "It definitely does. Yes, Representative."

Brunsvold: "That mandates a fingerprint for everyone..."

Preston: "It mandates, without question, the fingerprints."

Brunsvold: "Thank you."

Speaker Braun: "Is there further discussion? Chair recognizes the Gentleman from Will, Representative Regan."

Regan: "Madam Speaker, Members of the House, may I ask the Sponsor... please? Lee, we were discussing in Committee non-licensed day care centers and if there was a possibility for them to be able to opt into this system. Has anything come up about that?"

Preston: "We have not changed it, Representative, only because of the difficulty of getting back to the some 40 organizations that I met with on the legislation to get them to, after commitments were made to them, to then again get back to them at this late date. I think your idea is an excellent one of permitting unlicensed facilities to opt into the program, but it's not contained in this legislation. I'd be glad to consider that at a future date with you."

Regan: "Well, I would hope that in the future probably we might be able to change this and make that feasible, because I would think that everybody in the United States of America would want that information about people that are handling children. Thank you."

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Speaker Braun: "Is there further discussion? There being none, the question is, 'Shall House Bill 52 pass?' All in favor vote 'aye', all opposed vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', 1 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 53. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 53, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Braun: "Chair recognizes the Gentleman from Cook, Representative Preston."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 53, the fourth Bill in this child protection package, is probably the most controversial Bill in the package and, therefore, underwent the most careful scrutiny of all the Bills. What this Bill would do is, for the first time in Illinois, permit the introduction into evidence at the trial of an accused child molester the video taped statements of that child as part of the direct testimony, the direct case in chief, in that trial. The Bill underwent the scrutiny of the Chicago Bar Association, the Illinois State Bar Association. We took it to the Criminal Law Committee of the Chicago Bar Association in its original form, and they essentially rewrote the Bill to make sure, as I wanted it to make sure, that the rights of the accused were protected so that we don't lose sight that it's not only the victim who deserves and needs our protection, but, indeed, the accused himself or herself needs and should have all due process and all constitutional protections that any of us would want were we in that situation. This Bill does it. The Bar

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Association's Committee recommended somewhere around 40 separate changes in the legislation. And, frankly, the Bill in its amended version watered down what my original intent was. I was hoping to more carefully protect that child witness from the trauma of having to tell and retell the intimate details of a sexual assault and, at the same time, to save that child some of the trauma of the open courtroom situation. I think this Bill does it in some means less though than I had hoped but moreso than would be the case without this legislation. What this Bill would enable is the testimony of the child without that child physically having to be present in the open courtroom situation in front of 12 adult jurors and tell the details of a sexual assault. That's highly traumatic. However, at the same time, we saw to it that the accused was protected in this legislation by requiring that the child victim be available for cross-examination if the defense wants to call that child on cross-examination. However, that cross-examination would take place not in the open courtroom, as it would in the case of adults, but in a separate room, separate from the open courtroom, separate from the jury, again so as to save that child victim the trauma of having to testify, of having to be questioned in the open adult courtroom setting, the adult courtroom situation. This Bill I am very comfortable in telling you would withstand constitutional inquiry and the requirements of confrontation in due process mandated by the United States Constitution. That is also the feeling of the bar associations that have looked at it. The Chicago Bar Association testified in support of this Bill in Committee, and I ask your 'aye' vote, and I'd be happy to answer your questions on it."

Speaker Braun: "Is there any discussion? The Chair recognizes

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

the Gentleman from Cook, Representative Bullock."

Bullock: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Will the Sponsor yield for a question?"

Speaker Braun: "He indicates he will."

Bullock: "Representative Preston, the Amendment that was adopted for this Bill, does that Amendment in any way, in your estimation, bring into question the constitutionality of the video taping?"

Preston: "Yes, Representative, it does. With the Amendment, I am assured by the constitutional scholars and committees who have looked at the Bill, scrutinized it carefully and came to Springfield to testify in its behalf, that it would, indeed, withstand constitutional inquiry and would be enforceable and upheld by the Supreme Court. We... In its original form, for example, we had the Bill in a form that Kentucky also adopted. The Kentucky statute was struck down within the last 30 days as being unconstitutional. That was because in that situation the accused was not permitted to be in the room where the video tape was being made. Our Bill, our Amendment to the original version, does permit that, and that gets away from the constitutional provision that might be violated had we not included that. That, as well as 40 other requirements that the Bar Association made, I am quite certain makes this a constitutionally enforceable document."

Bullock: "Thank you, Representative Preston. And Mr. Speaker and Members of the Assembly, I certainly rise in support of Representative Preston's Bill. It is a subject that has been discussed in this chamber in prior Sessions. I believe that Amendment #1 to the Bill, in fact, puts it in a posture that it will, in fact, stand the scrutiny and stand the question of constitutionality. It certainly will go an awful long way to providing some equity and to

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

providing some safeguards to minors, to children who, in fact, would be traumatized if they were subjected to the same types of courtroom antics that many of us, as adults, would be subjected to. It's a fine piece of legislation. It deserves all of our support, and I'd urge an 'aye' vote."

Speaker Braun: "Is there further discussion? Chair recognizes the Gentleman from Will, Representative Regan."

Regan: "... microphone... Thank you. Thank you, Madam Speaker, Representatives of the House. I rise in strong favor of this Bill. It addresses the problem of the crime after the crime. Twelve to 15, 16, 17 times children are asked about their molestations. Even adults couldn't like to go through a procedure like that. If this cuts it down just by at least ten or 12, I think that we're doing something, moving forward. Thank you."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Greiman."

Greiman: "Thank you, Speaker. I wonder if the Gentleman would yield for a question or two."

Speaker Braun: "Indicates he will."

Greiman: "As I understand this, Lee, you... you don't allow the cross-examination of the complaining witness at the time that the tape is made. Is that right?"

Preston: "That's correct, Representative."

Greiman: "Well, why is that?"

Preston: "That's because that is not the trial and the jury is not present at that time either. The video tape is made in the presence of the judge, in the presence of the state's attorney, in the presence of defense counsel in the presence of the accused, if the accused wishes to be present, and in the presence of whatever support personnel might be necessary for the comfort and the welfare of the

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

child and..."

Greiman: "Well, that's right. So, okay, having said that, why then... since we have this more comfortable setting, which... apparently is better for the youngster and would allow that youngster to be more relaxed, why don't we allow the cross-examination in that same setting? Why don't we say that, you know... I mean, a youngster of tender eight years gives an answer on tape in March. In February of the next year, the youngster is going to be cross-examined on testimony that she or he gave 11 months earlier. Now, I mean I would feel... frankly, I would be nervous about responding to questions about testimony that I gave 11 months earlier. So why don't we allow then, in this controlled setting where the youngster is more comfortable, the right to at least cross-examine that youngster?"

Preston: "The rea... Representative, what I think you should keep in mind is that this video tape is not the trial. The video tape is made in advance of the trial and at the trial of the accused there is an opportunity for cross-examination."

Greiman: "Eleven months later."

Preston: "Well, in fact, it's not 11 months. But let's take your number and assume it is 11 months."

Greiman: "Well, Mr... Let me ask you... This testimony that's on tape goes into evidence, right?"

Preston: "That's correct."

Greiman: "So that's trial. I mean, that's as good as trial, isn't it?"

Preston: "Well, no, Representative. The introduction... at the time of the introduction of that video tape, that takes place at the trial. Now what states have found who have this legislation in place, such as the State of Texas, and we checked with state's attorneys there, they found that in

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

many cases, after viewing the video taped statement, the defendant, the accused doesn't want that video taped statement played to the Judge and jury. They will plead guilty. But whether they plead guilty or not, they... the reason for the video tape statement being made in advance without cross-examination is that this is part of the preparation of the state's case. There is an opportunity and, in fact, this not only doesn't infringe on the rights of the defendant, one of the criticisms that's been voiced is that this helps the defense, because it gives them that much more time to prepare their cross-examination of the accused. And that, indeed, is the case."

