

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

May 12, 1987

Speaker Braun: "The House will be in order. The Members will be in their chairs. The Chaplain for today will be Father Donald Meehling, Pastor, St. Margaret Mary's Catholic Church of Granite City. Father Meehling is a guest of Representative John Dunn. The guests in the gallery may wish to rise for the invocation. Father Meehling."

Father Meehling: "Let us pray. Almighty and gracious Father of us all, amid the charges and counter-charges of dishonesty, fraud and promiscuity so current in local and national news in both religious and governmental bodies, in a world so manifestly out of touch with the eternal and lasting values and virtues that You have come to teach, we now come to convene this Legislative Body with prayer to remind us that it is goodness and excellence, propriety and decency that remain forever, the envy, the desire and the longing of every human heart. Dear Lord, make us, in our deliberations, examples of that righteousness, we pray. Renew us in our weakness, refresh us in our desert. Enable us in our aspirations and enable us in our pursuits. Make us men and women, representative of all that is best in human endeavor, seeking always the highest of goals, confident of Your merciful forgiveness and aware of Your abundant grace for the future. Deliver us from cynicism and exaggerated self interest, inspire in us renewed greatness in Your image and likeness that we may better use the time, talent and treasure which You have entrusted to our stewardship during our all too brief journey across this stage of earthly life. Lord, we ask You to bless in a special way this great keystone state of Illinois which holds much of this nation together in a unique and special way, its Governor, its lawmakers and all its citizens with Your divine guidance that together we may indeed do

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something really great for Your Name and for our nation and for the world. May all our thoughts, words and actions of this deliberation tend purely and solely to the service of Your divine majesty for in doing so, they will best attend to the needs of all Your people. You await alone our cooperation added to Your goodness that together something good can happen for us all. we resolve today to make ever more perfect our contribution to this infallible formula for success. Glory, glory to God in the highest. Amen."

Speaker Braun: "We will be led in the Pledge of Allegiance today by Representative Stern."

Stern - et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

Speaker Braun: "Roll Call for Attendance. Excused absences."

Matijevich: "Madam Speaker, there are none on this side of the aisle. Thank you."

Speaker Braun: "Thank you. Representative Piel."

Piel: "Yes, would the record show that Representative Tuerk and Representative Cowlshaw are excused for medical reasons."

Speaker Braun: "There being 116 Members in attendance, a quorum is present. On page 4 of the Calendar, on the Order of House Bills Second Reading Short Debate appears House Bill 2085. Representative Wojcik. Representative Wojcik. Out of the record. House Bill 2090, Representative Younge. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2090, a Bill for an Act to provide for a bicentennial celebration. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

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Clerk O'Brien: "Floor Amendment #3..."

Younge: "Madam Speaker..."

Speaker Braun: "Representative Younge."

Younge: "I would like to table Amendment #1 that was adopted in Committee. It was my Amendment."

Speaker Braun: "The Lady moves to table Amendment 1 to House Bill 2090. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is tabled. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative McCracken."

Speaker Braun: "The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. I move the adoption of Amendment #3. It requires a property tax be levied in order to pay for the expenses of the bicentennial."

Speaker Braun: "The Lady... the Gentleman has moved the adoption of Amendment #3. Is there any discussion? The Chair recognizes the Gentleman from... the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, Madam Speaker, it's... I rise in opposition to the Amendment. The... I really don't know how much the... I really don't know how much money this bicentennial celebration will cost, but I think we have a long history in the state of spending state money for certain projects that are local in nature. You know, we spend money to send a certain high school band to the Olympics or we spend money for... to send a championship team to compete somewhere else and I think it's more along those lines. I think to have an Amendment that attempts to require a property tax in St. Clair County to pay for the celebration in 1988, 1989 and 1990 is... well, almost not really offered in good faith - almost. I'm sure it was

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intended to be in good faith, but it borders on perhaps not being in good faith because it would impose a property tax for the years 1988, '89 and '90. Now, as I understand the Bill, the Bill creates an Act to prepare, plan and implement a bicentennial celebration in St. Clair County, Illinois, and it would create the St. Clair Bicentennial Commission to make preparations for the celebration. A number of years ago when we had these people down here asking that we have a world's fair in Chicago, they were attempting to use a lot of state money to finance that project, and of course, it was not passed, but it wasn't because of that... there weren't... no one ever suggested that there be a property tax imposed just in Chicago to pay for the world's fair. So, I think that this Amendment should probably be defeated and I'm sure that the Sponsor, Representative Younge, is probably opposed to this Amendment and I would join her in opposition."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from St. Clair, Representative Stephens."

Stephens: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. As a resident of St. Clair County, I'm a little torn on which direction to go here. Obviously, we don't wish to raise our property taxes in St. Clair County. They are already bad enough. We have unfair assessment on top of the unfair system of property tax. The fact is that we'd like to celebrate this event and I think the history of St. Clair County proves that we've got an ability to celebrate and commission ourselves, if we wish. I... Although I'm sure that this Amendment would destroy the Bill, I have mixed emotions on whether I want to destroy the Bill this way and let St. Clair County residents... one of the many counties in the state that want to celebrate

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the bicentennial celebration in some manner, but we don't need to raise our property taxes. So, I'm not sure which direction to go. I think what I am going to do is vote 'no' on the property tax and then 'no' on the Bill. So, I would urge all the counties in Illinois to celebrate this bicentennial but not to come to the State of Illinois and ask State Government to fund it. So, I would urge a 'no' vote on this Amendment."

Speaker Braun: "Is there further discussion? The Chair recognizes the Lady from St. Clair, Representative Younge."

Younge: "Thank you very much, Madam Speaker. I, too, urge everybody to vote 'no' on Amendment #3 for the reason that it would attempt to impose a property tax for the celebration of the bicentennial for St. Clair County. St. Clair County has never asked for any funds for promotions of its festivals or fairs and it is the oldest county in the state, having been formed in 1790, and it is absurd to file an Amendment asking for a property tax for these purposes and I ask everyone to vote 'no' for those reasons."

Speaker Braun: "Is there further discussion? The Gentleman from Kane... Representative Kirkland, did your light just go on?"

Kirkland: "It's on."

Speaker Braun: "Representative Young has already closed on this matter. Oh, okay, the Gentleman from Kane, Representative Kirkland."

Kirkland: "Just a clarification. The Amendment doesn't require that a property tax be levied, but it gives the county the option to have the property tax, to levy it and although we have passed Bills to pay for bands going to various places, I don't think that those are the actions that we should be particularly proud of or continue. So, it doesn't require

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the tax, but I think it gives the county one other opportunity, assuming the state money isn't there, to raise the money for the bicentennial celebration. Therefore, I support the Amendment."

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

McCracken: "Thank you, Madam Speaker. I echo the remarks of Representative Kirkland. At a time when the Governor of this state has said that we need a tax increase, at a time when revenues appear to be short, at a time when both Appropriations Committees of this House are passing out '87 Fiscal Year budgets, I think giving this option to the St. Clair Bicentennial Commission is a wise thing to do. The Ag Premium Fund, for years, has been short and has had to be replenished from other sources. This will be another drain on that fund, and I think that giving this option to St. Clair, in order to assure that it will be able to hold this bicentennial celebration, is not imprudent and not unfair."

Speaker Braun: "The Gentleman has moved the adoption of Floor Amendment #3. All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted? Have all voted who wish? Have all voted who wish? For what reason does the Gentleman from Macon, rise? Representative Tate. On this question there are 69 voting 'no', 45 voting 'aye' and 1 voting 'present'. The Amendment is defeated. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. Ladies and Gentlemen, in the interest of making this process work and being courteous to one another and speeding this process along and in fairness, I would ask that everyone keep your remarks as succinct and to the point as possible. We have an awful

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lot of Bills to get through today and we need to move expeditiously to consider them all. On the Calendar, House Bill 2113, Representative Bowman. Mr. Clerk, read the Bill. Representative Bowman, a request for a fiscal note has been filed."

Bowman: "Madam Speaker, I believe that request to be dilatory. All the underlying Bill seeks to do is to permit Amendments to be filed to complaints pending before the Human Rights Commission. I would move that the Fiscal Note Act does not apply."

Speaker Braun: "Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2113, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. Amendment 11 was adopted in Committee."

Speaker Braun: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "The Gentleman has moved that the Fiscal... under Rule 43, that the Fiscal Note Act does not apply. All in favor... On that, is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Mr... Madam Speaker, the fact of the matter is that the Bill would affect the procedures employed before the Human Rights Commission. It would permit Amendments to complaints under that Act. It would allow Amendments reasonably related to the initial charge, including allegations of retaliation. The original Bill sought to strike existing provisions permitting discovery depositions only upon leave of the hearing officer. That Amendment adopted in Committee replaced that. There clearly is a fiscal impact to this Bill and if the Gentleman wishes to obviate the rules and use the strength of the Majority to get around a reasonable rule, then I suppose that's what he'll have to do. I stand in opposition to the Motion."

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Speaker Braun: "Any further discussion? There being none, the question is, 'Is the Fiscal Note Act inapplicable?' All in favor say 'aye', opposed say 'nay'. All in favor vote 'aye', opposed vote 'no'. Have all voted? For what reason does the Gentleman from Winnebago, Representative Hallock, rise?"

Hallock: "Well, Madam Speaker, to explain my vote. First of all, it's very clearly an assumption that's logical that many times when you change state Statute there is going to be a cost involved in that. Secondly, if the Majority wants to now start maintaining a posture that the fiscal note doesn't apply whenever they choose to have it not apply, you're really deleting the impact of the Fiscal Note Act. I would suggest that you review your thought on this measure, file the fiscal note and let's move ahead."

Speaker Braun: "Have all voted? Have all voted who wish? On this question there are 66 voting 'yes', 47 voting 'no' and the Motion prevails. Further Motions?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2114, Representative Bowman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2114, a Bill for an Act to amend the Hearing Aids Consumer Protection Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Representative Bowman, a Fiscal Note request has been filed."

Bowman: "Madam Speaker..."

Speaker Braun: "The Gentleman from Cook."

Bowman: "Thank you. I will not make the same Motion in this

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instance because I happen to believe that it is... that there will be a fiscal impact, unlike the preceding Bill, so that it's not dilatory in that respect; however, I have not received a notification from the Clerk that a fiscal note has been requested. And I would just like to state for the record that what the Republicans are doing is filing these fiscal note requests at the last minute to make it impossible for people to move their Bills and impossible for them to get fiscal notes in a timely fashion because the requests are not made until the last minute."

Speaker Braun: "The Bill will remain on the Order of Second Reading. House Bill 2123, Representative Hoffman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2123, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions or no Floor Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2162, Representative Hasara. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2162, a Bill for an Act to amend Sections of the Child Care Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2166, Representative Flinn. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2166, a Bill for an Act to amend the Illinois Credit Union Act. Second Reading of the Bill. No

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Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2201, Representative Ronan. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2201, a Bill for an Act to amend the Boat Registration and Safety Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "Gentleman from Cook on Amendment #1."

Ronan: "Thank you, Madam Speaker, Members of the House. Floor Amendment #1 is a technical Amendment. It's a clean up Amendment."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1. On that, is there any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 2185, Representative Flowers. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2185, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2203, Representative Hannig. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2203, a Bill for an Act to amend the Fish Code. Second Reading of the Bill. Amendment #1 was

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adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2206, Representative Young. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 20..."

Speaker Braun: "No, out of the record. Out of the record. 2226, Representative Olson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2226, a Bill for an Act to amend the State Printing Contracts Act. Second Reading of the Bill."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Committee Amendments, no Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2230, Representative Petka. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2230, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. 2239, Representative Hasara. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2239, a Bill for an Act in relation to copies of court orders sent to the circuit clerk. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2269, Representative Richmond. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2269, a Bill for an Act to amend the Illinois Farm Development Act. Second Reading of the Bill. No Committee Amendments."

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Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Gentleman from Jackson, Representative Richmond."

Richmond: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #1 to House Bill 2269 makes a minor change in the provision of transferring the... the necessary transfers to the Illinois Farm and Agri-business Loan Guarantee Fund as directed by the Governor."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1. On that, is there any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. 2328, Representative Parke. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2328, a Bill for an Act to amend the Drug Paraphenalia Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2332, Representative McAuliffe. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2332, a Bill for an Act to amend the Professional Boxing and Wrestling Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Gentleman from Cook, Representative

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McAuliffe."

McAuliffe: "Madam Speaker, Ladies and Gentlemen of the House, Floor Amendment #1 simply allows occupational therapists to practice their profession while their license is being printed. It also adds an immediate effective date to the Bill."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1 to House Bill 2332. On that, is there any discussion? The Chair recognizes the Gentleman from Fulton, Representative Homer."

Homer: "Madam Speaker, has that Amendment been printed and distributed?"

Speaker Braun: "Mr. Clerk? No, it has not."

Homer: "Let's take it out of the record, Madam Speaker."

Speaker Braun: "Representative McAuliffe."

McAuliffe: "It has been printed."

Speaker Braun: "Representative McAuliffe, will you take this out of the record?"

McAuliffe: "Sure."

Speaker Braun: "Thank you. Out of the record. House Bill 2339, Representative Kirkland. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2339, a Bill for an Act providing for a patient travel trust fund. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2353, Representative McGann. Representative McGann. Out of the record. House Bill 2363, Representative Stange. Is the Gentleman in the chamber? Out of the record. House Bill 2406, Representative DeJaegher. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 2406, a Bill for an Act to create the Quad-Cities Development Authority. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House bill 2407, Representative Wait. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2407, a Bill for an Act to amend an Act in relation to enterprise zones. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Chair recognizes the Gentleman from Boone."

Wait: "Yeah, Madam Chairman, this is just a technical Amendment to correct one of the words from 'designating' to 'designation' on that. I'd move for its passage."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 2414, Representative Kubik. Out of the record. House Bill 2477, Representative Homer. Out of the record. House Bill 2493, Representative Curran. Representative Curran. Out of the record. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2493, a Bill for an Act to amend an Act creating the Illinois Department of Veterans Affairs. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Chair recognizes the Gentleman from... is the Gentleman from Kankakee here, Representative Pangle? Representative Curran, what is your pleasure? Representative Pangle is not on the floor. He has filed an Amendment, Floor Amendment #1."

Curran: "Like to table Amendment #1. Move the Bill to Third Reading. We'll bring it back if necessary."

Speaker Braun: "Gentleman has moved to table Floor Amendment #1. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is tabled. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 2508, Representative Curran... Currie. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2508, a Bill for an Act to amend the Metropolitan Fair and Exhibition Authority Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2510, Representative Johnson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2510, a Bill for an Act relating to county jails. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill... the Gentleman from Champaign, Representative Johnson."

Johnson: "Yeah, I was in error. I thought the Amendment had been prepared for that so can I return it to Second Reading and take it out of the record? With leave?"

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Speaker Braun: "Leave. The Gentleman has requested leave to return this Bill to the Order of Second Reading and take it out of the record. Leave is granted. House Bill 2511, Representative Hasara. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2511, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2516, Representative LeFlore. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2516, a Bill for an Act to amend an Act in relation to rehabilitation of disabled persons. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Flowers and LeFlore."

Speaker Braun: "The Lady from Cook, Representative Flowers."

Flowers: "Madam Speaker, I would like to table Amendment #1, please."

Speaker Braun: "Lady moves to table Amendment #1... the Lady withdraws Amendment #1. Mr. Clerk, has the fiscal note been filed? Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Flowers and LeFlore."

Speaker Braun: "The Lady from Cook."

Flowers: "Amendment #2 directs the Department to establish procedures in which providers may have housekeeping services and I would move for the adoption of Amendment #2."

Speaker Braun: "The Lady moves the adoption of Amendment #2 to House Bill 2516. On that, is there any discussion? There being none, the question is, 'Shall Amendment #2 be

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adopted?" All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Representative Flowers, there has been a request for a fiscal note."

Flowers: "I'll take care of it. Thank you."

Speaker Braun: "The Bill will remain on the Order of Second Reading. House Bill 2533, Representative DeLeo. Representative DeLeo. Out of the record. House Bill 2555, Representative DeJaegher. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2555, a Bill for an Act to amend the Illinois Development Finance Authority Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments."

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2559, Representative Barnes. Representative Barnes, has the fiscal note been filed on this?"

Clerk O'Brien: "No, it has not."

Speaker Braun: "Out of the record. House Bill 2583, Representative Daley. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2583, a Bill for an Act to amend the Code of Criminal Procedures. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Ewing and Countryman."

Speaker Braun: "The Gentleman from Livingston, Representative Ewing on Amendment #1."

Ewing: "Madam Speaker, Ladies and Gentlemen of the House, Amendment 1 is a provision that was considered earlier this Session and deals with the venue and the need to... for a

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prosecutor in a trial to prove that a crime happened in a certain county. This is a matter which has been considered by this General Assembly before. In fact, we have provisions in the Statute which already say that the place of trial shall be in the county where the offense was committed. All objections to improper place of venue are waived unless made before trial, but unfortunately, the Appellate Courts have not considered that, have not taken that into consideration in some of their decisions. So, this Amendment would again reiterate the will of this General Assembly as stated in the Statute that I just referred to; that's Section 1.6 of Chapter 38, that the county in which an offense is committed should not be a subsidy right but a procedural right. And there have been some rather grotesque results from criminal trials where the Appellate Court has allowed convicted criminals to go free because the state failed to prove the county in which the offense occurred. This Amendment would rectify that situation. This is particularly prevalent in sex crimes against young people and I think, Ladies and Gentlemen, that the people back home are tired of criminals getting off on technicalities. This would help close that loophole and I would ask for your favorable vote."