Greiman: "Well, it sounds to me though like you're saying that it also, historically at least, or statistically, pushes people into guilty pleas or copping out or making a deal because of the pressure of it so that I'm not sure that you're not on both sides of that issue. But be that as it may... hold on just for a second. Well, you know, I think what I'm suggesting to you is I'm uncomfortable with the process in a criminal case, where a guy can go to jail for a long time, where the cross-examination is delayed by months, perhaps years. I think that... my own experience and my own observation tells me that cross-examination is more effective and more probative when there is a spontaneity, when there is no opportunity. Also, by the way, to prompt and to give that young person who might be available to suggestion some ways out. You know, the prosecution looks at the tape and says, 'You know, we're a little weak here. We better prep this witness a little bit on this point, this point and this point', and they have all the time in the world to do that preparation. I think a defendant should be able to cross-examine a party, a complaining witness in a reasonable, relevant time frame

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

from when the testimony is given. I think that is a basic, fair premise, and I have trouble with this Bill. Thank you for your questions... for your answers."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Madam Speaker. I move the previous question."

Speaker Braun: "Representative Preston, to close."

Preston: "Thank you, Madam Speaker. I just want to briefly respond to Representative Greiman's comments. The criticisms that I'd heard of the Bill is exactly the opposite, Representative; that, as I started to say, it may be helpful to the defense to be able to see the direct testimony well in advance. And I realize that that may be the case, and that's doesn't trouble me, because I want the defense to be well prepared. It never troubles me that the defense might have time to prepare their case over and above what they might have in some other situation. If the defense can defeat a conviction, I want the defense to defeat a conviction. But in those instances where someone has been guilty of abusing a child, I don't want that person to be able to take a walk from a conviction, to walk out of the courtroom a free man or woman simply because they were able to intimidate that child into not testifying at all. And that is, indeed, what happens today. Parents either won't let their child go through the trauma of testifying in open court or the child himself or herself is simply unable to do that. This attacks that problem, and I ask for your 'aye' vote."

Speaker Braun: "The question is, 'Shall House Bill 53 pass?' All in favor vote 'aye', opposed vote 'nay'. The voting is open. The Chair recognizes Representative Shaw, to explain his vote."

Shaw: "Yes, Madam Chairman. I just wanted to remove... My name

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

is down as one of the Sponsors of the Bill, and I'd like to remove my name as the Cosponsor of the Bill, and I vote 'no'."

Speaker Braun: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 92 voting 'aye', 10 voting 'no', 11 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 711, Representative Preston."

Clark Leone: "House Bill 711, a Bill for an Act in relationship to teachers and employees of public schools. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Preston."

Preston: "Thank you, Madam Chairman and Ladies and Gentlemen of the House. This is the final Bill in the child protection package that I am sponsoring. And before getting into it more thoroughly, I, at this time, just want to thank the many Cosponsors, primarily Representative Ronan and Representative McCracken who worked so diligently with me and attended meeting after meeting and presentation after presentation on this legislation, as well as many other people who were so helpful in Committee and helpful as Cosponsors on the legislation on both sides of the aisle. What House Bill 711 does is to do what is similar to House Bill 52 for day care centers. It requires criminal background checks on teachers and maintenance personnel at schools to disclose convictions for, again, only certain crimes and not other crimes, to disclose convictions for the crimes of murder, of kidnapping, of sex-related offenses and of aggravated battery of a child. And it wasn't by accident that we excluded convictions for other crimes. Current Illinois law, the current law today says

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

that if you have ever been convicted of any felony, any felony whatsoever, your teaching certificate shall be revoked. That's existing Illinois law. What doesn't exist in Illinois law is any means of checking on whether or not the individual has ever been convicted of any felony. The current procedure is when someone wants to become a teacher at a public school or a private school they fill out an application form. Included typically in that application form is the following question: Have you ever been convicted of a felony? You answer yes or you check off no."

Speaker Braun: "Excuse me, Representative Preston. For what purpose does the Gentleman from DeWitt rise?"

Vinson: "Madam Speaker, the Gentleman is entitled to order. It is an important issue. Democrat staff is escorting people who are not entitled to the floor around the floor. And I just wonder if we could restore some order so the Gentleman may present a very important Bill to the chamber."

Speaker Braun: "Thank you. Representative Preston, you may continue."

Preston: "Thank you, Madam Chair. I started to say that the procedure for determining whether or not someone has ever been convicted of a felony is simply their own checkoff on the application form, yes or no, I have or I have not been convicted of a felony. If the person says no, that's it. That's the end of the check. That's good enough under existing procedure and under existing law. Well, in the Chicago area in the last ten days alone, we have seen where, in Lake County, Illinois, and Waukegan, a teacher had been twice previously convicted of sexually abusing children and, nonetheless, was hired as a teacher in the Lake County school system, not in only one facility, but at a number... over the years at a number of different

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

schools. He was permitted a third time to molest a child before we found out about it. In Skokie, a coach was recently in the newspapers found to have molested a child. In Chicago, the former number two person in the Chicago school system, allegedly has been involved in molesting a number of children. And, yet, there is nothing under current law or procedure that would prevent these same people from going, after they had been convicted, if indeed they will be convicted, going to some other school district in Illinois and applying as a school teacher; because, so long as they check off on the application form, no, I have never been convicted of a felony, they can be hired because there is no further check that is conducted. What House Bill 711 does, it requires the criminal background check and, Representative Brunsvold, I want you to know this includes fingerprinting, which again, for this Bill as well as with day care centers, is the only method by which a criminal background check can be conducted, would require teachers to undergo, and maintenance personnel at the schools, to undergo that type of a check. Now, let me tell you the reason for this Bill. Am I singling out teachers as a highly suspect category of occupation? Certainly I am not. I am a former school teacher. I'm a former member of the Illinois Education Association. I'm a former member of the Chicago Teachers' Union and I have met with many, many of their members and with many, many PTA's throughout the State of Illinois. I'm not singling out teachers as a highly suspect occupational group. In fact, the opposite is true. I'm singling teachers out as probably the number one citizens of any occupational group in the State of Illinois. But teachers have a highly sensitive occupation. They have the occupation of being the number one authority figure to whom we give the custody of our children for the

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

majority of the waking hours of our children until those children are 16 years of age. And that's the law in Illinois. We don't have a choice of sending children to school. We must, by law, send our children to school. We don't even have a choice of what school to send those children to. If you can't afford a private school, you're told what school your child is going to. You don't have a choice of what teacher your child is going to have. You're told what teacher your child is going to have. And we don't even have the protection of knowing whether or not that teacher has had a prior history of convictions for felonies. My legislation is much less restrictive than current Illinois law. And, indeed, I wouldn't even vote for current Illinois law if it came up today. My legislation doesn't require the revoking of a certificate of any teacher who has been convicted of any felony anytime in that person's life. This legislation, House Bill 711, simply requires the revocation in the checking on prior convictions of a teacher for only certain crimes and those alone, and those are the crimes of murder, of kidnapping, of sex-related offenses and of aggravated battery of a child. As a parent, I don't care if ten years ago or eight years ago a teacher had been convicted of stealing a car and paid his or her debt to society, because that activity back then doesn't directly impact on the ability of that teacher to be in the care and custody of my child... or my child to be in that teacher's care and custody. But as a parent I have a definite need to know if that teacher who is caring for my child has been convicted of abusing a child in the past, because that does directly impact on our perception of the ability of that teacher to continue as the person to have that authority over our children. It's for that reason that this legislation is so badly and

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

urgently needed. We have seen in the Chicago area again how badly and urgently this legislation is needed. In the Waukegan school system, there are... there is a teacher there today who would not have been teaching and would not have been abusing children if this legislation was in place to check on that persons prior criminal record. I ask for your 'aye' vote'. I'd be very pleased to answer any of your questions."

Speaker Braun: "Is there any discussion? The Chair recognizes the Lady from Lake, Representative Stern."

Stern: "Okay... Madam Speaker and Members of the House, nothing brings home a lesson like this, like having this situation in your home area. I received a phone call this week from a woman named Kathy Duncan from Waukegan whose children attend Andrew Cook School where this man was arrested last week for taking sexual liberties with children. She asked me if I would be willing, if she were able to collect them, to bring down some petitions. I said I would certainly be happy to bring them down. She only had an afternoon in which to do it and she collected a 1,066 signatures from the parents and concerned citizens of Waukegan and the surrounding areas. People are really upset about this matter and if this Bill becomes law, it will become a kind of protection against a repetition of this sort of offense. I ask your favorable vote."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Madam Speaker. I wonder if the Sponsor would yield for questions?"

Speaker Braun: "He indicates that he will."

Vinson: "Representative, I haven't had a chance to read this Bill. Do I understand that the basic thrust of the Bill is

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

to require every teacher in the State of Illinois to be fingerprinted?"

Preston: "That is correct. Every public school teacher."

Vinson: "What else does the Bill do?"

Preston: "It requires the Department of Law Enforcement to ultimately conduct a criminal background check to discover and to disclose whether or not any of those teachers or maintenance personnel at schools have had prior convictions for murder, kidnapping, sex related offenses, or aggravated battery of a child."

Vinson: "Thank you. To the Bill, Madam Speaker."

Speaker Braun: "You may proceed."

Vinson: "I rise in opposition to this Bill. I don't view this as a matter of partisan difference, a matter of party policy, or anything of that sort and I am not speaking in regard to any Republican position or Republican philosophy. I am speaking as to what I believe is imported by the Bill of Rights, and what I believe is imported by reasonability and practicability in a public employment. Madam Speaker, there are Bills floating around this General Assembly that would require all day-care employees to be fingerprinted. There are Bills floating around this General Assembly that would require all nursing home employees to be fingerprinted. And now we have a Bill here requiring every teacher in the State of Illinois to be fingerprinted and to presume that they have something in their background. So, we're going to create a law enforcement investigation of the background of every teacher in the State of Illinois. If that's not big government, big brotherism, that's... that's the worst example of a government... improper government intrusion through law enforcement into the private lives of individuals. Now, if someone has committed a crime or if there is reason to believe that

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

somebody has committed a crime, then I believe the law enforcement authorities should have the right to do whatever is necessary to prove that crime. And I don't believe that anybody in this General Assembly can mistake for one second that I expansively interpret the Constitutional Bill of Rights protections for people. As a matter of fact, I'm probably an advocate of narrowly interpreting those... those provisions. But what we're doing now is the worst example of the kind of extremism that organizations like 'HUAC' went to. This is like creating a witch hunt for every teacher in the State of Illinois. I don't believe that a tiny fraction even of teachers deserve to have law enforcement investigations directed against them. We ought to focus the full furor of the law enforcement mechanism on people who have probably committed crimes, but not on somebody because they want to teach kids in the public schools. This is a bad Bill. It's a wrong Bill. It violates peoples' right to privacy and it makes, because of its presumption that everybody is a criminal, it makes it much less likely that you're ever really going to catch the people who are criminals. Everybody in this General Assembly ought to vote against this Bill."

Speaker Braun: "The Chair recognizes the... Is there further discussion? The Chair recognizes the Gentleman from Will, Representative Van Duynes."

Van Duynes: "Thank you, Madam Chairman... Madam Speaker. Would the Gentleman yield for a question... a couple of questions? First of all, Representative Preston, did the Teachers' Organization oppose this Bill or did they join with you or what?"

Preston: "Well much to my chagrin dismay and outrage, the Illinois Education Association, the Chicago Teachers' Union

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

and the Illinois Federation of Teachers are opposed to the Bill. But, I think, in answering that question I must also point out that I have met with teachers around this state... I've met with some twenty-five PTA's and I have not had a single teacher... not one single teacher object to this Bill, in fact, the opposite. I have teachers out there circulating petitions, working the office to get postcards out to people who have asked for them in support of this legislation. Representative Koehler, who I'm sure can speak for herself, met with many teachers in her district, all of whom to a single person are in support of this legislation. So, yes, the organizations and their officers I'm ashamed to say are opposed to it. But I'm very proud to tell you that the teachers and everyone that I have met with in the last three and a half months is overwhelmingly in... as a proponent and in support of this legislation without, Representative Van Dwyne, a single acception."

Van Dwyne: "Well, then what your propoting by your answer is to say that they don't... they really aren't representing the real view of the teachers."

Preston: "I... I'm sorry I have to report that. From my experience I've met with probably five hundred teachers in the last three and a half months, not one has said they're opposed to it. The only people that are opposed to it are the Union officials."

Van Dwyne: "Okay, two other things. In House Amendment #1, it says 'certain sex offenses are exempt', I'm very curious to find what they are. In other words, here this... sexual context to the whole scenario around the Bill and yet, in House Amendment #1 it says 'certain sex offenses are exempt'. That would make me... it."

Preston: "There are certain archaic sex offenses that remain in

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

the statute that really are not germane to child care. The ones that were included are the offenses that are germane to care and custody of children."

Van Duyne: "Well, could you give me one instance?"

Preston: "I don't have the statute book, Representative. You have it. If you would hand it to me, I will point..."

Van Duyne: "No, all I'm looking at is the digest."

Preston: "Oh, okay. There... There are... There are some instances, I can't give you specifics now, but we went through all the offenses in the statute and took out and included those that in any way impact or influence child care."

Van Duyne: "One last thing. It says 'specify the amount of the fee charged to the applicant to cover the cost of investigation may not exceed \$20'... \$20 fee, who pays that?"

Preston: "I'm sorry. I can't... The \$20 fee... the amount and fee not to exceed \$20 is paid by the individual applicant."

Van Duyne: "The teacher who is seeking the job."

Preston: "That is correct."

Van Duyne: "Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Will, Representative Regan."

Regan: "Thank you, Madam Speaker, Members of the House. I stand firmly in favor of this Bill. I want to make it clear to the teachers and to the Unions that we are not testing their honesty, their morals, the teachers in the State of Illinois, I'm sure, are pure as the driven snow in 99 percent of the cases. It's just a situation that they are in an occupation that will attract pedophiles. I have in Monday's paper in the Sun-Times a teacher arrested in Wisconsin for child molesting. He will go to jail more than likely. He'll be out in a couple of years, and he'll

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

come to Illinois to find work if we don't put this Bill through. We can attract all the pedophiles in the United States of America here if the other states pass a law and we don't. Thank you."

Speaker: Braun: "Is there further discussion? The Chair recognizes the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Will the Representative yield for a question?"

Speaker Braun: "He indicates he will."

Brunsvold: "Representative, how long is it going to take to do these background checks and fingerprints?"

Preston: "I... I cannot answer that. We're feeding in with this legislation a great number of new fingerprints into the system and until we catch up with that, which will take two to three years in terms of being caught up so that we can promptly take care of only the new applicants, there will be a backlog without question. However, if we don't pass legislation, we don't have to worry about it. There won't be any backlog and there'll be no way whatsoever of avoiding what took place in the Lake County of a convicted child molester, nonetheless, teaching your children."

Brunsvold: "We've got a two or three year backlog on this and then after five years they what, throw them away and start all over again?"

Preston: "Every five years they would repeat this process."

Brunsvold: "So then every five years it's going to cost what, \$20 to redo this?"

Preston: "That's correct. That's a taxing burden of \$4 per year, Representative."

Brunsvold: "To the Bill, Madam Speaker. We're going through a reform package here in the House. We're requiring, now, fingerprints and background checks on teachers. Teachers are supposed to be held up on a pedestal, at least that's

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

what we're saying here on the floor. They're people that we should look up to. And fingerprinting is important that we don't have undesirables amongst our children. And we're having a heck of a time raising the salary from ten to thirteen thousand dollars. Now, that to me is a little ridiculous. It's about time this House put education as a priority and let's start paying these people if they're so important."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken."

McCracken: "Will the Sponsor yield for a question?"

Speaker Braun: "He indicates he will."

McCracken: "Representative Preston, are there other regulated subjects under Illinois law which currently require criminal background checks?"

Preston: "Yes, Representative, criminal background checks is... are by no means novel under current Illinois law. Today in Illinois, we require criminal background checks on taxi cab drivers. We require criminal background checks on tavern owners and tavern operators. We require criminal background checks on employees who work for race tracks. We require criminal background checks on out-of-state lawyers who seek admission to the Illinois Bar. We require criminal background checks on some fifteen different occupational groups today to find out if those people have a history of conviction for certain crimes. And in Illinois, we require that the revocation of a license of any teacher who has been convicted of any felony under existing long standing Illinois law. The only thing we don't have in the law is any teeth in it. It's a piece of paper. If the person not only is a felon but also lies on an application, then that person is free to move into

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Illinois and become a teacher."

McCracken: "And it was part of your Committee's findings that a name check means of doing a criminal background check is ineffective. By the mere use of an alias, it can be avoided."

Preston: "That's correct, Representative. We tried and as the Bill was... originally introduced, as you well know because you worked on it with me, as originally introduced, the original version said there was no fingerprint necessary for teachers. Because it was my feeling at that time that it was unnecessary because we had a long history on what... on that person. We had transcripts from college, the person had to be certified as a teacher. So, it would be hard for one person to become an imposter for somebody else. But in dealing with the Department of Law Enforcement, they assured me... Director 'Zagle' assured me it was absolutely impossible to check on whether or not someone has been guilty of prior convictions other than by fingerprinting. So, it was at that time only that we amended the Bill."