Speaker Braun: "The Gentleman has moved the... the adoption of Floor Amendment #1. On that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Young."

Young: "Thank you, Madam Chairman. Would the Sponsor yield?"

Speaker Braun: "He indicates he will."

Young: "Representative, was this Amendment a Bill earlier during the Session?"

Ewing: "Yes, it was."

Young: "And did this Bill have a full and fair hearing in

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Committee?"

Ewing: "It had a full hearing."

Young: "And it was the opinion of the Committee that this Bill should be voted down in Committee, wasn't it?"

Ewing: "The Committee did not pass the Bill out."

Young: "Thank you, Madam... Mr. Ewing and Madam Speaker, to the Bill... or to the Amendment, I would just urge the Body to recognize that this Bill was, in fact, heard in Committee. It was defeated in Committee and it should not be tacked on to another Representative's Bill. I urge your 'no' vote."

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

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. My name appears in this Amendment and it was through some clerical error that it is on this Amendment. I do not support this Amendment and Representative Ewing knows that. When it came before the Committee, I did not support it as a Bill in the Committee and I don't support it here on the floor as an Amendment. I believe that Representative Ewing has good intentions and good motives, but I have read the cases in which he has talked about and I think that what happened in those cases is the prosecutor made a simple mistake. I think venue is a very important part of the process of criminal justice in this state. I think venue as a material element of an offense is something that has been there for hundreds of years. Prosecutors don't have any problem with it. They prove it every day. And because we have one or two cases in this state where somebody makes a mistake, and believe me, when I read those cases, I don't really think it was that mistake. I think what happened was the court was looking

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for a way out in those cases and it used venue as a way out. I don't think this venue problem is a large problem and anyway, I think it raises more problems if it were passed into legislation because I think it would raise questions of when double jeopardy attaches, where a prosecution can take place. It shifts the burden, in my mind, from the prosecution of the defendant. The defendant must, in derogation to his Fifth Amendment rights, come forward and say, 'This event didn't occur in LaSalle County. It occurred in DeKalb County,' and that's something the defendant shouldn't have to do. We have lived with this system for 150 years and I think it's been a fine system and I don't think there is any reason to change it. And therefore, I'd urge you to vote against this Amendment."

Speaker Braun: "There is further discussion requested on this Amendment, but we have six people waiting to speak. This is a Bill on Short Debate and without abrogating anyone's rights, I would ask the Members to please keep your comments as succinct and to the point as you can manage. Is there... On the issue, the Chair recognizes the Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Madam Speaker and Ladies and Gentlemen, I also rise in opposition to the Amendment. As a Member, Vice-Chairman of the House Judiciary II Committee, I voted in opposition to the Bill when it was presented there for the reason that normally, the instances where this kind of situation occurs is where a young prosecutor has failed inadvertently to establish that the crime occurred in the county in which it is being prosecuted. That's a very simple matter for a prosecutor to remedy by simply asking the witness whether the offense occurred in Livingston County or where ever it was and that establishes venue."

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So, establishing venue is a very, very minor inconvenience for a prosecutor and by passing Bills such as this, I think we allow the system to become a little more sloppy and I don't think that we really want to do that. In addition, we don't want to be in a situation where we force a defendant who claims to be innocent and, believe it or not, there are cases where defendants are innocent, and they have a defense such as alibi that they didn't do it, they don't know a thing about it. They don't know why they are being charged and what this Amendment would do would say that, look, even though you're saying you didn't do it, you weren't around, you don't know a thing about it, if you think we are charging you in the wrong county, you come in and tell us which county you did it in. Well, if you didn't do it or claim you didn't do it, why should you be forced to come in and tell the prosecution, "I didn't do it here, but you ought to charge me and prosecute me over there." It just doesn't make any sense and I would suggest that we all ought to agree whether we are tough on law and order or whether we are civil libertarians that this is a bad Amendment."

Speaker Braun: "There further discussion? The Chair recognizes the Gentleman from Will, Representative Petka."

Petka: "Thank you, Madam Speaker, Members of the House. I rise in support of this Amendment, though I can say that I rarely disagree with my former compatriot from Fulton County, Representative Homer on this, I simply must take issue. The situation which is going to be addressed by this Amendment is simply a situation where a victim is helpless, has been blindfolded, has been removed from a vehicle, has absolutely no idea of which county the offense occurs. And in those situations, it seems to me that even if the defendant were pleading the affirmative defense of

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alibi, it wouldn't matter to him where the... where the offense occurred, but it certainly would matter if it's a material element of the offense. We should not be permitting molesters and others to be getting off on what I perceive to be a technicality. Therefore, I stand in support of this Amendment and I urge its adoption."

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

Regan: "Thank you, Madam Speaker, Members of the House. This... It's been mentioned, molestation, many times. I want you to visualize exactly why this loophole has to be plugged. A child is abducted, taken into a different county, doesn't know where it is, taken out of the car, raped, put back in the car and it comes to the time of trial. They pull at the last minute that it didn't happen in that county where they are trying it at. There is no way that child could know where the incident took place, what county. Now, if the person brings up at the last minute that the county is the wrong county, he can't do it at the last minute. If he's going to use that as a defense, he has got to come up front and say it and, of course, he won't do it if he's claiming innocent, but if he's innocent, it doesn't make any difference where he's being tried. So, it's a situation where a witness cannot say exactly what county, the prosecutor cannot identify what county and these people go free on a technicality. I support this Amendment."

Speaker Braun: "Further discussion? The Chair recognizes... There being none, the Chair recognizes the Gentleman from Livingston, Representative Ewing, to close."

Ewing: "Madam Speaker, Ladies and Gentlemen of the House, I'd like to answer a couple of the suggestions that have been made. First of all, we all know that Bills are oftentimes heard here on this House floor that didn't pass Committee.

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Last night was a good example of that. But this is an important issue. Ladies and Gentlemen, people are tired of criminals getting off on loopholes. We are not taking away any rights of criminals, but we are trying to restore some rights for people who have had a criminal act committed against them. The law already says in this state that you have to raise an objection to the county in which you are being tried before trial if you object to it, but the Appellate Courts have not listened to that. Recently, there was a case where a father took his daughter who didn't live with him out into a rural part of McLean County and sexually assaulted her. The girl didn't know whether she was in McLean or Livingston County. The only thing on appeal, Ladies and Gentlemen, was whether the prosecution had proved what county it happened in, not that the father had sexually abused his child, and he went free. Do we want those people on the streets or do we want the trial lawyers and the defense lawyers to continue to have this loophole? If you agree with me that we don't, you'll vote for this Amendment. Thank you."

Speaker Braun: "The Gentleman has moved for the adoption of Floor Amendment #1. All in favor vote 'aye', 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 43 voting 'aye', 67 voting 'no'. The Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. I'm going to go back and pick up House Bill 2533. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2533, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2603, Representative Steczo. Representative Steczo. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2603, a Bill for an Act to amend the Unified Code of Corrections."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Second Reading of the Bill. No Committee Amendments and no Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2619, Representative Sieben. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2619, a Bill for an Act to amend the Probate Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "A Motion to table Amendment #1, filed by Representative Sieben."

Speaker Braun: "The Chair recognizes the Gentleman from Henry, on the Motion to table Amendment 1."

Sieben: "Yes, does the... Madam Speaker and Ladies and Gentlemen of the House, do you have Floor Amendment #2?"

Speaker Braun: "Yes, Floor Amendment 2 has been filed."

Sieben: "Okay, thank you. I'd move to table Floor Amendment... Committee Amendment #1."

Speaker Braun: "The Gentleman moves to table Amendment #1. All in favor say 'aye'... on that, is there any discussion? There being none, all in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is tabled. Further Amendments?"

Sieben: "I'd move to adopt Floor Amendment #2."

Clerk O'Brien: "Floor Amendment #2, offered by Representative Sieben."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 2. On that, is there any discussion? The Chair recognizes

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the Gentleman from Cook, Representative Young."

Young: "Thank you, Madam Speaker. Has this Amendment been printed and distributed?"

Speaker Braun: "No, it has not. The Gentleman from Chair (sic) recognizes the Gentleman from DuPage, Representative McCracken."

McCracken: "Madam Speaker, this Amendment was offered some time ago and has been in the Clerk's... or under the Clerk's authority for printing and distribution. I understand that there is a crush of Amendments. We'd ask that this be considered later when the Amendment is distributed. We have been trying to get the Amendments in as expeditiously as possible."

Speaker Braun: "Representative McCracken, we'll come back to Representative Sieben's Bill. I wouldn't be overly concerned if we take it out of the record and just proceed along now because the Amendment has not..."

McCracken: "And we'll come back to it when it's ready?"

Speaker Braun: "Certainly, yes. Representative Sieben. Thank you, Sir. Out of the record. House Bill 2624, Representative Terzich. 2624. Out of the record. House Bill 2625, Representative Panayotovich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2625, a Bill for an Act to amend Sections of the Fish Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2680, Representative Bowman. Representative Bow... Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2680, a Bill for an Act in relation to processing by the state of contributions. Second Reading of the Bill. No Committee Amendments."

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Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2682, Representative Doederlein. Out of the record. House Bill 2694, Representative O'Connell. Representative O'Connell, 2694. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2694, a Bill for an Act to create the Long Term Care Ombudsmen Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Chair recognizes the Gentleman from Cook, on Floor Amendment 1."

O'Connell: "Thank you, Madam Speaker. This is an Amendment that was agreed upon by the Attorney General's Office and the Legal Support Service and I would recommend its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Floor Amendment 1. On that, is there any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 2708, Representative Giorgi. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2708, a Bill for an Act in relation to the rate of interest. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2734, Representative Younge. Representative, has a fiscal note been filed?"

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Younge: "Madam Speaker, I don't believe that a fiscal note should apply."

Speaker Braun: "Alright, then we will go forward with it. House Bill 2734. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2734, a Bill for an Act to amend the Illinois Community Development Finance Corporation Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Representative Younge, a fiscal note has been requested. What is your pleasure?"

Younge: "I move that that be tabled because this is in reference to the Community Development Finance Corporation, which is funded as a result of the sale of stock to private businesses. It is not funded by the State of Illinois and the Bill only changes the Chairman from the Lieutenant Governor, with his consent, to the Treasurer and that's all the Bill does; and so, therefore, there is no way that there can be a state expenditure for this Bill... and for this agency and therefore a fiscal note should not apply."

Speaker Braun: "The Lady has moved that the Fiscal Note Act is inapplicable to House Bill 2734, and on that, is there any discussion? There being none, the question is, 'Shall the Fiscal Note... is the Fiscal Note Act inapplicable?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Fiscal Note Act is deemed inapplicable. The Bill will then be moved to the Order of Third Reading. House Bill 2746, Representative Flinn. Representative Flinn. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2746, a Bill for an Act to revise the law in relation to counties. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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Clerk O'Brien: "Request for a fiscal note on this. No Floor Amendments."

Speaker Braun: "Representative Flinn, a fiscal note has been requested on this Bill. What is your pleasure, Sir?"

Flinn: "Leave it where it's at. Leave it right there. I'll get one. I'll go borrow one. I'll steal one."

Speaker Braun: "Out of the record. Out of the record. House Bill 2748. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2748, a Bill for an Act in relation to fees and recorders and county clerks. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2749, Representative Flinn. Representative Flinn, has a fiscal note been filed on this Bill? Out of the record. House Bill 2758, Representative Homer. Representative Homer. 2758. Has a fiscal note been filed? Out of the... What is your pleasure? Out of the record. House Bill 2766, Representative Kubik. Is the Gentleman in the chamber? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2766, a Bill for an Act to amend the Illinois Pre-need Cemetery Sales Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2774, Representative Currie. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2774, a Bill for an Act to create the Metropolitan Investment Corporation Act. Second Reading of the Bill. No Committee Amendments."

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Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Lady from Cook on Amendment #1."

Currie: "Thank you, Madam Speaker and Members of the House. It's a technical change capitalizing the 'c' in the word 'capital', inadvertently omitted from the original Bill."

Speaker Braun: "The Lady has moved the adoption of Amendment 1. On that, is there any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative McCracken."

Speaker Braun: "The Gentleman from DuPage, Representative..."

McCracken: "Thank you, Madam Speaker."

Speaker Braun: "One second, Representative McCracken. The Sponsor has a problem with this. Representative Currie."

Currie: "Yeah, just an inquiry of the Chair. Is that Amendment printed and distributed?"

Speaker Braun: "Representative McCracken, the Clerk advises that the Amendment is neither printed nor distributed."

McCracken: "Could we take this out of the record for a short time?"

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

Currie: "Madam Speaker, I would move to table Amendment 2 to House Bill 2774. I think the proposer of the Amendment is dilatory and as the Amendment is not printed or distributed, I would like to move this Bill to Third Reading."

Speaker Braun: "The Lady has moved to table..."

McCracken: "Madam Speaker, she's calling... point of personal

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privilege."

Speaker Braun: "The Lady has moved to table Amendment #2. On that, is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken."

McCracken: "This Amendment was filed at 4:00 p.m. yesterday. Now, the Clerk's Office has had a number of hours to process this Amendment. It's now past 10:00 in the morning and as you know, at this time of year, we are working around the clock. The Amendment is not dilatory. The Lady's Bill has some serious flaws which this Amendment and another Amendment address. The Clerk's Office is controlled by the Democratic Staff and if anyone has been dilatory, it's the Clerk in getting these Amendments out. The Amendments are not done for the purpose of slowing down the process for any particular reason. The Amendments are brought in good faith. It's not dilatory. She seeks to give unusual powers to a quasi-public corporation, giving it powers historically reserved only to State Government or local units of government. It is not dilatory. I would ask the Lady to reconsider this. The Amendment should be here at any time. I don't know why it's here. We don't have access to the process of printing and distributing them and I would ask her to withdraw that Motion."

Speaker Braun: "Representative McCracken, actually... underst... we understand the difficulty. There is a log jam. I don't think it's deliberate. Quite frankly, I was about to compliment the Body. We have about nine different lights lit up here and I was going to compliment the Body because since 9:18 we have moved 32 Bills... 30 Bills to the Order of Third Reading. We have considered over 45 of them. So, I was... we have really been proceeding along nicely and I think that in the interest of continuing this rate of progress, Representative Currie, if it is your pleasure, we

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would hold this Bill until such time as Representative McCracken's Amendment can be distributed to the Body. You are very welcome, Representative McCracken. We're going to go back, again, in the interest of keeping this process moving along, Representative Kay Wojcik's Bill was the first one that was called this morning at 9:18 and she just did not respond to the call quickly enough. She was outside of the chamber. So, I... she would like to have that Bill called. So, Mr. Clerk, with leave, we'd like to go back to House Bill 2085, 2085. Representative Kay Wojcik."

Clerk O'Brien: "House Bill 2085, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. We're doing even better yet. We haven't gotten to 1018 yet and we've done 32 Bills. So, moving right along, House Bill 2785. Mr. McCracken. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2785, a Bill for an Act in relation to destruction of records by circuit clerks. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments."

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2788, Representative Piel. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2788, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2790, Representative

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Piel. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2790, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2795, Representative Parcels. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2795, a Bill for an Act in relation to banking. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Chair recognizes the Lady from Cook, Representative Parcels on Amendment #1."

Parcels: "Thank you, Madam Speaker. This is a technical Amendment. It was found in LRB that we had omitted a word and the Amendment simply puts the word into this Bill."

Speaker Braun: "The Lady has moved the adoption of Amendment 1. On that, is there any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 2806, Representative Sieben. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2806, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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Speaker Braun: "Third Reading. House Bill 2813, Representative Churchill. Is the Gentleman in the chamber? Representative Churchill. Out of the record. Oh, I'm sorry. Representative Ropp. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2813, a Bill for an Act relating to emergency management. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Phelps."

Speaker Braun: "The Gentleman (sic - Chair) recognizes the Gentleman from Saline, Representative Phelps on Amendment #2."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment 2 is actually an Amendment that outlines when we are looking at mock disaster drills and how the news media and the public should be notified. There has been recent events in my district that actually caused panic in a community because the message was not clear that it was a mock drill. And so this Amendment actually goes into specific detail how that message should come across and warning to the news media as well as the constituents of that area."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 2. On that, is there any discussion? The Gentleman from McLean, Representative Ropp."

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

Speaker Braun: "Indicates he will."

Ropp: "Was this a previous Bill?"

Phelps: "No, Representative Ropp. What this is is... it's not."

Ropp: "Okay, that's good enough. Did you... I am not familiar

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with the Amendment and I'm working this for Representative Churchill. Did you check with him, by chance, before introducing this?"

Phelps: "Yes, this is in cooperation with the ESDA Director and all of his staff."

Ropp: "But with Representative Churchill, the Chief Sponsor?"

Phelps: "Oh, yes, sure did."

Ropp: "Okay, thank you."

Speaker Braun: "Is there further discussion? The Gentleman from Saline, to close. Representative Phelps."

Phelps: "Thank you, Madam Speaker. I move for the adoption of Amendment #2."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #2. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Phelps."