McCracken: "And the cost is to be born on a one time basis by the teacher in question. There's no fiscal impact, right?"

Preston: "That is correct, Representative. The cost the... the FBI charges the state for conducting in any one of the current fifteen occupations, that Representative Vinson was not outraged at having criminal background checks on. These FBI charges somewhere today around between 15 and 18 dollars. All that is under this legislation is passing that cost onto the individual applicant so that the state need not bare that burden."

McCracken: "I move the previous question."

Speaker Braun: "Representative Preston to close."

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

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

House. I appreciate your patience and your deliberation on this Bill. The need for this Bill didn't come out of the air. The need for this Bill was pointed out in a situation in this state where a teacher in Illinois had been convicted of sexually molesting a child and, thereafter, moved to the State of Florida. Florida at that time did not have this legislation. They do have it today. That teacher in Florida was hired again as a teacher and was subsequently involved in somewhere between thirteen and twenty-three further instances of sexual abuse of children. Florida has protection that we in Illinois unfortunately do not enjoy. You don't even know if your next door neighbor had been convicted of a felony muchless, the person who teaches your children. It is not something that we are ever made aware of. The only way to find out if the people to whom we must by law give the custody of our children to, has a... have a history... a history of prior convictions for murder, kidnapping, sex related offenses, or aggravated battery of a child is to conduct a background check through the FBI computer in Washington. If there was some other means of doing it, I would love to have that other means and I would have legislation permitting it. That is unfortunately the only way. I can only point out what I was told by Representative Koehler when she met with something over 100 teachers in her district. Now we're talking about over 100 teachers in her district. She discussed this legislation with those teachers and then asked them what their position was on a criminal background check of teachers. Representative Koehler told me that to a person without a single exception they supported this legislation. The Illinois Congress of PTA's at their recent convention here in Springfield brought this Bill up. And I'd like to... and overwhelmingly with 1,200 of their

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

members present in Springfield some three weeks ago endorsed this Bill. At that meeting, one teacher who is a member of the PTA stood up and said, 'I want the people who are parents of children I teach to know that I don't have a record of abusing children, but more important than that I, myself, want to know that the teacher who is teaching my child in a school district not far from the one I teach at is also free from that kind of a criminal record. We as parents are entitled to that minimal protection and to that minimal piece of mind. Not the kind of situation that we experienced in Waukegan, Illinois where a prior convicted sex molester is there again teaching children notwithstanding that he has a criminal record of convictions. We can't find out about those convictions any means other than a background check to find out if a person is indeed telling the truth on their application form. We deserve with our teachers the same kind of protection that were afforded for our neighborhood tavern operator or our taxi cab driver'. And I ask for your 'aye' vote."

Speaker Braun: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', all opposed vote 'nay'. The voting is open. The Chair recognizes the Gentleman from St. Clair, Representative Flinn."

Flinn: "Madam Speaker, I was really trying to test my light with the electrician and I wasn't trying to speak. But had they have not stopped talking, I was going to move the previous question."

Speaker Braun: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Representative Preston requests a Poll of the Absentees. Clerk."

Clerk Leone: "Poll of the Absentees. Bullock. Cullerton. Farley. Giglio. Harris. Hartke. Keane. Kulas.

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Mautino. McAuliffe. McGann. Panayotovich."

Speaker Braun: "Mr. Clerk, Representative Mautino votes 'no'. Representative Bullock votes 'aye'. For what purpose does Representative Hartke rise?"

Hartke: "Mark me as 'no' on that."

Speaker Braun: "Representative Hartke changes his vote..."

Hartke: "To 'no'."

Speaker Braun: "Votes 'no'. The Gentleman from Cook, Representative Soliz."

Soliz: "Madam Chairman, would you record me as 'present', please?"

Speaker Braun: "Representative Soliz votes 'present'. Continue with the Poll."

Clerk Leone: "Continuing with the Poll of the Absentees. Ronan. No further."

Speaker Braun: "Mr. Clerk, what's the count?"

Clerk Leone: "47 'aye', 36 'no', 25 voting 'present'."

Speaker Braun: "Representative DeLeo. DeLeo, 'present'. There are 46 voting 'aye'... For what reason does Representative Kirkland rise?"

Kirkland: "'Present'."

Speaker Braun: "Representative Kirkland changes from 'aye' to 'present'. Are there further changes? There are 45 voting 'aye', 36 voting 'no', 27 voting 'present'. This Bill, having failed to receive a Constitutional Majority, is hereby declared lost. Consent Calendar. On page 21 of the Calendar, appears Consent Calendar. Mr. Clerk, read the Bill."

Clerk Leone: "Consent Calendar Third Reading. House Bill 36, a Bill for an Act to amend the County Jail Good Behavior Allowance Act. House Bill 208, a Bill for an Act concerning notary publics. House Bill 260, a Bill for an Act to amend the Code of Civil Procedure. House Bill 261,

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

a Bill for an Act to amend an Act relating to the Code of Civil Procedure. House Bill 262, a Bill for an Act to amend an Act in relationship to the Code of Civil Procedure. House Bill 263, a Bill for an Act to amend various Acts in order to eliminate anachronistic terminology. House Bill 264, a Bill for an Act to amend the Code of Civil Procedure. House Bill 265, a Bill for an Act to amend the Code of Civil Procedure. House Bill 266, a Bill for an Act to amend terminology of Probate Act. House Bill 267, a Bill for an Act to amend an Act in order to eliminate anachronistic terms relating to property. House Bill 268, a Bill for an Act to amend an Act in relationship to the Code of Civil Procedure. House Bill 269, a Bill for an Act to amend various Acts to revise terminology. House Bill 270, a Bill for an Act to amend various Acts to revise and to coordinate terminology. House Bill 272, a Bill for an Act to amend an Act to revise the law in relationship to attorneys and counselors. House Bill 275, a Bill for an Act relating to trust estates. House Bill 276, a Bill for an Act to amend the Code of Civil Procedure. House Bill 277, a Bill for an Act to amend the Code of Civil Procedure. House Bill 278, a Bill for an Act to amend the Code of Civil Procedure. House Bill 279, a Bill for an Act to amend the Code of Civil Procedure. House Bill 280, a Bill for an Act to amend the Code of Civil Procedure. House Bill 281, a Bill for an Act to amend the Code of Civil Procedure. House Bill 282, a Bill for an Act to amend an Act to increase the powers of railroad union depot and terminal companies. House Bill 368, a Bill for an Act to amend the Probate Act. House Bill 706, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 809, a Bill for an Act to amend an Act to... to river conservancy districts. House Bill 944,

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

a Bill for an Act to amend the Illinois Public Aid Code. House Bill 986, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1103, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1137, a Bill for an Act to amend the Illinois Municipal Code. House Bill 1175, a Bill for an Act to amend the Beef Market Development Act. House Bill 1292, a Bill for an Act to amend the Nursing Home Care Reform Act. House Bill 1335, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 1356, a Bill for an Act to amend the Park District Code. House Bill 1358, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1393, a Bill for an Act to amend the Local Governmental and Governmental Employees Tort Immunity Act. House Bill 1394, a Bill for an Act to amend the Illinois Municipal Code. And House Bill 1410, a Bill for an Act to amend the Illinois Public Aid Code and the Nursing Home Care Reform Act. Third Reading of these Bills."

Speaker Braun: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Piel."

Piel: "Thank you, Madam Speaker. I was having problems... the noise level. I didn't quite hear on House Bill 267 I didn't catch what kind of an Act that was. Could the Clerk please repeat that for us?"

Clerk Leone: "Anachronistic."

Piel: "Thank you."

Speaker Braun: "Any further discussion? There being none, the question is, 'Shall these Bills pass?' All in favor vote 'aye', opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 114 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received... These Bills, having received the

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Constitutional Majority, are hereby declared passed. The Chair recognizes the Gentleman from Madison, Representative McPike, for an announcement."

McPike: "Thank you, Mr. Speaker, for a Motion. I move to suspend the provisions of Rule 27(d) for the consideration of House Bill 2309 in the Committee on Judiciary II. House Bill 1111 and House Bill 2499 in Executive. This has been cleared with the Republican side of the aisle."