Speaker Braun: "The Gentleman from Saline, Representative Phelps on Amendment 3."

Phelps: "Madam Speaker, I believe the Amendment 2 should have been withdrawn and Amendment 3 should be the actual Amendment. I apologize to the Body."

Speaker Braun: "The Gentleman moves to withdraw... or to reconsider the vote by which Amendment #2 was adopted."

Phelps: "Reconsider, yes. Apologize."

Speaker Braun: "The Gentleman moves to table Amendment 2. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the Amendment 2 is tabled. Amendment... Now on to Amendment 3."

Phelps: "Right, I'm sorry. Amendment 3 was actually just a technical change, but the format of the Amendment is the same. So I would move..."

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Speaker Braun: "The Gentleman moves the adoption of Floor Amendment #3. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 2821, Representative Wojcik. Out of the record. House Bill 2838, Representative Peterson. Out of the record. House Bill 2851, Representative Wennlund. I'm sorry, Representative Peterson."

Peterson: "Yes, Madam Speaker. I'd like to go with the Bill. Please call it."

Speaker Braun: "It was hard to determine from your signal."

Peterson: "I'm sorry."

Speaker Braun: "Alright. Going back to House Bill 2838, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2838, a Bill for an Act to amend the Illinois Insurance code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2851, Representative Wennlund. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2851, a Bill for an Act to amend an Act concerning fees and salaries. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. We're going to go back to Representative Phelps on Representative Ropp's Bill, 2813. Representative Phelps, for a Motion."

Phelps: "Madam Speaker, in reference to House Bill 2813 Amendment 3, Representative Churchill was nice enough to bring it

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back to Consent Calendar and I request leave to take it back to Consent Calendar, please."

Speaker Braun: "The Gentleman requests leave to have this Bill returned to the Consent Calendar. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Bill will appear on the Order of Third Reading Consent Calendar. House Bill 2865, Representative Piel... I'm sorry, Representative McCracken, for what reason does the Gentleman rise?"

McCracken: "Passed over 2851."

Speaker Braun: "No, Sir. That went to Third Reading."

McCracken: "Oh, it did. Okay, thank you."

Speaker Braun: "Yes. House Bill 2865, Representative Piel. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2865, a Bill for an Act to amend the Community Currency Exchange Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2867, Representative Sieben. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2867, a Bill for an Act to amend the Illinois Savings and Loan Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2868, Representative Piel. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2868, a Bill for an Act to amend the Illinois Savings and Loan Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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Speaker Braun: "Third Reading. House Bill 2871, Representative Sieben. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2871, a Bill for an Act to amend the Illinois Savings and Loan Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment 31, offered by Representative Cullerton."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Cullerton on Amendment 1."

Cullerton: "Yes, Madam Speaker, I believe that this Amendment is merely a technical Amendment and it's just correcting a typo on page 4, line 4. However, I don't believe that the Amendment has been printed. I'd be happy to suggest that the... first of all, happy to not object to the fact that it's not printed, put it on, or take it out of the record and ask that it come back... ask the Chair to come back to it when it is printed."

Speaker Braun: "Representative Sieben, what is your pleasure, Sir?"

Sieben: "Yes, having looked at the Amendment, it's simply a typo correction. We'd go ahead with that."

Speaker Braun: "Alright, it will be taken out of the record and..."

Sieben: "No, no..."

Speaker Braun: "Under the terms of the agreement that we've reached with regard..."

Sieben: "We accept the Amendment without..."

Speaker Braun: "Representative McCracken."

McCracken: "Speaker, I've seen a copy of the Representative's Amendment and he's correct. It's technical only and we will accept the Amendment without the formality."

Speaker Braun: "Representative Cullerton then moves to suspend

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the rule requiring the distribution of Amendments before adoption. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The rule is suspended and Amendment 11 is adopted. Further Amendments? Now, on Amendment 11, Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, just to clarify for the record, all the Amendment does is to correctly spell the word acquisition. I'm not exactly sure how you spell acquisition. I'm sure when the Amendment is actually printed we can look at it. We assume that the Amendment probably correctly spells acquisition. That's all it does, so I move for the adoption of Amendment 11."

Speaker Braun: "The Gentleman has moved the adoption of Floor Amendment 11 and on that question, is there any discussion? There being none, all in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. Ladies and Gentlemen, just for your information, that in exactly one hour and five minutes, we finished the Bills on the Order of Second Reading Short Debate, picking up from where we left off last night. So, we have considered all the Bills from where we started last night on Short Debate. We are moving right along. On the Calendar page 7, on the Order of House Bills Second Reading, we'll now move to the Order of House Bills Second Reading. On the Order of House Bills Second Reading appears House Bill 2. Representative Cullerton. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

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Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "Gentleman from Cook on Amendment #1."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Madam Speaker, as a courtesy to the Members, I would like to specifically direct their attention to this Bill. This is a very controversial Bill. Many people have received letters on it and I think it's appropriate that when you vote on these Amendments, you know exactly what you are voting on, either whether you are for it or against it. The Bill deals with the issue of requiring motorcyclists to wear helmets in our state. The Amendment is really in and of itself not controversial if you are for the Bill. The Amendment requires that passengers, as well as the driver of the motorcycle, should wear helmets. I would suggest to you that if you are in favor of the motorcycle helmet law, that you should vote for the Amendment. When it's appropriate on Third Reading, of course, we can talk about the merits of the motorcycle helmet law, which are many, but for our purposes now on Second Reading, I want you to know that what this Amendment does is to require that not only the driver of a motorcycle but also the passenger on motorcycles should be required to wear a helmet and I would be happy to answer any questions. I would urge your support."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 1. On that, is there any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' The Gentleman from DuPage, Representative McCracken."

McCracken: "I see, Representative... or will the Sponsor yield for a question?"

Speaker Braun: "He indicates he will."

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McCracken: "The Floor Amendment #1 you referred to limits the application of the mandatory helmet to motorcycles and does not apply to motorized pedicycles, is that right?"

Cullerton: "Yes, Representative Wennlund, in committee, raised the issue of whether or not helmets should be required on pedicycles and I promised him in committee that I would not expand the application of the Bill to pedicycles, so it's limited to motorcycles."

McCracken: "Let me ask you a question. If Amendment #1 is adopted, is it your intent to move for the adoption of Amendment #2?"

Cullerton: "Well, to tell you the truth, I haven't really decided yet. Amendment #2 limits the appli... the Bill to minors and I really sort of wanted to find out whether or not I'd have a chance to pass the Bill as I introduced it first and so perhaps this Amendment can be somewhat of a test vote as to whether or not you're for the Bill."

McCracken: "Okay. For those opposed to the Bill and I guess this is controversial enough that each of you will have to decide on your own, I think the Gentleman was very candid in his admission that Floor Amendment #1 is a test of the Bill's ability to pass. I think that that's how it should be treated that each of us that is opposed to the Bill should be opposed to Amendment #1. Don't let a bad Bill become somewhat better and co-opt your position on Third Reading. I think we have to vote against Amendment #1. I thank the Gentleman for his candor."

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

Weaver: "Thank you, Madam Speaker. Will the Sponsor yield? Representative Cullerton, is it your view, in offering this Amendment, that it is therefore safer to ride a pedicycle

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than it is a motorcycle?"

Cullerton: "Well, if I understand your question, I don't think that goes to the issue of the Amendment, but..."

Weaver: "Well, the Amendment excludes pedicycles from... pedicycle operators from wearing a helmet, so I am assuming and perhaps incorrectly that you feel it's safer to operate a pedicycle without a helmet."

Cullerton: "There might be a slight degree of... to a certain extent, pedicycles might be slightly safer only because they don't go as fast, but the reason why I don't have it apply to pedicycles is more of a procedural or tactical decision. Representative Wennlund, in committee, who voted for the Bill, said he wouldn't vote for it if it applied to pedicycles, so I assured him that I would not amend the Bill to cover pedicycles, something which I had contemplated doing in committee. So, I'm just fulfilling my pledge to Representative Wennlund not to... decided to vote to get the Bill out of committee not to amend it. I would like it personally to apply to pedicycles. I think that they are potentially very dangerous just as motorcycles, but to the extent that they do go slower than motorcycles, I think we can make the distinction and have the helmet law only apply to motorcycles."

Weaver: "Thank you very much. Madam Speaker, I'd ask for a Roll Call on this Motion, please."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1. All in favor vote 'aye', opposed vote 'no'. I'm sorry. Representative Cullerton, to close. I'm sorry."

Cullerton: "Yes, I wouldn't normally request the ability to close, but since we have set this up as somewhat of a test vote as to whether or not you are for the helmet law, I would like to mention some of the reasons why I seek support of the Bill. First of all, the reason why the Bill

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was introduced was because just last September the Supreme Court of the State of Illinois and also the United States Supreme Court allowed for us to go... proceed with this Bill because they overturned their previous decision that it held helmet laws unconstitutional. So, number one, the law is clearly constitutional. There is two arguments that are raised against the helmet law are basically; one, that helmets are not safe, they don't make that much difference whether you have a helmet or not; and number two, the famous freedom of choice argument. 'Let those who ride decide' is the theme of those people. First of all, with regard to the issue as to whether or not helmets are safer or not, if there is anyone here who really seriously thinks that they are not, let me just say that there have been... the most extensive study of the issue was done... it's called the 'Hurt Report'. It was done out in Los Angeles where they investigated over 900 accidents with regard to motorcycle accidents and it was shown that it's three times more likely that you won't be killed if you have a helmet on. And even the strong opponents of the Bill recognize that they encourage their members to wear helmets, so I don't think there is any question that helmets are safer. The most vociferous argument against the helmet law is the argument of the issue of freedom of choice. In the past, the people had always said, you know, if you are going to wear... if you are going to require people to wear helmets on motorcycles, you ought to have... well, they said, first of all, it was unconstitutional, and that argument has been removed, and secondly, they said, well, why don't you make everybody wear a seatbelt before you make us wear helmets. Well, we do require now that people wear seatbelts. In fact, it's kind of ludicrous when you think about it, that we require people to wear seatbelts but not motorcyclists

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to wear helmets, especially in light of the fact that the helmets are much... that bill... this Bill right here, would require people to wear helmets is much more easily enforced than the seatbelt law. Cost alone, the emergency services that we spend to scrape people up off the pavement, the medical cost of the hospitals and the doctors, the head injuries that are so severe, insurance premiums that have to be paid by all of us who pay insurance premiums, the lost productivity to society are enormous. And for that reason, I think that it's very clear that we have the right to pass such a law, we have the obligation to pass such a law and I would urge support of Amendment #1."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1. On... All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Well, Madam Speaker, I just wanted to explain my vote. I wasn't taking this letter I got here seriously. This letter says, 'Cullerton, we will kill you if the helmet law passes.' I wasn't going to take it seriously because I didn't think I would get 60 votes. If it... If it does get close to 60, then I better take these letters more seriously, but apparently given the fact that there is only 43 votes, I think I'd look like I might be safe. I would urge people, with regard to the helmet law, if you want to vote for the helmet law, please vote 'aye'. If you don't think that helmets laws are a good idea, go ahead and vote 'no'."

Speaker Braun: "The Gentleman from Madison, Representative McPike."

McPike: "After hearing that letter, I would encourage a lot of

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people to vote 'yes'."

Speaker Braun: "Is there further discussion? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 41 voting 'aye', 64 voting 'no' and the Amendment fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Cullerton."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Cullerton on Amendment 2."

Cullerton: "Okay, so we know that there is at least 41 people that want to pass the helmet law, but that's not enough. We need 60 votes. So, Amendment #2, recognizing the fact that we don't have enough support at this time for the helmet law, I believe should receive the support of just about everyone in the Assembly. Amendment #2 says that the motorcycle helmet law shall only apply to passengers and operators of motorcycles who are under the age of 18. Again, the arguments against the helmet law were that, number one, it's unconstitutional. That's been dispensed with. Number two, that helmets don't really save lives. That's clearly not the case. And number three, and the reason why probably most of you voted 'no' on the last Amendment, is because you are responding to constituents, motorcyclists, who have said that they want to have the right to decide themselves. When you apply the Bill to minors only, then that argument, that final objection to the Bill, is also removed. So, keep in mind that there's 44 states that have some type of a helmet law that require either everyone to wear it or people under the age of 21 or 18 or, in some cases, 15 to wear it. There are therefore 44 states that have a law which recognizes the fact that at least for minors, at least younger people, if we require them to wear a helmet, maybe they will get in the habit and

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I think the argument that it's against their right to decide is not as strong when you talk about it only applying to minors. So, on this one, I would urge your support and let's become the 45th state to have a helmet law of some fashion. Be happy to answer any questions. I would urge your support of this Amendment."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 2. On that, is there any discussion? The Chair recognizes the Gentleman from Coles, Representative Weaver."

Weaver: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. I guess I'm a little bit confused about the Sponsor's intent with this Amendment. First, we're given a rather lengthy discourse as about the safety aspects of wearing a helmet, and now we're told that it only needs to be safe for those that are 18 or under, or under 18. I don't know if it's because they are not of voting age yet or what the exact reason is, but I think we need to take a look at either it's safe or it's not safe. The argument should carry all the way through regardless of the age, and I, for one, have such great respect for the Sponsor of this Amendment. I want to vote to save his life and cast a 'no' vote on this Bill. Thank you."

Speaker Braun: "Is there further discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? The Gentleman from Cook, Representative Cullerton, to explain his vote."

Cullerton: "Yes, my understanding of the death threat was that it would only apply to the Bill if we pass it for those who are over 18. I think that the people who have written letters to you in opposition to this Bill, almost all of them have conceded that if I had it only apply to minors that they could support it. There's a group called ABATE

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which I have had lengthy discussions with. So, I think I just want to make sure that everybody knows that if they support this Bill, this Amendment, which is, let's face it, a pretty sensible Amendment requiring helmets for minors, that they're not going to get retaliation in their home districts. I think this is a very important Bill that we at least make a start toward this down the road of saving some lives. So, I would appreciate you reconsidering your 'no' vote, and I think it's close enough that it be important to pass it."

Speaker Braun: "Have all voted? The Clerk will take the record. On this question there are 52 voting 'aye', 59 voting 'no', and the Amendment fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Klemm."

Speaker Braun: "The Chair recognizes the Gentleman from McHenry, Representative Klemm on Amendment 3."

Klemm: "Thank you, Madam Speaker. Amendment #3 adds a provision in the Act that would add a certain measure of indemnity for local officials who, when requested by a subdivision with private streets and roads, requesting the county board or the municipality to ask for traffic control devices, such as, stop signs, speed limit signs, things such as that, that if the county board or the municipal government accepts that written request and does by ordinance adopt those control devices that those governmental entities would have a certain immunity from suit as we have in our existing law when they're county and municipal highways. There's a quirk in the law now that excludes private highways and private roads, and therefore, motorists don't even need a drivers license to drive up and down the subdivisions. In my particular county of Lake and McHenry Counties, in two and a half townships, I have like 37 old

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time plaided subdivisions that have no traffic controls, have nothing there that they can do to enforce the law. After several hearings and some action that we took last year, we allowed the subdivisions to request the government authorities to at least allow them to have these certain protective measures controlling traffic in their subdivisions. Unfortunately, the state's attorneys of both counties have said that, you know, if you were on the regular highways and streets, normally in your counties and cities you would have a certain amount of immunity; however, because the law was absence and silent when it came to these private roads, you would not have that same protection. So, the counties have asked if they could at least have this same type of protection that we grant them under our regular streets and highways, and that's the reason for the Amendment. And I do ask for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Floor Amendment #3. And on that, the Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker. I wish to compliment the Sponsor of the Bill for picking such a noncontroversial vehicle to put his Amendment on. If he can just pick up 19 more votes on this side of the aisle or over here with the passage of this Amendment, I think it would make it even a better Bill. So, I would certainly join with him in passing this Amendment. It seems like it makes my Bill much better, and I would be happy to support it."

Speaker Braun: "The Gentleman has moved the adoption of Floor Amendment #3. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Klemm."

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Speaker Braun: "The Chair recognizes the Gentleman from McHenry, Representative Klemm on Amendment 4."

Klemm: "I would like to ask leave to withdraw Amendment 4."

Speaker Braun: "The Gentleman withdraws Amendment 4. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "No further Amendments. Representative Cullerton, a fiscal note request has been filed on this Bill, so the Bill will remain on the Order of Second Reading. On the Calendar on page seven, House Bills Second Reading appears House Bill 3. Representative Matijevich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3, a Bill for an Act in relation to smoke detectors. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Chair recognizes..."

Matijevich: "Madam Speaker, I'm withdrawing Amendment #1 in favor of Amendment #5."

Speaker Braun: "The Gentleman withdraws Amendment 1. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Anthony Young."

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

Young: "Madam Speaker, withdraw Amendment #2."

Speaker Braun: "Gentleman withdraws Amendment 2. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative McCracken."

Speaker Braun: "The Chair recognizes the Gentleman from DuPage,

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Representative McCracken on Amendment 3."

McCracken: "I withdraw Amendment #3."

Speaker Braun: "Amendment #3 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Johnson."

Speaker Braun: "Representative Johnson. The Chair recognizes the Gentleman from Champaign, Representative Johnson. Representative Johnson. Is the Gentleman in the chamber? Representative Johnson on Amendment 4. Representative Johnson."

Johnson: "Yes. This Amendment really capitalizes why some people are opposed to Representative Matijevich's Bill, which I know he sincerely believes in, and still if adopted would allow the Bill to work basically in the direction that Representative Matijevich wants it to work. This Bill keeps the smoke detector requirement in effect, except for owner occupied single family residences occupied by one adult. And the reason that's the case is because you can make the argument that if you live with other people and you have children and so forth, requiring a smoke detector saves other people. It makes you be safe for other people. You can certainly make the argument that requiring a smoke detector in multiple family units is good because if a fire starts, it can affect other people in the adjoining units and it makes you be safe for other people; but, in those limited number of circumstances where somebody lives in a single family home by themselves, the only purpose of a smoke detector requirement, just like a seatbelt law, just like a motor cycle helmet law, is to make that person be safe for themselves. So, this Amendment, which would really only apply to a limited number of situations, addresses both of those problems and says at least for those people who live by themselves in a single family home

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that they have the freedom in a free society to decide whether they want to be safe for themselves or not, and it still allows Representative Matijevich's Bill to go on untrammelled in all those other situations that he's going to exemplify and talk about, I assume, on Third Reading. It's really a sincere effort to try to address a problem in a philosophical concern of a lot of us, and at the same time, I think shows respect for Representative Matijevich and what I know is a very sincere concern on his part in this whole subject matter."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 4. On that, is there any discussion? The Chair recognizes the Gentleman from Lake, Representative Matijevich."

Matijevich: "Madam Speaker, as Representative Johnson respects my sincerity, I, too, respect his sincerity, but I vigorously object and resist the Amendment. All of the proponents, and there are many to House Bill 3, join in resisting this Amendment. First of all, if it's just a matter of trying to pass legislation to quote, 'protect the single persons not others in a residence', we've passed drunken driving laws, and we don't pass those laws only so that drunken drivers don't take the lives of others. We try to protect lives, period. Also, there is nothing, you know, there may be two adults or one adult living in a residence, but that doesn't mean on some occasion that that adult may have someone over that residence and that person or persons ought to be protected also. Also, there is a situation that sometimes a residence where one adult may be living and may be careless, and fires do spread. And so, this is a Bill to try to protect lives, many lives, and it has been shown to do that in states that have passed it. So, I would urge the Membership, and asks the Sponsor of the Bill, to join me in resisting this Amendment, and I've

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discussed this issue with Representative Johnson. He is sincere and I am too."

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

Williams: "I also rise to oppose this Amendment. In my district the other day, we had a fire in a wood frame home that spread to two additional homes. And it's not so much a matter of protecting the individual, it's a matter of, let's just say, creating a safe society, and I believe in that situations even in where homes are spread, fires do and flames and sparks do fly. And although I do respect the attempt by the Sponsor of this Amendment to try to allow for as much individual freedom as possible, but I think when you live in a society and when individuals are being forced to get a long with each other that it's just proper that we should regulate the entire field, because I do know that fires do spread, as I've seen in my district just this past weekend. So, I also would oppose this Amendment."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Champaign, to close."

Johnson: "Well, when we... when we discussed the seatbelt Bill, when we debated that Bill, when we debated other issues of personal liberty, one of the questions that came up was where do you draw the line. At least seatbelt laws and motorcycle helmet laws are on the public highways, public places, and that's at least to some degree different. Now we, as people thought we might do and as some people feared we would, are really intruding, if you'll excuse the verb, into people's homes. And this is a criminal violation and I suppose one could certainly make the argument that in the interest of protecting one against one's own lack of

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judgment, we're going to allow, and maybe this is more appropriate for Third Reading, search warrants and everything else to come into people's own castle to determine whether they're properly acting to protect themselves against their own lack of wisdom. All I'm suggesting in this Amendment is a reasonable limited Amendment to try to address a problem of personal liberty and still allow Representative Matijevich's Bill to proceed, and I know everybody's casting respect on each other, and I know we all do, and we just philosophically differ, but given that philosophical difference and given what I hope is a commitment on the part of the Majority of the Members of this chamber to the concept that we ought to be the best protector of our own home and our own freedom. I respectfully ask that we vote 'yes' and limit the application of this Bill so it doesn't apply to situations where you're only protecting yourself against yourself."

Speaker Braun: "The Gentleman has moved the adoption of Floor Amendment 4. All in favor vote 'aye', 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 30 voting 'yes', 80 voting 'no'. The Amendment fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment 05, offered by Representative Matijevich."

Speaker Braun: "The Chair recognizes the Gentleman from Lake, Representative Matijevich."

Matijevich: "Yes, Madam Speaker and Ladies and Gentlemen of the House, Floor Amendment 05 is an Amendment to incorporate the suggestions from the State Fire Marshal's Office and to offer also a recommendation that was brought up in the House Committee. One, is because the UL laboratory standards do change from time to time, the State Fire

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Marshal's Office has suggested that the approved detector be one according to rules and regulations adopted by the State Fire Marshal's Office. Also there was concern by the State Fire Marshal's Office regarding the exemption of fire resistant structures because there have been fires, for example, in the famous motel fire where that was supposed to be a resistant structure and there is sometimes those fire resistant structures, they're often coated with flammable substance, so we had to remove that language in the Bill. And also, there was some concern in the committee that an owner may be just inspecting the fire detector, and we wanted to clarify the language that the owner would not be liable for tampering in that type of instance. I would move the adoption of Amendment #5 to House Bill 3."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #5. And on that, is there any discussion? The Chair recognizes the Gentleman from Dupage, Representative McCracken."

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

Speaker Braun: "Indicates he will."

McCracken: "Representative, who would be responsible for the maintenance of the unit in a... an apartment building?"

Matijevich: "The tenant."

McCracken: "So, there would be no liability if it didn't work for a lack of maintenance as to the owner of the building."

Matijevich: "The... If there is something wrong with the detector, that is the... a fault of the detector itself, then the tenant has the responsibility to notify the owner, and then the owner must get it up to standard, but as far as the maintaining the batteries, et cetera, that is up to the tenant."

McCracken: "Okay. Thank you."

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Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from St. Clair, Representative Stephens."

Stephens: "Thank you, Madam Speaker. Will the Gentleman yield?"

Speaker Braun: "He indicates he will."

Stephens: "Representative, does this Bill provide that tampering with or destroying or removing batteries from one of these devices is a..."

Matijevich: "I couldn't hear you, Ron."

Stephens: "I'm sorry. Does this Bill provide that tampering with or destroying or removing the batteries from a smoke detector by anyone except for the purpose of inspection and maintenance is a felony or, excuse me, is a misdemeanor?"

Matijevich: "A misdemeanor if there is willful... removing... tampering with the smoke detector."

Stephens: "Does this... is this just on... in rental property, does this affect me in my home or just people that..."

Matijevich: "It involves any tampering with a smoke detector if there is willful tampering with it."

Stephens: "John, in all sincerity, I guess what I'm trying to get at is if, for instance, my seven year old son got on a step ladder and took the batteries out of our smoke detector and used them for his radio would..."

Matijevich: "No, that would not be willful tampering."

Stephens: "That would not..."

Matijevich: "No."

Stephens: "Removal of the batteries would not be."

Matijevich: "Definitely not."

Stephens: "Thank you for that clarification."

Speaker Braun: "Is there further discussion? There being none, the Lady from Cook, Representative... from Kane, Representative Deuchler."

Deuchler: "Representative Matijevich, in the tampering question

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and the penalties that are specified, are we talking about juveniles, any category, any age group done in the willful tampering would have these fines?"

Matijevich: "And, again, I can't hear you. You're talking about..."

Deuchler: "Would any age group, juveniles, as well as adults, have the same level of fines?"

Matijevich: "Right. Right."

Deuchler: "Thank you."

Speaker Braun: "The Gentleman has moved the adoption. Representative Matijevich to close."

Matijevich: "I urge the adoption of the Amendment."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 5. All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 86 voting 'aye', 18 voting 'no'. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6 and 7, offered by Representative McCracken."

McCracken: "Withdraw those Amendments, please."

Speaker Braun: "Amendments 6 and 7 are withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative McCracken."

McCracken: "Please withdraw."

Speaker Braun: "Amendment 8 is withdrawn."

Clerk O'Brien: "Floor Amendment #9, offered by Representative McCracken."

Speaker Braun: "Representative McCracken."

McCracken: "Thank you, Madam Speaker. Amendment #9 would exclude from the provisions of this Act the requirement for single family owner occupied residences. This is very similar to

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Representative Johnson's Amendment which was defeated, and I won't belabor the point, but I think the point that he had tried to make with his Amendment and that I tried to make with my Amendment is that it is permissible to intrude into the home of private citizens when that is done for the purpose of protecting third parties. That is the historical justification for the use of police powers. Not only this General Assembly, but many concepts and philosophies of the proper role of government have forgotten that that is the historical justification for this type of measure. And I submit to you that that is something we should not forget, that those people who seek to do good take us down a path brought with peril and this is an example of that. I respectfully request that this be adopted as a proper limitation on the smoke detector Bill."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 9. On that, is there any discussion? The Gentleman from Lake, Representative Matijeovich."

Matijeovich: "Madam Speaker, I, again, would urge the Membership to oppose this Amendment. We've already debated it with the Johnson Amendment. I've also been informed by the State Fire Marshal's Office that if this Amendment were adopted there would be 4,320,000 single family homes in Illinois which would be excluded from this Amendment. The other issues we've already debated, so I would urge the Membership to defeat the Amendment. Thank you."

Speaker Braun: "The Gentleman... Representative McCracken, to close."

McCracken: "The very point of the Gentleman's reference to this Fire Marshal's statistics is enlightening. The Gentleman would purport to extend this requirement to those four million plus homes, those private single family residences, and that's the very point I'm trying to make, that this is

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a significant issue, that it should be thought about very carefully and applied only as necessary. And I submit to you that as necessary is only in proper compliance with the state police power. That is the imposition of law or regulation for the protection of a third party who cannot protect himself. That situation does not pertain in this case, and I ask for an 'aye' vote."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 9. And on that question, all in favor vote 'aye', 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 38 voting 'aye', 73 voting 'no'. The Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Representative Matijevich, there has been a request for a fiscal note and there has been a request for a state mandates note. As such, the Bill will remain on the Order of Second Reading. House Bill 7, Representative Mautino. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 7, a Bill for an Act relating to taxes. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Chair recognizes the Gentleman from Bureau, Representative Mautino on Amendment 1."

Mautino: "Thank you very much, Madam Speaker. Amendment 1 becomes the Bill. The legislation specifically phases out the utility taxes on energy used in a process of manufacturing, only that utility that is used in manufacturing are addressed by this Amendment. It would drop the rate from 5 percent to 4 percent by December of

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'88, 4 to 3 by December of '89, 3 to 2 and to 0 in 1990. This addresses the question that was brought up by the Chairman of the Revenue Committee on the cost factor of eliminating the utility tax on manufacturing and those products in the state as well as who should control facilities. And in response to his request, we have phased the utility tax elimination out on a four year basis, and that's exactly what the Amendment does. I move for its adoption."

Speaker Braun: "The Gentleman moves the adoption of Amendment 1. On that, is there any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' All those in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Mautino."

Speaker Braun: "The Gentleman from Bureau, Representative Mautino on Amendment 2."

Mautino: "Thank you very much. The Amendment is incorrect. Withdraw... I withdraw Amendment 2."

Speaker Braun: "Amendment 2 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Representative Mautino, a fiscal note has been requested."

Mautino: "Yes, I just received it. I will provide the fiscal note as amended, since it is amended now, yes."

Speaker Braun: "That was the request. The Bill will be held on the Order of Second Reading. House Bill 20. Representative Terzich, a fiscal note request has been filed. Have you... It has been filed. Mr. Clerk, read... Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 20, a Bill for an Act to restrict

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smoking in public places. Second Reading of the Bill.
Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative
Countryman and Klemm."

Speaker Braun: "The Chair recognizes the Gentleman from DeKalb,
Representative Countryman on Amendment 2."

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of
the House. Amendment #2 makes it illegal to possess or
smoke a lighted cigarette, cigar, pipe or other form of
tobacco device in an elevator in this state which now, by
the way, is not illegal. It makes it a petty offense of
the fine of not less than 25 dollars or more than 250
dollars. I would ask for its adoption."

Speaker Braun: "The Gentleman moves the adoption of Amendment 2.
On that, is there any discussion? The Chair recognizes the
Gentleman from Cook, Representative Terzich."

Terzich: "Yes, Madam Speaker and Members of the House, although,
you know I'm against smoking anywhere, this particular
Amendment simply applies to elevators and the Illinois
Clean Indoor Air Act. Basically, it does not stipulate any
specific area as far as being a nonsmoking area, and it
provides for a freedom of choice. Many public conveyances,
including elevators, are normally covered by local
ordinance that does prevent no smoking on elevators and I
don't think that putting an additional restriction on House
Bill 20 would do the Illinois Clean Indoor Act any good.
So, therefore, I would urge you to vote 'no' on adoption of
House Bill... Amendment #2 to House Bill 20."

Speaker Braun: "Representative Countryman, to close."

Countryman: "Thank you, Madam Speaker. I respect the

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Representative's viewpoint on this. However, I think there is a sincere danger in smoking in an elevator. A lighted cigarette in an elevator could burn someone, could cause physical damage. It's offensive, and I think that most of us admit that there is a place for cigarette smoking or other... smoking shouldn't occur. The fact of the matter is, that many rural areas... now buildings are being built where elevators exist. The City of Chicago has had this ordinance for years, but I think it ought to be statewide and it ought to apply in Springfield, DeKalb and in Effingham and everywhere across the state. Uniformity is important, and I think it's a good Amendment and I would ask for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #2. All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 74 voting 'aye', 26 voting 'no', and the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Representative Terzich, a fiscal note has been filed. So, the Bill may be moved to the Order of Third Reading. Oh, no, he said the fiscal note has been filed. Representative Terzich, I spoke in error. Your fiscal note apparently has not been filed. Unfortunately, Representative Terzich, there has been a request for the fiscal note as amended."

Terzich: "Madam Speaker, now this is getting carried away. Now, even with the Amendment, it is out of place, because the Amendment does not alter the Bill in anyway as far as the fiscal note is required. And therefore, I would... this is absolutely ridiculous. I move that... I would move that the Fiscal Act does not apply as the Bill is amended."

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Speaker Braun: "The Gentleman has moved that the Fiscal Note Act is inapplicable to the Bill as amended. And on that question, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Panayotovich."

Panayotovich: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Amendment does change the Bill immensely and I filed the fiscal note asking for a... to look into it now that it's been amended. It's plain and simple that the Amendment changes the Bill, and I think we should look into it and I think it is applicable to the Bill. And I look for..."

Speaker Braun: "Representative Terzich, to close."

Terzich: "Well, it does not, Madam Speaker. It does not change the Bill as far as the impact statement is concerned. As a matter of fact, I don't even know why a fiscal note is even required. There's a 40,000 dollar fiscal note on the administration of the Clean Indoor Air Act and this would be the same as any other... any law that we pass in the state then would require a fiscal note. This is absolutely a ridiculous request and it certainly should not apply to the Bill. House Bill 20 is going to be heard on this House floor sooner or later and these type of delays or tactics are really not appreciated. And I did... I move that it does not apply."

Speaker Braun: "The Gentleman has moved that the Fiscal Note Act is inapplicable to House Bill 20 as amended. All in favor of his Motion vote 'aye', opposed vote 'no'. Representative McNamara, to explain his vote."

McNamara: "Madam Speaker, I'm wondering if that Motion, I was trying to get your attention before, was put in writing."

Speaker Braun: "Yes, it was. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 62 voting 'aye', 40

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voting 'no', and the Fiscal Note Act is deemed inapplicable to House Bill 20 as amended. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 21, Representative Terzich. Representative Terzich, on House Bill 21. Mr. Clerk, read the bill."

Clerk Leone: "House Bill 21, a Bill for an Act to amend the Liquor Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Hallock."

Speaker Braun: "The Chair recognizes the Gentleman from Winnebago, Representative Hallock on Amendment 1."

Hallock: "Thank you, Madam Speaker, Members of the House. What this tries to do is deal with the under aged drinking law. It eliminates requirement that the offender knew that the under aged drinker was... had left the residence intoxicated. I think the issue is addressed to the fact that we have a lot of situations around Illinois whereby we have young people under the age drinking, but yet, we don't exactly know where the drinking had come from. This tries to deal with that fact, and I would ask for its support."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 1. On that, is there any discussion? Calm down. Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, in a very calm voice, I'd like to inquire of the Chair as to whether or not this Amendment has been printed and distributed?"

Speaker Braun: "Thank you, Representative Cullerton, we will ascertain and determine whether or not this Amendment has been printed and distributed."

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Cullerton: "I sound like Cowlshaw when I talk like that. That hurts my mouth."

Speaker Braun: "Thank you. Representative Cullerton, Representative Hallock, the Amendment has neither been printed nor distributed."

Hallock: "Well, then, Madam Speaker, I will ask that this Bill be held until we could get that cleared up at a later date, this afternoon."

Speaker Braun: "Representative Terzich. Out of the..."

Terzich: "I want to move it."

Speaker Braun: "You want to move the Bill?"

Terzich: "We could be going on with this forever, Madam Speaker, and I would like to move my Bill."