Speaker Braun: "Does the Gentleman have leave by the Attendance Roll Call to suspend the appropriate Rules? Leave is granted. For what purpose does the Gentleman from Marion, Representative Friedrich, rise?"

Friedrich: "Madam Speaker, I would like to suspend the Rules for the posting of House Bills 176, 607, 1681, 1682, 1733, 2469 on the Select Committee on World's Fair."

Speaker Braun: "Does the Gentleman have leave? Leave being granted, the appropriate Rules are suspended."

Friedrich: "I believe Chairman Currie has a..."

Speaker Braun: "An announcement? We'll get to that in a moment, Representative Friedrich."

Friedrich: "Thank you."

Speaker Braun: "For what purpose does the Lady from Cook, Representative Alexander, rise?"

Alexander: "Thank you, Madam Chairman. I would like to notify all Members of the Election Committee that we will meet at 9:00 instead of 8:00 in the morning and there has been some inquiries with regards to the Bills that will be posted. The Bills that will be posted are 158, 886, 1020, 1376, 2475, 2477, 814 and 1447."

Speaker Braun: "Thank you, Representative. For what purpose does the Lady from Kane, Representative Deuchler, rise?"

Deuchler: "Madam Speaker, leave of the Body to place House Bill 559 and House Bill 560 on Interim Study."

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Speaker Braun: "Leave granted. Leave is granted. The Chair recognizes the Gentleman from Madison, Representative Wolf."

Wolf: "Thank you, Madam Speaker, for purposes of an announcement. The Subcommittee on Financial Institutions will meet at 10:00 o'clock tomorrow morning in Room 118. The full Committee of Financial Institutions will meet immediately following. Thank you."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Madam Speaker. The Energy, Environment and Natural Resources Committee will meet immediately after adjournment here on the House floor. I ask all the Members to please be prompt so we can expedite the business of the Committee. 2:00 o'clock here on the House floor."

Speaker Braun: "Representative Kulas. Representative Kulas, I've just been advised that the Judiciary II Committee is scheduled for the House floor at that same time. Representative Cullerton."

Cullerton: "The Judiciary II Committee will not meet on the House floor. We will meet in Room D-1 when the Judiciary I Committee has completed their business. I also have a request to waive the posting for House Bill 2520, and I believe we have an agreement with the other side on that Bill. It was inadvertently not posted."

Speaker Braun: "Thank you. Representative Kulas, I'm sorry. For what purpose... with regard to Representative Koehler's Motion... Representative Deuchler's Motion... Representative Deuchler, your Motion required leave by the Attendance Roll Call, is leave granted? It's just to put two Bills in Interim Study. Leave is granted. Thank you. The Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Madam Speaker. I would like to pursuant to

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Rule 77 move to discharge the Committee on Human Services for consideration of House Bills 690 and place it in the Interim Study Calendar of that Committee."

Speaker Braun: "Representative Klemm, would you hold that Motion until tomorrow when the discharge Motions will be taken up?"

Klemm: "Well can't we... done it... I did check with the Chairman of the Committee and the Minority Speaker... or Minority Spokesperson who said they were going to do that at the time the Committee will not be meeting. I'd like to be sure that it's done today."

Speaker Braun: "Well, we have Committees to go into this afternoon. I've got a board lit up now. If we can hold that until tomorrow, I'd appreciate it. Thank you. The Gentleman from Cook, Representative Terzich."

Terzich: "Yes, Madam Speaker, the Executive Committee will meet immediately after adjournment. We just have maybe about a half-a-dozen Bills to be heard and that would be in Room 114. And at this time with agreement from the other side of the aisle I would like to waive the posting requirements for House Bill 1914 so it maybe heard in Executive."

Speaker Braun: "Does the Gentleman have leave? Leave is granted. The Gentleman from Cook, Representative Huff."

Huff: "Yes, Madam Speaker, I rise for the purpose of an announcement. The select Committee on Local School Districts Reorganization will meet in Room 122 immediately after adjournment."

Speaker Braun: "Thank you, Representative. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. One more Bill I forgot to indicate to the... to you that I wish to waive the posting, House Bill 1880, Judiciary II Committee."

Speaker Braun: "The Gentleman requests the posting requirements

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

waive for House Bill 1880, is leave granted? Leave is granted. And also House Bill 2520, is leave granted? The Gentleman from Cook, Representative White."

White: "Madam Speaker, I ask to waive the posting requirements so that House Bill 1714 can be heard in the Elementary, Secondary Education Committee today at 2:00 o'clock."

Speaker Braun: "The Gentleman asks that the posting requirements be waived on House Bill... Would you repeat that please?"

White: "1714. House Bill 1714."

Speaker Braun: "House Bill 1714."

White: "I spoke with the Chairman of the Committee and the Minority Spokesman, and they agreed to my request."

Speaker Braun: "The Gentleman has requested leave, is leave granted. Leave is being granted. Leave is granted. The Gentleman from Cook, Representative Levin."

Levin: "Madam Speaker, the House Committee on Public Utilities will meet tomorrow morning at 8:00 o'clock in Room 122-B. The recess meeting from Tuesday. If people can be their on time, we can get in and out fairly rapidly. Thank you."

Speaker Braun: "Thank you. The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Madam Speaker, the Elementary, Secondary Education Committee will meet at 2:00 o'clock this afternoon in C-1."

Speaker Braun: "The Gentleman from Jefferson, Representative Hicks."

Hicks: "Yes, Madam Speaker, I'd like leave after talking with the Chairman of the Committee, I'd like leave to have 1451... House Bill 1451 placed in Interim Study."

Speaker Braun: "The Gentleman asks for the Attendance Roll Call to place House Bill 1451 in Interim Study. Is that correct, Representative Hicks? 1451?"

Hicks: "Yes. Yes, Ma'am."

Speaker Braun: "Leave granted? Leave is granted. The Gentleman

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

from Cook, Representative Steczko."

Steczko: "Thank you, Madam Speaker. I would ask leave of the House to place House Bill 2279 on the Interim Study Calendar, please."

Speaker Braun: "Would you repeat that, please?"

Steczko: "I would ask leave of the House to place House Bill 2279 on the the Interim Study Calendar."

Speaker Braun: "The Gentleman has requested leave to place the above named Bill in Interim Study. Leave being granted."

Steczko: "2279."

Speaker Braun: "2279 in Interim Study. Leave is granted. The Lady from Cook, Representative Currie."

Currie: "Just to announce that the World's Fair Committee will meet tomorrow morning at 10:00 o'clock in Room 122-B."

Speaker Braun: "Thank you. The Gentleman from Cook, Representative Giglio."

Giglio: "Madam Speaker, Ladies and Gentlemen of the House, I would ask leave to put House Bill 1345 in Interim Study in the Election Committee."

Speaker Braun: "The Gentleman's requested leave to place House Bill 1345 in the Interim Study, leave granted? Leave being granted. The Gentleman from Cook, Representative Leverenz."

Leverenz: "Another favor. I would like to put in Interim Study House Bill 742 and 1753."

Speaker Braun: "The Gentleman has requested leave to place House Bill 742 and..."

Leverenz: "1753."

Speaker Braun: "1753 in Interim Study. Is leave granted? By the Attendance Roll Call, is leave granted? Leave being granted. Those Bills are in Interim Study. The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker, especially for the attention of

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

the Members of the Higher Education Committee, the recessed meeting from yesterday will convene again tomorrow morning at 10:00 o'clock in D-1. We have about six or eight Bills to consider."

Speaker Braun: "I would like to announce the discharge Motions should be filed today for hearing tomorrow. However, it's my understanding that they may be filed as late as tomorrow morning before Session... within 15 minutes of Session. So, if you have discharge Motions, file them today or within 15 minutes of Session tomorrow. Are there further announcements? The Gentleman from Cook, Representative Nash."

Nash: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The Committee on Registration and Regulation will meet at 11:00 a.m. tomorrow in Room 118. 11:00 a.m. Room 118. Committee on Registration and Regulation. Thank you."

Speaker Braun: "Any further announcements? There being none, Mr. Clerk, Agreed Resolutions... or, sorry, Representative Giorgi, Agreed Resolutions."

Clerk Leone: "House Resolution 322, McAuliffe; 324, Daniels; 325, Zwick - et al; 326, DeJaegher; 327, DeJaegher; House Joint Resolution 41, Panayotovich; and House Joint Resolution 42, Greiman."

Speaker Braun: "Representative Giorgi on the Agreed Resolutions."