Speaker Braun: "Representative Terzich."

Terzich: "Yes, Madam Speaker, I will hold the Bill, and the reason I'm holding the Bill is because but... I sincerely hope that we don't go into this malarkey about submitting Amendments at the last minute. Representative, I'll hold it."

Speaker Braun: "Thank you, Representative Terzich. House Bill 21 is out of the record. We will return to it. House Bill 24, Representative Terzich."

Clerk Leone: "House Bill 24, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 29, Representative Younge, Wyvetter. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 29, a Bill for an Act to amend the Metro East Sanitary District Act. Second Reading of the Bill."

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Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Wyvetter Younge."

Speaker Braun: "Representative Younge on Amendment 2."

Younge: "Thank you, Madam Speaker. Floor Amendment #2 corrects a misspelling of a word. And I move for the adoption of the Amendment."

Speaker Braun: "The Lady has moved the adoption of Amendment 2. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 41, Representative Levin. Representative Levin, on House Bill 41. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 41, a Bill for an Act to amend an Act in relationship to public utilities. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative McPike."

Speaker Braun: "Representative McPike on Amendment 1."

McPike: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #1 treats gas utilities like telecommunication entities and removes them from the jurisdiction of the Bill."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 1. And on that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Piel."

Piel: "Thank you, Madam Speaker. Will the Gentleman yield for a

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question?"

Speaker Braun: "He indicates he will."

Piel: "Representative McPike, just out of curiosity, why would we exclude certain entities from the Bill?"

McPike: "That's your choice. The Amendment excludes certain entities from the Bill. If you want to vote for it, you can. I was asked to do it, and I agreed to do it."

Piel: "Well, no. I mean, the Bill was put in for all utilities and I think it's a fair question."

McPike: "No, it wasn't put in for all utilities. It did not apply to telecommunication utilities, for example."

Piel: "Okay. So, we're not talking about telecommunication utilities. My... but my question is, I think it's a fair question, Jim, why are we excluding other areas from the Bill? I mean, is there a genesis behind it or reason for it?"

McPike: "No. No, I'm being very honest. No, I mean, it's your choice. In any legislation we pass, it doesn't include the whole universe. It applies to certain people and it excludes certain people on every piece of legislation down here, and the universe in here is going to be restricted."

Piel: "So, do you think that this should just apply to the selective utilities, then?"

McPike: "I do, yes."

Piel: "Thank you."

Speaker Braun: "Is there further discussion? The Gentleman has moved the adoption of Amendment #1. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 42, Representative White. Representative White, on House Bill 40... Mr.

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Clerk, read the Bill."

Clerk Leone: "House Bill 42, a Bill for an Act to amend the Liquor Control Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 46. Out of the record. House Bill 48. Representative Stange. Is the Gentleman... yes. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 48, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "There was a request for a State Mandates Act Note. Has that been filed?"

Clerk Leone: "The State Mandates Act Fiscal Note has..."

Stange: "Madam Speaker, the Fiscal Note is not applicable with the Amendment on 48."

Speaker Braun: "Has the note been filed?"

Clerk Leone: "The State Mandates Act Fiscal Note has been filed."

Speaker Braun: "Third Reading. House Bill 65, Representative Hicks. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 65, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

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Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 72, Representative Homer. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 72, a Bill for an Act to amend the Water Use Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 75, (sic - House Bill 73) Representative McAuliffe. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 73, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Braun: "There is a request for a State Mandates Act Fiscal Note. Has it been filed?"

Clerk Leone: "The State Mandates Act Fiscal Note has been filed."

Speaker Braun: "Third Reading. House Bill 80, Representative Cullerton. Representative Cullerton. Out of the record. House Bill 93, Representative Culler... Curran. Representative Curran, has a fiscal note been filed on this Bill? Out of the record. Representative Curran, on House Bill 97. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 97, a Bill for an Act to amend an Act creating the Department of Children and Family Services. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Braun: "Any Floor Amendments?"

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Clerk Leone: "Floor Amendment #2 is being offered by Representative Curran."

Speaker Braun: "The Chair recognizes the Gentleman from Sangamon, Representative Curran on Amendment 2. Representative Curran."

Curran: "Thank you, Madam Speaker."

Speaker Braun: "There may be some question whether this Amendment has been distributed. This Amendment apparently has neither been distributed... printed nor distributed to the Body. Will you hold the Bill and we'll get back to it?"

Curran: "I will."

Speaker Braun: "Out of the record. House Bill 99, Representative Curran. Out of the record. House Bill 100, Representative White. Representative Jesse White. Is he in the chamber? Is the Gentleman in the chamber? Out of the record. Representative White is in the chamber. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 100, a Bill for an Act in relationship to Acquired Immune Deficiency Syndrome. Second Reading of the Bill. Amendment #2 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed in respect to Amendment #2."

Speaker Braun: "And Floor Amendments? Representative White, apparently Floor Amendments have been filed to this Bill, but they have not been printed or distributed. As such, we will have to hold this Bill as well."

White: "Madam Chairman... Madam Speaker, I'd like to move the Bill."

Speaker Braun: "The Chair recognizes... The Gentleman has moved... The Gentleman has moved to waive the distribution requirements of the rules so that House Bill 100 may be moved to the Order of Third Reading. And on that question,

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the Chair recognizes the Gentleman from DuPage."

White: "I want to move the Bill to Third Reading."

Speaker Braun: "I understand that. That's what I just said."

White: "And move to table the Amendments."

Speaker Braun: "It's not... It's a matter of moving to waive the rule requiring the distribution of the Amendment. Representative McCracken."

McCracken: "Has Amendment #2 been adopted? Was that... was that adopted in Committee?"

Speaker Braun: "Amendment #2 was adopted in Committee."

McCracken: "Again, Madam Speaker, I would ask the Gentleman if we could get back to this in a short time. We filed Amendments on this, and we haven't done it to be dilatory. We're doing it because it addresses a very critical issue that is affecting all of us. And the point I want to make again is that this morning at about 8:00 a.m., these Amendments were given over to the Clerk's Office for printing and distribution. We're doing this as fast as we can. I'd be happy to accommodate the Gentleman and come back to this matter as soon as the Amendments are ready. We're not trying to hold up his Bill. As a matter of fact, we want the Bill to be heard, but we want our Amendments to be heard, and I would ask the Gentleman to reconsider his Motion to table and get back to it in a short time."

Speaker Braun: "The Gentleman from Cook, Representative White."

White: "Madam Speaker and Ladies and Gentlemen of the House, this Bill has been on the Calendar for a number of days, as late as last week. There are a number of Bills that deal with this subject matter, and I would ask the Sponsors of these Amendments to direct those Amendments to other Bills under the same subject matter."

Speaker Braun: "Representative Greiman in the Chair."

Speaker Greiman: "Mr. White."

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White: "Could you please take this Bill out of the record, please?"

Speaker Greiman: "Alright, we'll be back to you, Mr. white. Thank you very much. Mr. Hallock, for what purpose do you seek recognition? Alright. On the Order of House Bills Second Reading appears House Bill 113. Out of the record. And now on page 9 of the Calendar, on the Order of House Bills Second Reading, appears House Bill 116. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 116, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment... There are no Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Wojcik and McCracken."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik on Amendment #1."

Wojcik: "Yes, Mr. Speaker, Members of the House, what this Amendment does, it establishes that grant amounts for an average size family, determined by the Department of Public Aid, would be set at a fixed percentage of the minimum wage and will never be in excess of a family's monthly earnings with one family member working full time at minimum wage. Also, it is a welfare reform proposal of the Governor's Task Force on Welfare Reform, and it will help refashion the welfare system to link it more closely with the world of work. Parents have the responsibility of work to support their children, and what this Amendment will do will reinforce that the welfare is temporary for those who are able to work and that the citizens of Illinois expect work to be done, also."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik, moves for the adoption of Amendment #1 to House Bill 116. And on that,

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is there any discussion? The Gentleman from Cook, Mr. Young."

Young: "Thank you, Mr. Speaker. The Sponsor of the Bill does... Never mind, Mr. Speaker."

Speaker Greiman: "The Lady from Cook, Ms. Braun on Amendment 61."

Braun: "Thank you. Thank you, Mr. Speaker. This is a hostile Amendment. It was not considered in committee and it's in another Bill. And there really is no need for it on this legislation and it puts a cap, I mean, it's kind of an anti people, kind of, it is an anti people Amendment. I am frankly shocked that this Sponsor, giving her concerns for the poor, would come up with an Amendment like this. I don't know who drafted it and who gave it to her to put on or it was her own idea, but this Amendment really is disgraceful. And I encourage its defeat."

Speaker Greiman: "Gentleman from Macon, Mr. Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd just like to remind the Membership that this Bill, in its current form, would cost the state 48,000,000 dollars."

Speaker Greiman: "The Gentleman from Cook, Mr. Piel."

Piel: "Question of the Chair, Mr. Speaker. Has this been distributed?"

Speaker Greiman: "Yes."

Piel: "Because we don't have it over on our side of the aisle yet."

Speaker Greiman: "I'm advised by the Clerk it has been... by Mr. Leone it has been distributed. Ms. Wojcik, to close."

Wojcik: "I don't think this is an anti Amendment at all. I think what we're trying to do is reform welfare in the state, and this is the... a first step. It's a fine idea and I think that we have to start working closely with the people and we have to start teaching them and training them and to make sure that they will work. We're talking about costly

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dollars. We're always in the millions when it comes to these subjects, and I think it's the beginning. And I move its passage."

Speaker Greiman: "The question is, 'Shall this Amendment be adopted?' All those in favor signify by saying 'aye', those opposed say 'no'. In the opinion of the Chair, the 'nos' have it. The Amendment fails. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 117. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 117, a bill for an Act to amend the Minority and Female Business Enterprise Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Greiman: "Now, there is a Fiscal Note request. Has the Fiscal Note been filed, Mr. Clerk? Ms. Braun, for what purpose do you seek recognition?"

Braun: "Thank you, Mr. Speaker. You know, without taking it personally on these Fiscal Note Act requests, there is no question but that this Bill, which only takes the sunset out of the law, the Act would have sunsetted this year. All this Bill does is take that sunset out. There is obviously... the Fiscal Note Act requirement is obviously inapplicable, and I so move because I think, frankly, it's an abuse of the process to have had the request filed in the first place."

Speaker Greiman: "The Lady from Cook, Ms. Braun moves to dispense in accordance with the rules of the Statute as such case has been provided, the fiscal note with respect to House Bill 117. And on that, the Gentleman from DuPage, Mr. McCracken."

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McCracken: "Thank you, Mr. Speaker. This repeals the repealer. In effect, it keeps the Act alive. Is that correct, Representative?"

Braun: "Thank you. That is correct. The repealer doesn't go into effect though, Representative, until next year."

McCracken: "And does the state fund in any form whatsoever the Minority and Female Business Enterprise Act?"

Braun: "Yes, it does."

McCracken: "Well, then, I respectfully submit..."

Braun: "Well, no, no. it does not... the state funds the council..."

McCracken: "I'm done. I'm done. I will... I will address myself to the Motion."

Braun: "Okay."

Speaker Greiman: "Proceed, Mr. McCracken."

McCracken: "Thank you. The point is that the Fiscal Note Act is, indeed, applicable because the repeal of the repealer in effect keeps in existence an Act funded at least in part by the General Assembly, and the point is if the repealer is repealed and the Act is allowed to remain in existence, what will the fiscal impact of that Act be? So, I submit and I know that the Representative has occasion... on occasion come over to me and ask why are you doing this to me? Why are you doing this to me? I assure her that I'm not doing it to her. We are trying to get a handle on how much money is going to be spent by the programs passed by the General Assembly. The fiscal note serves a legitimate function in that regard. It is particularly appropriate to use it in a year where a tax increase is on everyone's minds. So, we're not using them in bad faith. We're not using them to be dilatory. I think it does apply in this case; because, in effect, not in effect, but, indeed, it keeps alive an Act costing the state money which was

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scheduled to sunset."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. The purpose behind the Fiscal Note Act is to try to really ascertain for the Members of the General of Assembly what the cost is of State Government. There are many here, and I think probably most of us, that believe that even concepts and theories cost money. That's why I believe that on this Bill a Fiscal Note Act really is proper because this concept does cost money. Maybe not as much as perhaps some other programs do cost, but we're entitled as Legislators to know exactly what the cost is of any program, whether it is one to be maintained or one to be begun, and this is what this note is all about. And I would ask that we, in fact, have a fiscal note filed on this Bill."

Speaker Greiman: "Representative Braun, to close."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, it really does... when you look up and you discover that not only your Bills which cost money have Fiscal Note Act request, but your Bills which are concepts have Fiscal Note Act request put on them. Something is wrong. I think this is one of those cases, and I move that the note be deemed inapplicable to this Bill."

Speaker Greiman: "Question is, 'Shall the fiscal note be dispense with, with respect to House Bill 117 as filed?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Motion carries. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. On the Order of House bills Second Reading appears House Bill 123. Mr. Ewing, do you wish proceed? Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 123, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 142. Mr. Johnson. Mr. Johnson in the chamber? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 142, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments? Mr. Johnson. Mr. Johnson, apparently, we're having a difficulty in the record keeping as to what happened to Amendment #1 and whether there is an Amendment #2. If we could take this out of the record until the Clerk checks it, we will get back to you and I'll mark it down that we get back to you, Sir."

Johnson: "I didn't think there was any Amendments at all."

Speaker Greiman: "Well, Mr. Clerk, what about that?"

Johnson: "This is an agreed... this is a Consent Calendar Bill basically."

Speaker Greiman: "Alright, the problem apparently is that the file indicates our next Amendment is #2 which would indicate there was an Amendment #1. Now, whether that's an error in somebody in the Clerk's part or whatever, let us get back to you, Mr. Johnson, or if you like, we'll wait. Alright. We'll take it out of the record and we'll get back to you, Mr. Johnson. On the Order of House Bills Second Reading appears House Bill 144. Ms. Davis, do you wish to proceed on that? Sure, we'll take that out of the record, of course. On the Order of House Bills Second Reading appears House Bill 146. Mr. Ropp. Mr. Clerk, read

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the Bill."

Clerk Leone: "House Bill 146, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk Leone: "There are no Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 161. Out of the record. On the Order of House Bills Second Reading appears House Bill 164. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 164, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk Leone: "There are no Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 180. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 180, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Preston."

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Speaker Greiman: "Mr. Preston. Mr. Preston. Ms. Satterthwaite, what is your pleasure, Ma'am? Would you like to take that out of the record or proceed or what? Ms. Satterthwaite."

Satterthwaite: "Mr. Speaker, the Bill has been on this Order for sometime, and I would request that we table Amendment #2."

Speaker Greiman: "The Lady moves to table Amendment #2 to House Bill 180. And on that, is there any discussion? There being none, the question is, 'Shall the Amendment be tabled?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #2 is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #3 is being offered by Representative Satterthwaite."

Speaker Greiman: "The Lady from Champaign, Ms. Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, Amendment #3 to House Bill 180 addresses some problems that were discussed in committee, and by agreement of the committee, we are now amending into the Bill provisions to clarify that a student can stay out of school for one year without sacrificing the merit scholarship, and it also provides for a method of proration of funding if there is insufficient money appropriated to cover all 10 percent of the... the upper 10 percent of the graduating class. I know of no opposition to the Amendment and I move for its adoption."

Speaker Greiman: "The Lady from Champaign moves for the adoption of Amendment #3 to House Bill 180. And on that, the Gentleman from Cook, Mr. Cullerton."

Homer: "Thank you, Mr. Speaker. Actually, Representative Homer taking Representative Cullerton's microphone. I had a question for the Sponsor raised by staff. Representative Satterthwaite, does your Amendment affect, in anyway, the renewal opportunities for the scholarship? Does your Amendment in any way affect..."

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Satterthwaite: "No. The intent... currently, the language is .ambiguous as to whether or not the student has to use the scholarship for the first year after graduation from high school. It was the thought of the Joint Committee on Administrative Rules that a provision needed to be made to permit a student to be out of school for a year if they would choose without forfeiting the scholarship. And so, the Amendment is meant to indicate that they can stay out for one year and then still be eligible for two years of the scholarship program."

Homer: "Okay. Thank you. And another question, Representative Satterthwaite, the 10 percent rule, do you have to be in the top 10 percent in order to qualify, is that existing law or is that being added by your Bill?"

Satterthwaite: "Pardon me? I didn't understand the question."

Homer: "The 10... It's my understanding that the Bill require... limits the eligibility of recipients to those who rank in the top 10 percent of their class."

Satterthwaite: "That's current law, yes."

Homer: "That's current law. So, your Bill does not change current law."

Satterthwaite: "No. The Bill does not change that. It simply provides a mechanism so that if less than the sufficient amount of funds were available to cover scholarships for the total number of students in the top 10 percent of their class, that the Scholarship Commission would know how to allocate that and they would start from the top of the class and go down."

Homer: "Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Amendment be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the Amendment carries. The Amendment's adopted."

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Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. Now, we have found there was just an error in transmission with respect to House Bill 142. Mr. Clerk, read House Bill 142."

Clerk Leone: "House Bill 142, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 192. Mr. Young. Mr. Young in the... Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 192, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment 31 is being offered by Representative Ewing."

Speaker Greiman: "The Gentleman from Livingston, Mr. Ewing. Mr. Ewing asks... wish to withdraw Amendment... the Amendment. The Amendment is withdrawn. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. I noticed that we skipped over House Bill 188. Mr. Clerk, read House Bill 188."

Clerk Leone: "House Bill 188, a Bill for an Act to amend an Act in relationship to the rate of interest. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 194. Out of the record. Yes, Mr. Homer. I'm sorry. Mr. Clerk, read House Bill

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194."

Clerk Leone: "House Bill 194, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk Leone: "There are no Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Wojcik and McCracken."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik on Amendment #2. Ms. Wojcik."

Wojcik: "Yes. Mr. Speaker and Members of the House, what this Amendment does, it changes the amount of thirty-five dollars down to twenty-five dollars, and it provides that individuals who receive a federal supplemental security income of twenty-five dollars per month will not be eligible for additional benefits funded by the state and also provides that individuals who are not eligible to receive SSI benefits will be eligible to receive a state supplement of twenty-five dollars per month for personal care. I move its passage."

Speaker Greiman: "Lady from Cook moves for the adoption of Amendment #2 to House Bill 194. And on that, the Gentleman from Fulton, Mr. Cullerton... I mean, I'm sorry, Mr. Homer at Mr. Cullerton's desk, please."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. I'd appreciate your attention on this matter because it is a matter of some concern. It affects a situation that was brought to my attention about three years ago when a lady, an elderly lady, who was a quadriplegic at a nursing home, called me and explained that she had a need to purchase some dress shoes that was thirteen years old and she didn't have the wherewithall to do that. And as I looked into the

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matter and found out that she was an SSI recipient, who was also on public aid because her SSI was insufficient to pay her nursing home bill, and under those circumstances, the law is, as established at the federal level, that SSI recipients will turn their check over to public aid who will then pay their nursing home bill, but allow them an allowance of twenty-five dollars a month. Twenty-five dollars a month. That was established back in 1973 for poor people who are senior citizens, who are blind or who are disabled, who live in nursing homes. Twenty-five dollars a month, eighty-seven cents a day. This lady was unable to buy, or replace, her thirteen year old dress shoes. We looked into that matter with Representative Bowman and found that a number of other states had addressed that problem by increasing the allowance from twenty-five dollars, in some cases, to fifty, in some cases to something else. We started in 1984 with that legislation. Each time it's come to this body, a Member on the other side of the aisle has gotten up in opposition, which, of course, is their right. And last year, Representative Ewing, speaking from Leadership over there, said, 'Well, you know, your Bill goes to fifty dollars. If you had put your Bill at thirty-five dollars, in other words, a ten dollar increase, I could support that, but your Bill goes to fifty dollars. So, this side of the aisle is going to have to oppose an increase of fifty dollars.' So, Representative Bowman and I lost our Bill again. We came back this year, did what the Leadership said on the other side of the aisle, we put a Bill in increasing it from twenty-five dollars to thirty-five dollars a month. That's a dollar, a little over a dollar a day these people are going to have to splurge now who live in nursing homes that are in this situation. Now, what do

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we have this year after we did what they asked? Here, we are faced on Second Reading with an Amendment and this is what the Lady's Amendment does: I don't understand exactly the explanation, is to take it from thirty-five dollars back to twenty-five dollars, which is what existing law is. So, in other words, the Amendment guts the Bill. It nullifies the Bill and says to these old people who are blind, disabled, who are living in these nursing homes, look, you're going to have to continue to live on that twenty-five dollars a month. Now, let me just say that I don't think they've got a very good lobby group out there. I don't even know if these people even vote. They're people who are in the declining years of their lives grasping for some final straws of human dignity. So, you can cast whatever vote you want here. I think without concern that there is going to be any repercussions in your political race. Let me just appeal to your sense of common human decency in saying the time has come to give these people an opportunity to buy a pair of dress shoes once every thirteen years, to buy prescription drugs that aren't... and non prescription drugs that aren't covered by Medicaid, to buy eyeglasses, to pay for dentures, to pay for gifts for their friends and relatives on those rare occasions, and to do those minimal kinds of things that we take for granted. And how much are they going to have to do it? Under our Bill, they would have thirty-five dollars a month. Under this Amendment, it would go back to twenty-five dollars a month. Leave it at twenty-five dollars a month where it's been since 1973. It's outrageous. This Amendment ought to be resoundingly defeated on both sides of the aisle."

Speaker Greiman: "The Gentleman from Cook, Mr. Sutker."

Sutker: "Mr. Speaker, last year this Bill came up, and I spoke on

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it because I was concerned about the minimal sum of fifty dollars a month that was provided. Leadership on the other side of the aisle said it was a 100 percent increase from twenty-five dollars a month to fifty dollars a month. Leadership on the other side of the aisle said that if it were a thirty-five dollar a month payment, they would wholeheartedly support the kind of concept that Representative Homer has pursued. If you've had an opportunity to go into nursing homes, if any of you have nursing homes in your districts and have campaigned there, you know how important that extra twenty-five dollars a month becomes. In order to make this Bill more palatable, Representative Homer brought it back to thirty-five dollars a month where the other side's Leadership said last year they would support this kind of proposal. This is minimal discretionary dollars for nursing home persons. It is insufficient where it is. It is an outrage that it's so low even where we're suggesting it be. I would urge that the Leadership on the other side of the aisle think this through, remember their words of last year. Remember their justification for speaking for thirty-five dollars last year and reject Amendment #2."

Speaker Greiman: "The Gentleman from Livingston, Mr. Ewing."

Ewing: "Mr. Speaker, my name was used in debate, and I think the speaker who did so knows the rules and knows that's not to be done. But, let me say on a point of personal privilege, while both of you over there are haranguing the Leadership on this side, let me remind you that you have the votes to do it if you want to spend the extra five million, spend it and raise the taxes to pay for it."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman."

Bowman: "Mr. Speaker, Ladies and Gentlemen of the House, this Amendment is obstructionist. This Amendment is obnoxious.

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This Amendment is heartless. This Amendment is cruel, and I urge its defeat."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik, to close."

Wojcik: "That's very difficult to close with such demonstration on the left side of the aisle. I have to say that as a taxpayer, I resent this additional ten dollar request. As a taxpayer, I resent 5.5 million. We're talking of one individual, the Representative is speaking of a local individual. We're talking of shoes. We're talking of all the humanitarian areas that we can talk. Let's talk taxes. This is what we're looking at. We're looking at welfare reform. We're looking at nursing home reform. I'm only saying that if we're going to do this, we better start thinking about 5.5 million. We're just beginning with Amendments. Today, it's 5.5. At the end of June, we'll be talking 46, 45, 50 million dollars."

Speaker Greiman: "The question is, 'Shall this Amendment be adopted?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 36 voting... Yes, Mr. McCracken, did you wish to explain your vote?"

McCracken: "Yes, Sir."

Speaker Greiman: "Proceed, Sir."

McCracken: "There are many worthy causes. This undoubtedly is one of them, but I just want to remind everybody when the time comes, the people voting for the worthy causes are the ones who are going to have to support the tax increase."

Speaker Greiman: "On this question there are 36 voting 'aye', 71 voting 'no', none voting 'present', and the Motion... Mr. LeFlore votes 'no'. There are 36 voting 'aye', 72 voting 'no', none voting 'present', and the Motion fails. Further

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Amendments?"

Clerk Leone: "Floor Amendment #3 is being offered by Representative Homer."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer at Mr. Cullerton's desk."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. Amendment #3 is one to clarify the interpretation given to the Bill by the Department of Public Aid who has taken the position that there is to be no distinction between SSI recipients and those who are under the SSA program. We agreed that there should be no such distinction, and Amendment #3 is offered in that respect. I'd ask for its favorable consideration."

Speaker Greiman: "The Gentleman from Fulton moves for the adoption of Amendment #3 to House Bill 194. And on that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Further Amendments?"

Clerk Leone: "Floor Amendment #4 is being offered by Representative Bowman. Bowman."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman on Amendment #4."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. All Amendment #4 does is to provide that the appropriation for this program be included as a separate line item in the appropriation Bills. This Amendment was requested by the Illinois Health Care Association. And I'm pleased to move its adoption."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman moves for the adoption of Amendment 4 to House Bill 194. And on that, the Gentleman from DuPage, Mr. McCracken."

McCracken: "Will the Sponsor yield?"

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Speaker Greiman: "Indicates he'll yield for questions."

McCracken: "Representative, how has it been done in the past?"

Has it merely been discretionary funds of the Department?"

Bowman: "Mr. McCracken, we haven't had this legislation on the books in the past, so it hasn't been done at all."

McCracken: "I thought we already gave some money as a supplement."

Bowman: "The federal program that you're talking about or the federal legislation that you're talking about has been implemented simply within the present line item appropriations for nursing home reimbursement."

McCracken: "Okay. Well, since this Motion to adopt this Amendment is not a travesty, I think we may as well adopt it."

Speaker Greiman: "The question is, 'Shall this Amendment be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. Representative Braun, in the Chair."

Speaker Braun: "We will continue with House Bill 205, Representative Ropp. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 205, a Bill for an Act to amend an Act concerning truancy. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed with respect to Amendment #1."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Ropp."

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

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Ropp: "Thank you, Madam Speaker. I'd like that withdrawn, please."

Speaker Braun: "The Gentleman withdraws Amendment 2."

Clerk Leone: "Floor Amendment #3 is being offered by Representative Ropp."

Speaker Braun: "Representative Ropp on Amendment 3."

Ropp: "Thank you, Madam Speaker, Members of the House. Amendment #3 to House Bill 205 clarifies some language dealing with truants as it pertains to private and parochial schools and home schools, and that's a clarifying language to be added to the Bill."

Speaker Braun: "The Gentleman moves for the adoption of Amendment 3. On that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Young."

Young: "Thank you, Madam Speaker. Will the Gentleman yield?"

Speaker Braun: "He indicates he will."

Young: "Representative, does Amendment #3 do anything besides technical changes?"

Ropp: "The only thing as I mentioned in explaining what it did, which clarified the language dealing with attendance records in private and public schools. It makes them... It also includes a Section in there that would allow the juvenile court Judge to make some direction to those who make be truant in allowing them to participate in some probationary programs."

Young: "Does this Amendment say that a truant may participate in probation programs or does it say that he may not participate in those programs?"

Ropp: "Oh, I think he will be able to participate as I understand it. I think this was a provision that was suggested by the probationary people in order to gather their support for this important issue that we have."

Young: "Well, Representative Ropp, as I read the Amendment, what

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it's actually doing is it's saying that a truant may not be placed on probation or court supervision pursuant to this Amendment."

Ropp: "It is my understanding by one of the juvenile court Judges that this was a provision that was placed in at the request of the probationary people. So, that's why it's in there at their request."

Young: "Well, Representative, I'm just wondering if what they requested is what the Amendment actually does; because, as I understand it, they requested that truants be allowed to participate in court supervision programs and in probation programs and that this Amendment, and I'll direct you to page 18 of your own Amendment, it says, 'Nor may they be placed under the supervision of the probation department or court services after a minor is before the court.'"

Ropp: "Yeah, but it's not the intent that I was given by the individual that gave me this information. I would be more than happy to make that correction at the appropriate time."

Young: "Representative, wouldn't the appropriate time, perhaps, be not to adopt this Amendment then, since it's faulty?"

Ropp: "Not necessarily because, as you all well know, this is a very tight process. And I have given you my word that should that not be the intent, that we will... we would move it back from Third at the appropriate time."

Young: "Well, Madam Speaker, to the Amendment. I would suggest, rather than adopting an Amendment, then we... withdrawing it later, we just not adopt the Amendment and then the Sponsor could move it to Third without the Amendment and move it back at a later time when he has an Amendment that's in order. But this particular Amendment, first of all, the Bill itself puts truants back in under the jurisdiction of the courts, but this Amendment says that

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once they are under that jurisdiction, it takes away the court's discretion as to using the probation department or any other supervisory programs. So, I would urge that we defeat this Amendment."

Speaker Braun: "Is there further discussion? The Gentleman from McLean, to close."

Ropp: "Thank you, Madam Speaker. This is a very serious problem in our school system throughout the State of Illinois, and we're attempting to address it in a manner that will provide opportunities for those people to stay in school. And I welcome your support of this Amendment."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #3. All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 46 voting 'aye', 66 voting 'no'. And the Amendment fails. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 210, Representative Panayotovich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 210, a Bill for an Act to limit civil liability. Second Reading of the Bill."

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

Panayotovich: "Thank you, Madam Speaker. With the agreement of Representative McCracken and the discussion with the understanding that I can come back to this Bill at any time I'd like to call it... I'd like to withdraw this Bill for now. Representative McCracken..."

Speaker Braun: "Out of the record."

Panayotovich: "Thank you."

Speaker Braun: "House Bill 213, Representative Matijevich. Representative Matijevich. 213. Mr. Clerk, read the

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Bill."

Clerk Leone: "House Bill 213, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Homer."

Speaker Braun: "The Chair recognizes the Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Madam Speaker. Amendment 1 simply deletes the immediate effective date of the Bill so that, if signed by the Governor, the Bill would not take effect until January 1, 1988, in order to allow clerks the time to learn of the existence of the law and to allow the Bill to be fully implemented. I move for its adoption."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment 1. And on that, is there any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments? Representative Matijevich, there seems to be some confusion as to whether or not there are further Amendments on this Bill. With your leave, we'd like to take it out of the record for a moment while the Clerk has an opportunity to review this, and we will come back to it. Is that alright?"

Matijevich: "Not really."

Speaker Braun: "Not really. Okay. House Bill 217, Representative Flowers. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 217, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

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Clerk Leone: "There are no motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Wojcik and McCracken."

Speaker Braun: "The Chair recognizes the Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Madam Speaker and Members of the House, what this Amendment does, it encourages family responsibility and fiscal responsibility by giving a clear message that work is better than welfare. It also costs 4... the impact of the legislation, costs 4.8 million. I move its favorable adoption."

Speaker Braun: "The Lady has moved the adoption of Amendment #2, and on that, the Chair recognizes the Lady from Cook, Representative Flowers."

Flowers: "Madam Speaker and Ladies and Gentlemen of the House, I urge the resistent of House Amendment #2 to House Bill 217. This Bill would defeat the purpose of my Bill. They're saying, with this Amendment, that if I choose to voluntarily terminate myself from my job due to lack of day care facilities, that I shall no longer be able to get on public assistance for another three years, and I think this would be a devastating situation for a person that's dependent on public aid. And I would move for the elimination of Amendment #2 to House Bill 217."

Speaker Braun: "Is there further discussion? The question is, 'Shall House Amendment... Shall Floor Amendment #2 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'nays' have it. The Amendment fails. A Roll Call has been requested. All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 49 voting 'aye', 58

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voting 'no', and the Amendment fails. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 226, Representative Frederick... Frederick. Mr. Clerk, read the Bill. Representative Frederick, has the fiscal note been filed?"

Frederick: "Fiscal note has been filed."

Speaker Braun: "Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 226, a Bill for an Act to amend the Senior Citizens Real Estate Tax Deferral Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Regan."

Speaker Braun: "The Chair recognizes the Gentleman from Will, Representative Regan."

Regan: "Thank you, Madam Speaker, Members of the House. Amendment #1 deals with a select group of hungry hawks that swoop down on the unemployed, the hard-hit farmer, the senior citizens on limited incomes. These people that may fall slightly behind in their tax... their real estate tax bills. The state is compassionate and gives a length of time in which they can go pay their taxes and bring them up to date, with a penalty, so the state doesn't lose the money; but, however, this select group of hawks that come down and buy this can do it a year in advance, and at the time a person does catch up, and he does go forward and pays his back taxes, suddenly he's slapped again, not only with the state penalty, but an additional 18% interest to the lawyers that behind the scenes that buy up these tax bills. I feel that there is a situation involved where it should be fair, if the state is compassionate and allows them this length of time, that we should also allow them that the tax buyer can't move in until the second bill is

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not paid. I appreciate this and I would like to have an 'aye' vote on the Amendment."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1, and on that, is there any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 227, Representative Frederick. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 227, a Bill for an Act to amend the Carnival and Amusement Rides Safety Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. 232, House Bill 232, Representative Steczo. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 232, a Bill for an Act to amend an Act to require prompt payment by the State of Illinois. Second Reading of the Bill."

Speaker Braun: "Any... "

Clerk Leone: "There... there are no Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Steczo."

Speaker Braun: "The Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. Over the last few weeks we've had an opportunity to discuss the subject matter of House Bill 232 with members from the Department of Central Management Services, Department of

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Mental Health and Department of Corrections, and those departments have given us their ideas and suggestions as to how this Bill can be amended to take care of any problems they have, and I think Amendment #1 goes a long way toward doing that. It provides that the Director of an agency can name a person at a site or facility to approve bills. There was a problem with the provision on perishable goods and the seven day approval time that we originally wished. We have changed that to 15 calendar days, which allows the departments some better and more adequate time. We've provided the vendors have to apply for refunds. The automatic penalty provision has been deleted, but it also provides, Amendment #1 also provides that the voucher, or invoice, that is submitted to the vendor and from the vendor to the state shall stipulate the terms, conditions and procedures for payment of any interest penalty. It also provides that interest charges paid to a vendor as a result of late payments should be paid from funds appropriated in the state fiscal year which... in which the interest charges are claimed. I think, Madam Speaker, there should be very little or no opposition to this Amendment. I would move for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1. On that, is there any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 237, Representative Hensel. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 237, a Bill for an Act to amend the Barber and Cosmetology Act. Second Reading of the Bill.