Giorgi: "Madam Speaker, McAuliffe's 322 honors Mr. and Mrs. Duzansky. 324 by Daniels recognizes the Bensenville school district. Zwick's 325 notes a presidential trip. 326 by DeJaegher wishes Marie Saelens a happy birthday. 327 by DeJaegher a happy birthday. 41 by Panayotovich congratulates Mr. and Mrs. Pocerlich. And 42 by Greiman commends Harold Blechman. And I move for the adoption of the Agreed Resolutions."

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Speaker Braun: "The Gentleman has moved for the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'nay'. The 'ayes' have it. The Resolutions are adopted. Death Resolution."

Clerk Leone: "House Resolution 323, sponsored by Brookins - Washington, in the respect to the memory of Charles Armstrong."

Speaker Braun: "Representative Giorgi moves the adoption of the Death Resolutions. All in favor say 'aye', opposed 'nay'. The 'ayes' have it. The Resolution is adopted. Allowing the Clerk time for Perfunctory Session to read Committee Reports, Representative Giorgi moves we adjourn until tomorrow at 12:00 noon. Tomorrow at 12:00 noon. Have a fun Committee. All in favor say 'aye', opposed 'nay'. The 'ayes' have it. The House stands adjourned until 12:00 tomorrow. For what purpose does the Gentleman from Macon rise?"

Dunn: "For the purposes of an announcement, Madam Speaker. House Judiciary I Committee will convene immediately in Room D-1 of the Stratton Building and because a number of the Members of that Committee also serve on Judiciary II, which is not convening until after Jud I finishes, we urge everyone to be their promptly so we can leap into action and consider Members' Bills."

Speaker Braun: "Thank you, Representative. Any further announcements? There being none, we're adjourned until 12:00 o'clock tomorrow."

Clerk O'Brien: "Committee Reports. Representative Christensen, Chairman of the Committee on... Select Committee on Aging, to which the following Bills were referred, action taken May 1, 1985, reported the same back with the following recommendation: 'do pass' House Bill 1478; 'do pass as amended' House Bill 2273; 'Interim Study Calendar' House

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Bill 2078. Representative Richmond, Chairman of the Committee on Agriculture, to which the following Bills were referred, action taken April 30, 1985, reported the same back with the following recommendation: 'do pass' House Bills 2102 and 2278; 'do pass as amended' House Bill 1663; 'do pass Consent Calendar' House Bills 1956, 1958, 1962, 1969 and 2035; 'do pass as amended Consent Calendar' House Bill 1957; 'do pass as amended Short Debate Calendar' House Bill 2515; and 'Interim Study Calendar' House Bills 374, 1191, 1620, 1622 and 1709. Representative Preston, Chairman of the Committee on Consumer Protection, to which the following Bills were referred, action taken April 30, 1985, reported the same back with the following recommendations: 'do pass' House Bills 85, 1075, 1159, 1270, 1362 and 2139; 'do pass as amended' House Bill 1778 and 1953; 'do pass Consent Calendar' House Bills 1363, 1364, 1365, 1366 and 2129; 'do pass Short Debate Calendar' House Bill 1053 and 2420; 'do pass as amended Short Debate Calendar' House Bill 1421; 'tabled by Rule 26(d)' House Bill 29; and 'Interim Study Calendar' House Bills 697, 767, 1215, 1372, 1435, 1747, 1764, 1827, 2157 and 2242. Representative Steczo, Chairman of the Committee on Cities and Villages, to which the following Bills were referred, action taken April 30, 1985, reported the same back with the following recommendations: 'do pass' House Bills 1493 and 1504; 'do pass as amended' House Bill 1540; 'do pass Consent Calendar' House Bills 1079, 1585, 1587, 1670 and 1768; 'do pass as amended Consent Calendar' House Bill 775; 'do pass Short Debate Calendar' House Bills 344, 707, 1548, 1643, 1713, 1889, 1906, 2020, 2021, 2024, 2038, 2199 and 2303; 'do pass as amended Short Debate Calendar' House Bills 467, 904, 1106, 1126, 1129 and 2493; 'tabled by Rule 26(d)' House Bill 180; 'Interim Study Calendar' House Bills

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

546, 1541, 1676, 1721, 1729, 1731, 1987, 2001 and 2455. Representative Van Duyne, Chairman of the Committee on Counties and Townships, to which the following Bills were referred, action taken May 1, 1985, reported the same back with the following recommendations: 'do pass' House Bills 908, 1547, 2023, 2027, 2029, 2034, 2297, 2308, 2372 and 2382; 'do pass as amended' House Bills 1014, 1467, 1577, 1857, 2015 and 2026; 'Interim Study Calendar' House Bills 1017, 1180, 1244, 1934, 2235 and 2238. Representative Mulcahey, Chairman of the Committee on Elementary and Secondary Education, to which the following Bills were referred, action taken May 1, 1985, reported the same back with the following recommendations: 'do pass' House Bills 123, 450, 451, 768, 1006, 1031, 1491, 1858, 1859, 2062, 2158, 2165, 2167, 2202, 2275 and 2286; 'do pass as amended' House Bills 1815 and 893 (sic - 1893); 'do pass Short Debate Calendar' House Bills 973, 1289, 1458 and 2232; 'be adopted' House Joint Resolution 26, House Joint Resolution 27 and House Joint Resolution 28; 'Interim Study Calendar' House Bills 136, 988, 991, 1248, 1817, 1818, 1819, 1820, 1822, 1835, 1997, 2044, 2045, 2068, 2168, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2393. Representative Flinn, Chairman of the Committee on Financial Institutions, to which the following Bills were referred, action taken April 30, 1985, reported the same back with the following recommendations: 'Interim Study Calendar' House Bills 358, 785, 2071 and 2072. Representative Satterthwaite, Chairman of the Committee on Higher Education, to which the following Bills were referred, action taken May 1, 1985, reported the same back with the following recommendations: 'do pass' House Bills 1072, 1466, 1694, 1936, 2003, 2095, 23... 2099, 2226, 2274, 2349; 'do pass as amended' House Bill 861; 'Interim Study Calendar' House Bills 141, 585,

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

972, 1225, 1240, 1253, 1254, 1401, 1459 and 2468. Representative White, Chairman of the Committee on Human Services, to which the following Bills were referred, action taken April 30, 1985, reported the same back with the following recommendations: 'do pass' House Bills 347, 725, 1474, 1475, 1479, 1740, 1756, 1865, 1955, 1972, 1981, 2128, 2180 and 2498; 'do pass as amended' House Bills 1043, 1229, 1239, 1291, 1931, 2217 and 2452; 'do pass Consent Calendar' House Bills 951, 1618, 1638, 1654, 1655, 1930, 1938, 1947, 1971, 2113, 2189 and 2310; 'do pass as amended Consent Calendar' House Bills 895, 1703 and 1925; 'do pass Short Debate Calendar' House Bills 1476, 1599, 1657, 2104, 2185, 2245, 2247, 2262, 2263 and 2358; 'do pass as amended Short Debate Calendar' House Bills 1177, 1323; 'Interim Study Calendar' House Bills 488, 589, 698, 985, 1220, 1332, 1367, 1402, 1449, 1477, 1625, 1637, 1649, 1691, 1712, 1836, 1904, 1910, 1978, 2008, 2031, 2087, 2109, 2197, 2260... scratch that... 2236, 2246, 2305 and 2338. Representative Laurino, Chairman of the Committee on Insurance, to which the following Bills were referred, action taken April 30, 1985, reported the same back with the following recommendations: 'do pass' House Bills 1071, 1370, 1871, 2032, 2089, 2125, 2179, 2422 and 2443; 'do not pass' House Bill 154; 'do pass as amended' House Bills 782, 1334, 2414, 2444, 2445, 2446; 'do pass Consent Calendar' House Bill 1530; 'do pass Short Debate Calendar' House Bill 1284; 'tabled by Rule 26(d)' House Bill 458; 'Interim Study Calendar' House Bills 413, 817, 1196, 1271, 1408, 1689, 1788, 1988, 2315 and 2326. Representative Dunn, Chairman of the Committee on Judiciary I, to which the following Bills were referred, action taken May 1, 1985, reported the same back with the following recommendations: 'do pass' House Bills 907, 1112, 11... scratch that... 1213, 1265,

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

1355, 1446, 1486, 1510, 1553, 1566, 1578, 1624, 1636, 1648, 2084, 2138 and 2283; 'do pass as amended' House Bills 650, 755, 1198, 1945, 2006 and 2431; 'do pass Short Debate Calendar' House Bills 1267 and 1269; 'do pass as amended Short Debate Calendar' House Bill 1042; 'Interim Study Calendar' House Bills 148, 238, 498, 566, 1295, 1357, 1454, 1611, 1612, 1739, 1748, 1881, 1993, 2227, 2254 and 2294. Representative Keane, Chairman of the Committee on Revenue, to which the following Bills were referred, action taken May 1, 1985, reported the same back with the following recommendation: 'Interim Study Calendar' House Bills 189, 844, 845, 875, 878, 1878, 1893, 2000, 2253, 2293 and 2385.

Representative Ronan, Chairman of the Committee on Transportation and Motor Vehicles, to which the following Bills were referred, action taken April 30, 1985, reported the same back with the following recommendations: 'do pass' House Bills 209, 397, 86, 1140, 1279, 1341, 1371, 1502, 1687, 1763, 1769, 1780, 1845, 1868, 1869, 1901, 1921, 1944, 1974, 2011, 2337, 2350, 2399, 2419, 2449, 2517; 'do pass as amended' House Bills 819, 837, 1833, 1980 and 2196; 'do pass as... do not pass as amended' House Bill 149; 'be adopted' House Joint Resolution 32; 'Interim Study Calendar' House Bills 106, 379, 565, 700, 756, 859, 931, 1069, 1078, 1294, 1325, 1327, 1384, 1465, 1503, 1512, 1521, 1572, 1581, 1583, 1590, 1771, 1773, 1779, 2114, 2123, 2137, 2333, 2479, 2480, 2481, 2482 and 2483. Representative Yvetter Younger, Chairman of the Committee on Urban Development, to which the following Bills were referred, action taken April 30, 1985, reported the same back with the following recommendation: 'do pass' House Bills 1228, 1699 and 2187; 'do pass as amended' House Bill 1233. Representative Yvetter Younger, Chairman of the Committee on Urban Development, to which the following Bills were

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

referred, action taken May 2, 1985, reported the same back with the following recommendations: 'do pass' House Bills 317, 330, 1238; 'Interim Study Calendar' House Bill 1823. Perfunctory Session will now stand at ease until after the Committee meeting."

Clerk Leone: "House will be back in Session. Committee Reports. Representative Leverenz, Chairman from the Committee on Appropriation I, to which the following Bills were referred, action taken May 2, 1985 and reported the same back with the following recommendations: 'do pass' House Bills 526, 946, 947, 1736, 1737, 1777 and 2456; 'do pass as amended' House Bills 583, 666, 673, 2470. Representative Rea, Chairman from the Committee on Select... on Economic Development, to which the following Bills were referred, action taken May 2, 1985 and reported the same back with the following recommendations: 'do pass' House Bills 1250 and 1801; 'do pass as amended' House Bills 1886 and 2220; 'Interim Study Calendar' House Bills 2037, 2284, 2325 and 2331. Representative Alexander, Chairman from the Committee on Elections, to which the following Bills were referred, action taken May 1, 1985 and reported the same back with the following recommendations: 'do pass' House Bills 574, 925, 1424, 1539 and 2249; 'do not pass' House Bill 1673; 'do pass as amended' House Bills 481, 483, 2378, 2412; 'do pass Short Debate Calendar' House Bills 1109, 1187, 1804, 1806, 1813, 2096, 2097, 2184, 2408; 'tabled by Rule 26(d)' House Bill 127; 'Interim Study Calendar' House Bills 533, 788, 871, 1209, 1391, 1421, 1422, 1423, 1425, 1426, 1427, 1586, 1623, 1710, 1802, 1805, 1807, 1808, 1809, 1810, 1811, 2170, 2268, 2307, 2405, 2411, 2478. Representative Mulcahey, Chairman from the Committee on Elementary and Secondary Education, to which the following Bills were referred, action taken May 2, 1985 and reported

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

the same back with the following recommendations: 'do pass' House Bills 2115, 2160, 2166, 2188, 2195, 2219; 'do pass as amended' House Bills 1256 and 1741; 'do pass Consent Calendar' House Bill 2255; 'Interim Study Calendar' House Bill 1029, 1723, 2058, 2193, 2270 and 2271. Representative Kulas, Chairman from the Committee on Energy Environment and Natural Resources, to which the following Bills were referred, action taken May 1, 1985 and reported the same back with the following recommendations: 'do pass' House Bills 839, 1214, 1436, 1717, 1828, 1848, 1849, 1850, 1933, 1934, 1935, 1939, 1943, 2017, 2036, 2060, 2061, 2250, 2261, 2266, 2383; 'do pass as amended' House Bills 1000, 1045, 1047, 1598, 2022; 'Interim Study Calendar' House Bills 91, 339, 790, 1046, 1060, 1243, 1380, 1386, 1490, 1563, 1992, 1995, 2018, 2019, 2073 and 2124. Representative John Dunn, Chairman from the Committee on Judiciary I, to which the following Bills were referred, action taken May 2, 1985 and reported the same back with the following recommendations: House Bills 1797, 2206, 2306, 2336; 'do pass as amended' House Bills 474, 1963, 2290, 2369; 'do pass Consent Calendar' House Bill 1299; 'Interim Study Calendar' House Bill 438, 738, 1416, 1790, 2092, 2204. Representative Cullerton, Chairman from the Committee on Judiciary II, to which the following Bills were referred, action taken May 1, 1985 and reported the same back with the following recommendations: 'do pass' House Bills 410, 452, 504, 505, 536, 760, 1767, 2106, 2276, 2328, 2368; 'do pass as amended Consent Calendar' House Bill 354, 975; Interim Study Calendar' House Bills 74, 297, 535, 836, 1738 and 1994. Representative Cullerton, Chairman from the Committee on Judiciary II, to which the following Bills were referred, action taken May 2, 1985 and reported the same back with the following recommendations:

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

'do pass' House Bills 231, 484, 797, 834, 841, 1567, 1614, 1916, 1917, 1918, 2108, 2162, 2413; 'do pass Short Debate Calendar' House Bills 1565 and 1890; 'Interim Study Calendar' House Bills 924, 926, 1266, 1457, 1720, 1954, 2164, 2330, 2389 and 2409. Representative Farley, Chairman from the Committee on Labor and Commerce, to which the following Bills were referred, action taken May 1, 1985 and reported the same back with the following recommendations: 'do pass' House Bills 387, 1033, 1262, 1263, 1324, 1342, 1448, 1529, 1665, 2391, 2473 and 2512; 'do pass as amended' House Bills 346, 791, 1531; 'Interim Study Calendar' House Bills 7, 119, 186, 395, 396, 407, 517, 684, 723, 752, 784, 863, 937, 996, 1019, 1121, 1128, 1261, 1264, 1276, 1309, 1344, 1400, 1494, 1495, 1497, 1498, 1499, 1501, 1591, 1592, 1593, 1662, 1666, 1732, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1864, 1867, 1888. Correction. 1887, 1888, 1891, 1923, 2033, 2055, 2056, 2145, 2146, 2152, 2335, 2363, 2390, 2474, 2514. Representative Huff, Chairman from the Committee... Select Committee on Local School District Reorganization, to which the following Bills were referred, action taken May 2, 1985 and reported the same back with the following recommendations: 'do pass' House Bill 200 and 290; 'do pass as amended' House Bills 617, 685, 935, 2009. Representative Wolf, Chairman from the Committee on Personnel and Pensions, to which the following Bills were referred, action taken May 1, 1985 and reported the same back with the following recommendations: 'do pass' House Bill 76, 717, 2348; 'do pass as amended' House Bill 910, 1445, 1667; 'do pass as amended Consent Calendar' House Bill 963, 1966; 'do pass Short Debate Calendar' House Bill 1306; 'Interim Study Calendar' House Bills 15, 22, 42, 58, 59, 61, 67, 70, 77, 92, 95, 96, 97, 98, 114, 133, 161, 162, 165, 166, 173, 174, 183, 184, 185, 187, 213, 254, 327, 352,