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Amendments #1 and #2 were adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #3 is being offered by Representative Currie."

Speaker Braun: "The Chair recognizes the Lady from Cook, Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. The underlying Bill proposes to require the appointment of a stockholder or major shareholder of either a school of cosmetology or a school of barbering to the Cosmetology and Barber Committee under the Barber and Cosmetology Act of 1985. Until a year ago, participation by people of that title was prohibited under our Barber and Cosmetology Act program. Legislation two years ago said that that kind of individual would be eligible for appointment to this nine member committee. I think that it is a questionable public policy to require the appointment of such an individual today. We presently have one public member, four cosmetologists, three barbers and one cosmetologist and barber appointed to that board, and it's not at all clear to me why we should, as a General Assembly, say that a major shareholder or an owner of a barber or cosmetology school must be appointed to that board. So I would urge adoption of the Amendment. I think that what the compromise that we reached in 1985 to take out the prohibition is nothing like the kind of language that is in House Bill 237 today, and I would urge as a consumer issue, that the Members adopt Amendment #3 to House Bill 237."

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

Parke: "Thank you, Madam Speaker. I... for the very reason that

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she is referring that this is a good con... that somebody from a school should be on the board, is the reason why I think that it should be required. The people that run these schools put all this... all these hundreds of hours in working with these students, I think understand what the needs of this board are, and I think that they should have somebody, and should be required to have, and I, I would say that we should try and defeat this Amendment. In the old days, the reason that they allowed somebody... that they said no one from the school should be on the board... because since it was, in fact, that they made up the tests. That is no longer done. It is done by a private testing service, so, therefore, I believe that we should defeat this Amendment and allow a member of the cosmetology schools to be a member of the board."

Speaker Braun: "Is there further discussion? The Gentleman from St. Clair, Representative Flinn."

Flinn: "Thank you, Madam Speaker. Madam Speaker, I, too rise in opposition to this Amendment. It is designed to kill the Bill, is what it has done. I think that any Member who is fortunate enough to get his Bill, his or her Bill, out of committee, ought to have the opportunity to let the House vote the Bill up or down on its merit. In all my years I've been here, I've never stooped so low as to try to remove the enacting clause from a Bill or to introduce an Amendment which would kill the Bill. And I don't ever intend to do that. If I don't like a Bill, I vote 'no'. If I like a Bill, I vote 'yes'. And I think all of us ought to do that that same way. I think the cosmetologists do deserve a person on the board and I support them strongly and I'm against this Amendment and I would suggest that we vote 'no' and I'd ask for a Roll Call vote."

Speaker Braun: "The Chair recognizes the Gentleman from DuPage,

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Representative Hensel."

Hensel: "Thank you, Madam Speaker, Members of the House. When this Bill was heard in committee, there was one person in opposition, and the reason for the opposition to the Bill was that it mandated that one person, a major stockholder or an owner of a cosmetology school, be on the board, and also a barber of a barbering school. I present to you Amendment #3 in which, to me, looks like a reverse mandate, where it says, 'None of whom shall be', and I would just ask that we vote 'no' on this Amendment #3."

Speaker Braun: "Is there further discussion? The Gentleman from Cook, Representative Williams."

Williams: "I also rise in opposition to this Amendment. The present Act, as I understand it, not only regulates the barbers and cosmetologists, but it also regulates the schools, and as such, with over 50% of this Act regulating the schools, I feel that it is only fair that a member of the various schools be represented on this board. And it says that either a owner or a major stockholder. If you're going to be regulated, you should at least have some understanding of what the Act will be and what it should be. You're the one that have to test, you have to, basically, train, you should be there. And besides, most owners actually have more experience in this area, they are generally licensed barbers or cosmetologists, and I just believe that this is an attempt to change the whole essence of the Bill, and I rise in opposition."

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

Rea: "Thank you, Madam Speaker, Members of the House. I also rise in opposition to this Amendment. I feel that the Bill is a good Bill. It is no different in many ways to how

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other boards are operated. It brings experience forth. You need that type of experience, with somebody from the school, that they can contribute very much to what is going on. I think that this Amendment certainly should be defeated. And I also join Representative Flinn in a Roll Call vote."

Speaker Braun: "Is there further discussion? The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Madam Speaker. It sounds as though the debate is going one-sided, and I'm going to join with the opponents of the Amendment just to point out that the rewrite in 1985 set up this barber and cosmetology board, or committee, and its an advisory committee within the Department of Registration and Education. It set up eight members, five who are to be cosmetologists and three who were to be barbers; however, the interest of the barber colleges and cosmetology colleges were not represented on the board. So the Bill that was introduced by Representative Hensel is a very modest one just saying that one of those five cosmetology positions on the committee will be a major stockholder in one of the schools or an owner. And then the barbers came in with an Amendment to say, well, then one of our three representatives ought to be the owner of a barber school, so as to give full consideration to the issues that come before that advisory committee. The Amendment that has been offered would gut that provision and go back to the previous... the existing law, where no proprietary person can sit on that board, and it makes no sense to do that. Why don't we want, at least, give them one cosmetology school owner and one barber school owner to sit on an advisory committee. Therefore, we should vote against... 'no', on this Amendment. Thank you."

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Speaker Braun: "The Lady from Cook, Representative Currie, to close."

Currie: "Thank you, Madam Speaker, Members of the House. Under present legislation owners and shareholders and cosmetology and barber schools may be appointed to this board. The fight of the opponents against this Amendment is a fight that ought to be carried out in the Department of Registration and Education, and not on this floor. It is important, I think, if we're concerned about consumers and about the way the Department of Registration and Education processes work, to recognize that it isn't up to us to identify which foxes should be guarding which chicken coops. I would urge you to vote 'yes' for this Amendment. It's a good consumer Amendment, and it suggests that the real people who are involved in this legislation are the consumers of barbering and cosmetology services, not the owners of the schools that teach people how to operate in those fields. I would appreciate your support for Amendment #3 to House Bill 237."

Speaker Braun: "The Lady has moved the adoption of Amendment #3. All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 4 voting 'aye', 104 voting 'no', and the Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #4, being offered by Representative Hensel."

Hensel: "Thank you, Madam Speaker. I ask leave to withdraw Amendment #4."

Speaker Braun: "Amendment #4 is withdrawn. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 245, Representative Ewing. Representative Ewing? Mr. Clerk, read the bill."

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Clerk Leone: "House Bill 245, a Bill for an Act in relationship to public and community service for offenders. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Homer."

Speaker Braun: "The Chair recognizes the Gentleman from Fulton, Representative Homer on Amendment #1."

Homer: "Thank you, Madam Speaker, and Ladies and Gentlemen. This Amendment #1 is... is similar to an Amendment that I've asked to be attached to a number of criminal code bills, which would delete the immediate effective date. The reason for this, and the other Amendments that would delete the immediate effective date, is a complaint that's come forth from the judiciary about the Legislature passing criminal code revisions and inserting an immediate effective date, which means that when the Governor signs the Bill, that day it becomes the new law. And it gives the judiciary no opportunity to realize that the law has been changed. It creates confusion, disarray in the court rooms, and so the judiciary is requesting, and I think very reasonably so, that we refrain from putting in immediate effective dates, except in those vital cases, and the effect of which would mean that the Bill would not take effect until July 1 of the following year in order to give the judiciary and all of the participants in the system a reasonable opportunity to find out about the law so that it can be fully implemented in the court system, so I would move for the adoption of this Amendment."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1, and on that, is there any discussion? The Chair recognizes the Gentleman from Livingston, Representative Ewing."

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Ewing: "Madam Speaker, I guess that I would have preferred that the Sponsor of this Amendment would have at least mentioned it to me. It would have been, probably, the appropriate thing to do. I'm not going to fight this Amendment because I would have to check with the probation officers who are seeking this new legislation to see if it's any problem. If it's not, I will be glad to accept it. If not, we'll try to take it off later."

Speaker Braun: "Is there further discussion? Representative Homer to close."

Homer: "Thank you, Madam Speaker. I would ask for the adoption of Amendment #1."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 252, Representative John Dunn. Representative John Dunn. Representative Dunn, your Bill. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 252, a Bill for an Act to amend the Illinois Identification Card Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 255, Representative Johnson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 255, a Bill for an Act to Amend an Act relating to firearms and firearm ammunition. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. Uh, Representative Johnson."

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Johnson: "Staff filed an Amendment an hour ago. Or they were supposed to have. They brought it to me and said they were taking it down to the well to file it an hour ago."

Speaker Braun: "Representative Johnson, are you saying that you want us to take this Bill back to the Order of Second Reading and then you will pull it out of the record?"

Johnson: "I didn't... I guess... "

Speaker Braun: "That's what you want us to do?"

Johnson: "Well... can we... do we have to have a, you know, a...
"

Speaker Braun: "Yes."

Johnson: "...debate here about it or can I... "

Speaker Braun: "No, we don't."

Johnson: "...figure out whether the Bill was... whether an Amendment was filed or not? Because if... "

Speaker Braun: "Representative Johnson asks that the Bill be returned to the Order of Third Reading... Order of Second Reading, and that it be taken out of the record."

Johnson: "Can... can... well, I just... is my, is my Amendment been filed and printed and distributed? I don't know why it wouldn't have. We did that at least an hour ago, or more."

Speaker Braun: "Representative Johnson, the stack on the edge of the desk are Amendments."

Johnson: "Yes."

Speaker Braun: "Now, whether your Amendment is one of those is an open question, but in any event you've asked for the Bill to be taken out of the record and so we will proceed."

Johnson: "Okay. Okay. Let's just... no... just... no... just... we can leave the Bill on Third, and then I will just return it for purpose of an Amendment. It's not a controversial one, anyway. Just move the Bill to Third and we'll go on and then bring it back."

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Speaker Braun: "Mr. Clerk, the Parliamentarian advises that we can move the Bill back to the Order of Third Reading, since there are no Amendments on the Bill. And it's Mr. Johnson's Amendment that he is anticipating, so the Bill will be moved to the Order of Third Reading. Third Reading. House Bill 259, Representative Stange. The Chair recognizes the Gentleman from DuPage."

Stange: "Take it out of the record for a second, here?"

Speaker Braun: "Out of the record. House Bill 260, Representative Hannig. Out of the record. House Bill 261, Representative Granberg. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 261, a Bill for an Act to amend an Act relating to rights of way. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Has a fiscal note... request has been made. Has the fiscal note been filed?"

Clerk Leone: "Fiscal note on House Bill 261 has been filed."

Speaker Braun: "Third Reading. House Bill 263, Representative O'Connell. Representative O'Connell? Is the Gentleman in the chamber? Is Representative O'Connell in the chamber? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 263, a Bill for an Act to amend an Act relating to records. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative O'Connell."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative O'Connell on Amendment #1."

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O'Connell: "Thank you, Madam Speaker. Amendment #1 makes some technical amendments, but most importantly, one substantive change is that it makes certain that this Act only applies to public lands. There was some changes in the Bill, prior to passage out of committee, which had included reference to private burial grounds. That language has been taken out. The Bill now is consistent with discussions with Department of Transportation, Historical Preservation and all the other agencies that have expressed interest, and I'd ask for favorable adoption of Amendment #1."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1, and on that, is there any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 266, Representative Klemm. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 266, a Bill for an Act to amend the Mobile Home Landlord and Tenant Act. Second Reading of the Bill. Amendments 3 and 4 were adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 269, Representative Giorgi. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 269, a Bill for an Act to amend the Liquor Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, being offered by Representative

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Mautino and Ackerman."

Speaker Braun: "The Gentleman from Bureau on Amendment #1."

Mautino: "Thank you, Madam Speaker. Amendment #1 addresses a situation which provides that liquor sales may be sold on areas other than a pier extending into a lake. Four marinas in downstate Illinois are on property owned by the village. I think Fulton, Erie, Henry and somewhere else. This Amendment provides that a continuation of those businesses can occur if in fact, they are on property that extends into a lake or a stream, or on the shoreline. That's what the Amendment does. I move for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1, and on that, is there any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Hallock."

Speaker Braun: "The Chair recognizes the Gentleman from Winnebago, Representative Hallock on Amendment #2."

Hallock: "Thank you, Ms. Speaker, Members of the House. Could we take this out of the record for a second, please, this Bill, so I can speak to my colleague?"

Speaker Braun: "Representative Giorgi, what's your pleasure? Out of the record. House Bill 270, Representative Levin. Representative Levin. Is the Gentleman in the chamber? Out of the record. House Bill 274, Representative Levin. Out of the record. House Bill 275, Representative McPike. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 275, a Bill for an Act to amend the Private Detective, Private Alarm and Private Security Act. Second Reading of the Bill. Amendment #1 was adopted in

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Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Braun: "Any Floor Amendments? Representative McPike, the Clerk advises that there appears to have been an Amendment filed on this Bill, but it has not been distributed and may well be part of the stack."

McPike: "Who filed the Amendment, Madam Speaker?"

Speaker Braun: "Mr. Clerk. The problem is they can't find the Amendment. Representative Kirkland, are you going to shed any light on this? Did you file the Amendment?"

Kirkland: "Yes. Would it help if I withdraw the Amendment, please?"

Speaker Braun: "It certainly would."

Kirkland: "Thank you."

Speaker Braun: "Representative Kirkland withdraws Amendment 2. Amendment 2. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 281, Representative Ackerman."

Clerk Leone: "House Bill 281, a Bill for an Act to amend the Liquor Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment 21 is being offered by Representative Mautino and Ackerman."

Speaker Braun: "The Chair recognizes the Gentleman from Bureau, Representative Mautino on Amendment 1. Representative Ackerman on Amendment 1."

Ackerman: "Thank you, Ms... Madam Speaker. This Amendment also deals with marinas that extend over a stream and it creates... takes care of a problem that was eliminated in the previous Bill that was passed in the General Assembly."

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There are some marinas in the state who have been serving liquor and due to a technicality, where it was left out of the ordinance, they are now out of compliance. This would hope to put them back into compliance. And I move for passage."

Speaker Braun: "The Gentleman has moved the... moved the adoption of Amendment #1. On that, is there any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. Is there a fiscal note? Representative Levin, I know you are anxious to have 274 called, but there is a fiscal note request on that Bill. Have you filed one?"

Levin: "There was a fiscal note filed on that."

Speaker Braun: "Alright. Mr. Clerk, we will go back to House Bill 274. Representative Levin was temporarily unavailable."

Clerk Leone: "House Bill 274, a Bill for an Act to amend the Senior Citizens and Disabled Persons Property Tax Relief Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Braun: "Third Reading. Representative Levin, would you like to go forward with House Bill 270 at this time? Okay. House Bill 292, Representative Hensel. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 292, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 294, Representative Currie. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 294, a Bill for an Act in relationship to medical care for low income pregnant women and newborn infants. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative McCracken."

McCracken: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. Amendment #1 would require the Department of Public Health to discontinue all programs similar to the program which this Bill would create. That is that under current law, the department already is conducting many of the initiatives regarding pre-natal care that cover the same area as House Bill 294. That program currently in existence is not age restricted and extends coverage up to 185% of the poverty level. There was Federal legislation recently passed which would allow the Department of Public Aid to cover women of all ages. This Bill, in fact, does limit its scope, if I understand it correctly, to any pregnant woman under 21 at the onset of the pregnancy and who is a resident of Illinois or currently living in Illinois and/or intends to become a permanent resident, and who has gross income not exceeding the non-farm poverty income guideline. I understand that there are programs like this in other states, but given the fact that the Department of Public Aid already has a similar program which in some respects, is broader than what is proposed in

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House Bill 294, the Amendment seeks to avoid the duplication. Either we go with the program under 294, or we go with the program currently in existence, and that is what Amendment #1 seeks and I ask for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1. On that, is there any discussion? The Chair recognizes the Lady from Cook, Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. The either/or choice the Gentleman offers us in Amendment #1 is not one we ought to accept. Not one we ought to take. Presently we have a few programs in the state that do extend pre-natal services to individuals in high mortality... infant mortality... areas to 185% of the federal poverty lines. This Amendment would end that program forthwith. The underlying Bill, House Bill 294 as introduced, is intended to fill gaps in the present system. While I would certainly enjoy the opportunity to provide pre-natal and post-nursal... post natal care services to all pregnant women 21 age, age 21 and younger, universally across the state, I think that that proposition is a fairly costly one. So for both those reasons, I would urge that we reject Amendment 1 to House Bill 294. First of all, we can't afford Amendment 1 to House Bill 294, and secondly, that Amendment would restrict services to some who presently receive them."

Speaker Braun: "Is there further discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'nos' have it. Do you want a Roll Call? Do you want a Roll Call? The Gentleman would like a Roll Call. All in favor... the Gentleman would like me to say the 'ayes' have it. In my opinion the 'nos' had it, but we'll take a Roll Call. All in favor vote 'aye', opposed vote

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'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 46 voting 'aye', 58 voting 'no' and the Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #2, being offered by Representative McCracken."

Speaker Braun: "The Chair recognizes the Gentleman from DuPage on Amendment 2."