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

355, 361, 363, 416, 441, 494, 502, 541, 547, 549, 551, 581, 628, 633, 634, 642, 643, 708, 727, 728, 729, 762, 763, 798, 806, 812, 911, 969, 970, 1041, 1049, 1092, 1107, 1124, 1138, 1139, 1149, 1150, 1199, 1200, 1296, 1297, 1428, 1444, 1452, 1538, 1626, 1629, 1630, 1631, 1644, 1668, 1669, 1757, 1799, 1853, 1870, 2059, 2069, 2070, 2075, 2090, 2200, 2265 and 2267. Representative Nash, Chairman from the Committee on Registration and Regulation, to which the following Bills were referred, action taken May 1, 1985 and reported the same back with the following recommendations: 'do pass' House Bills 1743, 1915, 1929, 1949, 2093, 2190, 2400, 2426, 2427, 2442; 'Interim Study Calendar' House Bills 233, 523, 524, 557, 690, 745, 866, 877, 967, 1320, 1348, 1390, 1483, 1634, 1761, 1784, 1863, 2194, 2295, 2296 and 2323. Representative Bullock, Chairman from the Committee on Government... State Government Administration and Regulatory Review, to which the following Bills were referred, action taken May 1, 1985 and reported the same back with the following recommendations: 'do pass' House Bills 903, 1026, 1059, 1246, 1496, 1500, 1555, 1641, 1950, 1951, 1970, 1977, 2054, 2182, 2213, 2241, 2281, 2432; 'do pass as amended' House Bills... House Bill 2311; 'do pass amended Short Debate Calendar' House Bill 2352; 'Interim Study Calendar' House Bills 687, 713, 868, 1245, 1579, 1942, 2042, 2116, 2141, 2257, 2289, 2313, 2373, 2471. Representative Hannig, Chairman from the Committee on Select Committee on Veterans' Affairs, to which the following Bills were referred, action taken May 2, 1985 and reported the same back with the following recommendations: 'do pass Consent Calendar' House Bill 957, 2428; 'do pass amended Short Debate Calendar' House Bill 2429. Representative Mulcahey, Chairman from the Committee on Elementary and Secondary Education, to which the following

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

Bills were referred, action taken May 2, 1985 and reported the same back with the following recommendations: House Bills 320, 1086, 1252, 1493, 1528, 1714; 'do pass as amended' House Bill 62, 90, 514, 982, 1037, 1038, 1232, 2387; 'Interim Study Calendar' House Bills 45, 230 and 1570. ...with the reading of Committee Reports. Representative Kulas, Chairman from the Committee on Energy Environment and Natural Resources, to which the following Bills were referred, action taken May 2, 1985 and reported the same back with the following recommendations: 'do pass' House Bills 2251, 2351, 2450 and 2487; 'do pass as amended' House Bills 849, 1377, 1774, 2147, 2418, 2439, 2518 and 2519; 'Interim Study Calendar' House Bills 1522, 1735, 1861, 2122, 2142, 2172, 2215, 2252 and 2324. Representative Terzich, Chairman from the Committee on Executive, to which the following Bills were referred, action taken May 1, 1985 and reported the same back with the following recommendations: 'do pass' House Bills 1010, 1118, 1217, 1338, 1353, 1472, 1558, 1770, 2074, 2175 and 2485; 'do pass as amended' House Bills 240, 1218, 1589; 'do pass Consent Calendar' House Bills 2523; 'do pass Short Debate Calendar' House Bill 799, 850, 1044, 1058, 1142, 1216, 1285, 1301, 1382, 1571, 1582, 1645, 1718, 1755, 1785, 1924, 1928, 1952, 1959, 1961, 1967, 1973, 19... Correction. 2039, 2067, 2135, 2302, 2415, 2434, 2436, 2440, 2454, 2485, 2511, 2522, 2525; 'do pass amended Short Debate Calendar' House Bill 608, 1545; 'tabled in Committee' House Bill 2497; 'Interim Study Calendar' House Bills 193, 475, 476, 477, 478, 1120, 1351, 1726, 2143, 2176, 2258, 2304, 2312, 2332, 2362 and 2461. Representative Terzich, Chairman from the Committee on Executive, to which the following Bills were referred, action taken May 2, 1985 and reported the same back with the following recommendations: 'do pass'

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

May 2, 1985

House Bills 1523, 1884, 1912, 2362; 'do pass as amended' House Bills 1468 and 1914; 'Interim Study Calendar' House Bills 614, 942, 2354, 2410 and 2493. Representative Keane, Chairman from the Committee on Revenue, to which the following Bills were referred, action taken May 2, 1985 and reported the same back with the following recommendations: 'do pass' House Bills 153, 198, 251, 255, 350, 447, 495, 833, 869, 885, 1127, 1130, 1136, 1378, 1518, 1746, 1975 and 2384; 'do pass as amended' House Bills 18, 34, 341, 618, 811, 879; 'do pass Short Debate Calendar' House Bills 421, 422, 496, 601, 710, 733, 880, 899, 900, 1008, 1104, 1147; 'do pass amended Short Debate Calendar' House Bills 313, 437 and 538; 'Interim Study Calendar' House Bills 32, 179, 189, 424, 427, 439, 632, 649, 759, 766, 844, 845, 846, 878, 977, 980, 1089, 1273, 1274, 1310, 1321, 1329, 1442, 1461, 1481, 1485, 1546, 1549, 1569, 1690, 1837, 1878, 1975, 1985, 1986, 2057, 2163, 2233, 2293 and 2385. Being no further business, the House will now stand adjourned until May 3 at 12:00 noon."

08/13/85
10:38

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 1

MAY 02, 1985

HB-0036	THIRD READING	PAGE	52
HB-0047	THIRD READING	PAGE	2
HB-0050	THIRD READING	PAGE	14
HB-0051	THIRD READING	PAGE	20
HB-0052	THIRD READING	PAGE	26
HB-0053	THIRD READING	PAGE	31
HB-0190	THIRD READING	PAGE	3
HB-0196	THIRD READING	PAGE	5
HB-0208	THIRD READING	PAGE	52
HB-0260	THIRD READING	PAGE	52
HB-0261	THIRD READING	PAGE	52
HB-0262	THIRD READING	PAGE	53
HB-0263	THIRD READING	PAGE	53
HB-0264	THIRD READING	PAGE	53
HB-0265	THIRD READING	PAGE	53
HB-0266	THIRD READING	PAGE	53
HB-0267	THIRD READING	PAGE	53
HB-0268	THIRD READING	PAGE	53
HB-0269	THIRD READING	PAGE	53
HB-0270	THIRD READING	PAGE	53
HB-0272	THIRD READING	PAGE	53
HB-0275	THIRD READING	PAGE	53
HB-0276	THIRD READING	PAGE	53
HB-0277	THIRD READING	PAGE	53
HB-0278	THIRD READING	PAGE	53
HB-0279	THIRD READING	PAGE	53
HB-0280	THIRD READING	PAGE	53
HB-0281	THIRD READING	PAGE	53
HB-0282	THIRD READING	PAGE	53
HB-0368	THIRD READING	PAGE	53
HB-0626	THIRD READING	PAGE	6
HB-0639	THIRD READING	PAGE	10
HB-0705	THIRD READING	PAGE	12
HB-0706	THIRD READING	PAGE	53
HB-0711	THIRD READING	PAGE	38
HB-0809	THIRD READING	PAGE	53
HB-0944	THIRD READING	PAGE	53
HB-0986	THIRD READING	PAGE	54
HB-1103	THIRD READING	PAGE	54
HB-1137	THIRD READING	PAGE	54
HB-1175	THIRD READING	PAGE	54
HB-1292	THIRD READING	PAGE	54
HB-1335	THIRD READING	PAGE	54
HB-1356	THIRD READING	PAGE	54
HB-1358	THIRD READING	PAGE	54
HB-1393	THIRD READING	PAGE	54
HB-1394	THIRD READING	PAGE	54
HB-1410	THIRD READING	PAGE	54
SB-0097	FIRST READING	PAGE	2
SB-0339	FIRST READING	PAGE	2

SUBJECT MATTER

HOUSE TO ORDER - REPRESENTATIVE MCPIKE	PAGE	1
PRAYER - FATHER JOE MOLLOY	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
MESSAGE FROM SENATE	PAGE	1
REPRESENTATIVE BRAUN IN CHAIR	PAGE	2
AGREED RESOLUTIONS	PAGE	60
DEATH RESOLUTION	PAGE	61
ADJOURNMENT	PAGE	61
PERFUNCTORY SESSION	PAGE	61
COMMITTEE REPORTS	PAGE	61

08/13/85
10:38

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 2

MAY 02, 1985

SUBJECT MATTER

PERFUNCTORY SESSION - ADJOURNMENT

PAGE 71