McCracken: "Thank you, Madam Speaker. This would transfer the responsibility for the administration of this Act if it became law from the Department of Public Health to the Department of Public Aid, and I move its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 2. Is there any discussion? The Chair recognizes the Lady from Cook, Representative Currie."

Currie: "Thank you, Madam Speaker, Members of the House. I would oppose Amendment 2 to House Bill 294. The Department of Public Health is already engaged in trying to improve infant mortality rates in the State of Illinois. That department has the expertise to do the outreach, to provide the services that House Bill 294 would require, and I would urge you to say 'no' to this Amendment that would transfer this responsibility to a department for whom this is not a primary mission."

Speaker Braun: "Is there further discussion? The Gentleman from DuPage to close."

McCracken: "Thank you. In effect, the Bill creates an entitlement program, and I think reasonably, we could conclude that it would be better administered by the Department of Public Aid. The Department of Public Health should only be required to administer the non-entitlement aspects of the program, and that's the reason for the Amendment, and I move its adoption."

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Speaker Braun: "The Gentleman moves the adoption of Amendment #2. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'nays' have it. The Amendment is lost. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 295. There has been a request for a fiscal note on this Bill. Was it filed? The State Mandates Fiscal Note Act has been filed. Third Reading. House Bill 295, Representative Currie."

Clerk Leone: "House Bill 295, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments? Mr. Clerk, are there any fl... Representative Currie, the Clerk has raised some concerns. Could you take this Bill out of the record for a moment? Alright. On to House Bill 297, Representative Currie. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 297, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative McCracken and Piel."

Speaker Braun: "The Chair recognizes the Gentleman from DuPage, Representative McCracken on Amendment 1."

McCracken: "Withdraw the 1st one."

Speaker Braun: "Amendment 1 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative McCracken."

Speaker Braun: "The Gentleman from DuPage, Representative McCracken."

McCracken: "This would provide that legal assistance may be made available to recipients of public assistance. The payments

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to the Department of Public Aid for the assistance will be federally funded, and the Amendment proposes no cost to the state. I move its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 2, and on that, is there any discussion? The Lady from Cook, Representative Currie."

Currie: "First of all, a Parliamentary inquiry, Madam Speaker. It is my understanding that Amendment 2 is technically incorrect."

Speaker Braun: "Mr. Parliamentarian. Yes, Mr. McCracken."

McCracken: "I should have withdrawn 2 and proceeded with 1. With leave of the Body..."

Currie: "Too late. Too late. No. Too late. Too late."

McCracken: "... I wish to proceed on Amendment 1."

Speaker Braun: "The Lady... the Lady... the Lady refuses leave in this situation. Amendment #2, in any event, is out of order."

McCracken: "Serves... serves me right."

Speaker Braun: "Amendment 2 is out of order. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 298, Representative DeJaegher. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 298, a Bill for an Act to amend an Act to revise the law in relationship to counties. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Kirkland and DeJaegher."

Speaker Braun: "Representative Kirkland, the Gentleman from Kane on Amendment 1."

Kirkland: "Thank you, Madam Speaker. This is an agreed Amendment with the Sponsor of the Bill. Simply sets the time for

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fixing the compensation of county officers by county board members. That that should be at a meeting of such... of the board held next... or held before the regular election of the officers, whose compensation is to be fixed. Move its passage."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 1, and on that, is there any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Amendment #2, being offered by Representative Hensel and Klemm."

Hensel: "Thank you, Madam Speaker, Members of the House. Amendment #2 amends the county budget law that allows collar counties to lapse appropriated county funds for 90 days rather than 30 days at the close of a fiscal year, and I ask for its adoption."

Speaker Braun: "The Chair recognizes the Gentleman from Rock Island, Representative DeJaegher on Amendment 2."

DeJaegher: "Madam Speaker, I'm not knowledgeable of this Amendment, and I don't feel that this Amendment is rationale or should be a part of this particular Bill. For that reason, I ask for defeat of this Amendment."

Speaker Braun: "The question is, 'Shall Amendment 2 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'nos' have it. The Amendment fails. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 301, Representative McPike. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 301, a Bill for an Act to amend the Southwestern Illinois Development Authority. Second

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Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, being offered by Representative McCracken and Black."

Speaker Braun: "The Chair recognizes..." "

McCracken: "Thank you, Madam Speaker. Amendment #1 to House Bill 301 creates the Regional Development Authority Act and authorizes any two or more contiguous counties, except those in the Southwestern Act, in the original Bill, with a combined population of at least 200,000 to form a regional development authority. That authority would have the same composition generally as the Southwest Illinois Development Authority, but it would not have quick-take powers and cities may only give grants to the authority within existing corporate tax limit, and the inclusion in the Governor's Budget of Short Falls in the Authority Revenues, would be removed, and I move its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1, and on that, is there any discussion? The Chair recognizes the Gentleman from Madison, Representative McPike."

McPike: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. As you will recall in the Governor's State of the State Speech this year, he suggested that there were two unique areas in the state that we should establish development authorities for, so that we can improve the economic climate in these two areas. I have been trying to accommodate the Governor on this. I know that Representative Brunsvold and DeJaegher have worked with the Governor's Staff to introduce a similar Bill for the Quad-Cities and this particular Bill is for Madison and St. Clair Counties. This is a new idea. The Governor suggested it last year, and I worked with him and we were

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never able to pass the Bill because of a lot of local dispute and also because we have some dispute from the Republican side of the aisle. It is very difficult for me to get up and to suggest that the other counties in the state shouldn't be eligible for this. I hate to ask somebody to vote against their own counties and say that, You can't do the same thing. I've simply tried to accommodate the Governor and say that if it does work in Madison and St. Clair County, and if it does work in the Quad-Cities, then let's give it a chance to work, and if it does, then let's expand it; but let's not start a new program and make it applicable to the entire state. That's about the only reason that I stand and ask that this Amendment not be adopted, to allow the Governor the chance to implement this in two metropolitan, depressed, urban areas of the state that have had special problems since the Reagan Recession four or five years ago. To give those people a special economic development tool to allow them to try to get their economies going better than they are today. So based on that, I'd ask you to vote against the Amendment."

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

Churchill: "Thank you, Madam Speaker. I rise in support of this Amendment. Whether it be in the southwestern portion or the northwestern portion of this state, or whether it be in the northeastern portion, or wherever, if we can put things together in a permissive fashion, as this Bill does, so that we can create development authorities to bring in jobs to this state, it's for the benefit of all the people of this state. That's all this is. This is a permissive Bill that allows the counties to come together to put into place

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a development authority act so that they can encourage development in this area. The more development that we have the less burden there is on our taxes. The more people who are at work, the more people who become taxpaying citizens, the less unemployment. So I would say that this is a fine Amendment. It is something that we ought to have. Let's develop the whole State of Illinois, and let's start on these specific areas."

Speaker Braun: "Is there further discussion? There being none, the question is, 'Shall Amendment #1 be adopted... ' The Chair recognizes the Gentleman from St. Clair, Representative Stephens."

Stephens: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would like to rise in respectful opposition to this Amendment. I associate myself with Representative McPike's remarks with one exception. The one notable exception, I believe that the recession started probably during the era of Lyndon Johnson, and not during the recent President's realm, but the idea of a Southwestern Illinois Development Authority is one that needs bipartisan support. The Governor's Office is committed to this concept. I salute Representative McPike for his work, and I think some of the later Amendments will address some of our concerns. Thank you."

Speaker Braun: "Representative McCracken to close."

McCracken: "Thank you. I think the Gentleman from Madison County makes some good points, and his Bill relative to this Amendment, is unique. As you will recall, I indicated that in the amended version creating the Regional Development Authority, quick-take powers, that is powers of condemnation typically reserved to the state or local units of government, which exist in the Southwest Development Authority, are not granted in the Regional Authority.

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Cities may grant to the authority in the amended portion of this Bill, only within their existing tax limits. That is different from what is in the original Bill and which applies to the Southwestern Authority, and the Governor's Budget... strike that, we are not included in the Governor's Budget of Short Falls, if that occurs. I think, given those restrictions on the Regional Authority, that the experiment on a more limited basis in the rest of the state is well founded, and I ask its adoption."

Speaker Braun: "The Gentleman moves for the adoption of Amendment #1. All in favor say 'aye', opposed say 'no'. In the opinion of the Chair... you want a Roll Call. All in favor vote 'aye', opposed vote 'no'. In the opinion of the Chair, the 'aye'... the voting is open. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 42 voting 'aye', 70 voting 'no', and the Amendment fails. Further Amendments? Further Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Stephens."

Speaker Braun: "The Gentleman from St. Clair, Representative Stephens on Amendment 2."

Stephens: "Table Amendment 2."

Speaker Braun: "Amendment 2 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #3 is being offered by Representative Stephens."

Speaker Braun: "The Gentleman from St. Clair on Amendment #3."

Stephens: "Withdraw Amendment 3."

Speaker Braun: "Amendment 3 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #4, being offered by Representative McPike."

Speaker Braun: "The Gentleman from Madison, Representative McPike on Amendment 4."

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McPike: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #4 tries to address some of the problems that were raised during discussion of this Bill in committee. To begin with, it changes the make-up of the governing board, reduces it from 11 members to 10 members. The Amendment deletes the directors of IDFA and IDA from membership of the board and adds CMS, so that the two people from the state that would be on the board would be the Director of DCCA and the Director of CHS, and the Amendment stipulates that all public members shall be residents of the territorial jurisdiction of the authority. The second Section that it amends requires that this board create a task force to study and make recommendations to the authority on the economic development of the City of St. Louis and on the economic development of the river front within the jurisdiction of the authority. The third provision adds that an unincorporated area, through the county board, may veto a project in the same manner as set forth in the original Bill for incorporated areas. And next, it deletes the provisions in the original Bill which allows cities to levy taxes for the benefit of the authority so that cities could simply contribute money as they saw fit, but they would have no authority to tax, and finally it provides a three year sunset to the quick-take provisions in the original Bill. I think this tries to address all of the concerns that were raises... that were raised. I would move for the adoption of the Amendment."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #4, and on that, is there any discussion? The Chair recognizes the Gentleman from St. Clair, Representative Stephens."

Stephens: "Will the Gentleman yield?"

Speaker Braun: "He indicates he will."

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Stephens: "Representative McPike, as amended, would the bill now allow for a regional airport development authority... a regional airport authority?"

McPike: "It would not allow for an authority, but this authority that is created would have the ability, I think, to manage a regional airport, provided that this is strictly a revenue issue. This does not give this board the authority to issue GO bonds, they would be revenue bonds, provided they could go to market and show that the airport authority would generate enough money to pay for the bonds, then they could do it."

Stephens: "The quick-take powers, do I understand correctly, that there is a sunset of three years on quick-take powers?"

McPike: "This is probably the most difficult issue to deal with, and I would say that if they were misused, I would be back here next year to offer an Amendment to take out the quick-take. I hope that they won't be misused, but we have put a three year sunset on there to take a look and see what happens three years from now."

Stephens: "To the Amendment, Madam Speaker, I rise in support. I think Representative McPike is correct in his analysis and I think this is an important issue for the development of southwestern Illinois."

Speaker Braun: "Representative McPike to close."

McPike: "I just ask for the adoption of the Amendment."

Speaker Braun: "The Gentleman moves for the adoption of Amendment #4. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #5, offered by Representative McCracken and Black."

McCracken: "Withdraw Amendment #5."

Speaker Braun: "Amendment 5 is withdrawn. Further Amendments?"

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Clerk Leone: "Floor Amendment #6, being offered by Representative Stephens."

Stephens: "Withdraw."

Speaker Braun: "Amendment 6 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #7 is being offered by Representative Stephens."

Stephens: "Withdraw."

Speaker Braun: "Amendment 7 is withdrawn. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 302, Representative Harris. Representative Harris on House Bill 302. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 302, a Bill for an Act to amend Sections of the Illinois Occupation and Use Tax Acts. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House... Representative Currie, on House Bill 295. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 295, a Bill for an Act to amend Sections of the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "There is a fiscal note requested. Has it been filed? The Lady is waving a fiscal note. Would you bring up your fiscal note, Representative Currie. Fiscal note has been filed. The Bill will be moved to the Order of Third Reading. House Bill 305, Representative Regan. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 305, a Bill for an Act in relation to

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services for the blind. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment 31, offered by Representative Peterson."

Speaker Braun: "The Chair recognizes the Gentleman from Lake, Representative Peterson on Amendment 1."

Peterson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment 1 to House Bill 305 provides a state income tax deduction for individuals living within five miles of any airport, to insulate their homes against airport noise. The individual would be given a tax deduction equal to about 50% of the cost during a taxable year, and the maximum deduction would be \$10,000, and this would equal a maximum of \$250 off that person's income tax. This Amendment was passed as a Bill last spring out of this House by an 87 to 18 vote, and I would appreciate your affirmative vote and support for the adoption of Amendment 1 to House Bill 305. And I would also ask for a Roll Call vote."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 1. On that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Young."

Young: "Thank you, Madam Speaker. A point of order. It would... seems that this Amendment would violate our Rule on a single subject. The underlying Bill creates an assistance to the blind fund. The Amendment gives a deduction against airports... airport noise. And I would move that it is out of order."

Speaker Braun: "... reason does the Gentleman from DuPage, Representative McCracken, rise?"

McCracken: "To convince the distinguished Parliamentarian that the Amendment is germane."

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Speaker Braun: "Oh, okay."

McCracken: "There certainly is no single subject matter
Constitutional infirmity.. "

Speaker Braun: "Representative McCracken, let us... let us take a
look at it first."

McCracken: "Let me make, let me talk... "

Speaker Braun: "Okay, go ahead, you can talk... "

McCracken: "You know, the single subject matter issue is... is
one sometimes brought up, but not usually ruled upon in the
affirmative. It has been held by the courts to the effect
that... where different parts of a Bill are so unrelated
that one cannot vote for a Bill because of various parts
being so unrelated and personally offensive to the voter,
that he cannot vote on the issue. Certainly, that's not
the case here. Both of the Acts, the original Bill and the
Amendment create in the Income Tax Act, in one case a
check-off and in another case an income tax deduction. The
fact that the deduction is given for a reason other than
the check-off really has no bearing on the issue of
germaneness. The same Articles, or the same Acts are
amended."

Speaker Braun: "Is there further... Representative Slater, for
what reason do you rise?"

Slater: "Madam Speaker, I understand the question is whether or
not this is germane? Is that correct?"

Speaker Braun: "Right."

Slater: "Is the Parliamentary ruling on that?"

Speaker Braun: "We're just about to."

Slater: "Thank you."

Speaker Braun: "The Parliamentary advises that the Amendment is
not germane. That in spite of Representative McCracken's
novel arguments, there is little connection, logically or
otherwise, between an Act in relation to services to the

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blind and an Act to amend the law concerning the use of income tax refunds. The Amend... dealing with airports. The Amendment is not germane and so will be... the Amendment is out of order. Further Amendments? Are there further Amendments?"

Clerk O'Brien: "Floor Amendment 2, offered by Representative Regan."

Speaker Braun: "The Chair recognizes the Gentleman from Will, Representative Regan on Amendment 2."

Regan: "Thank you, Madam Speaker, Members of the House. Amendment 2 is strictly a corrective Amendment in regards to engrossing properly, and I move for its adoption."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment 2. On that, is there any discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. Representative McNamara. Mr. Clerk, read the Bill. House Bill 306."

Clerk O'Brien: "House Bill 306, a Bill for an Act to create the Private Enterprise Review Commission. Second Reading of the Bill. Amendment 1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. Representative Kirkland. Is the Gentleman in the chamber? Mr. Clerk, read the Bill. House Bill 310."

Clerk O'Brien: "House Bill 310, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second

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Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Amendment 2 was tabled in Committee. Floor Amendment #3, offered by Representative Kirkland."

Speaker Braun: "The Chair recognizes the Gentleman from Kane on Amendment 3."

Kirkland: "Thank you, Madam Speaker. Amendment #2 was tabled rather than withdrawn in committee? Is that correct?"

Clerk O'Brien: "Amendment 2 was tabled in Committee."

Kirkland: "Alright. Amendment #3 refers to the Section of the Illinois Marriage and Dissolution of Marriage Act dealing with representation of child, and simply... oh, well, that Section allows an attorney to be appointed to represent a minor or dependent child with respect to his support, custody or visitation, and then the current law also allows that attorney to be appointed to serve as guardian ad litem for the child. This would simply change the requirement so that that second attorney could be a different attorney than one appointed to represent the child as an attorney."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment 3, and on that, is there any discussion? There being none, the question is, 'Shall Amendment 3 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. Representative Leverenz. Representative Leverenz."

Leverenz: "Now?"

Speaker Braun: "Not now. House Bill 317, Mr. Clerk, read the

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Bill."

Clerk Leone: "House Bill 317, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 320, Representative Satterthwaite. Out of the record. House Bill 321, Representative Satterthwaite. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 321, a Bill for an Act designating a state fossil. Second Reading of the Bill. No Committee Amendments."

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

Satterthwaite: "Amendment #1."

Speaker Braun: "Are there any Amendments?"

Clerk Leone: "Floor Amendment #1, being offered by Representative Satterthwaite."

Speaker Braun: "The Lady from Champaign on Amendment 1."

Satterthwaite: "Madam Speaker and Members of the House, this is an Amendment that was agreed upon in committee for the designation of a state fossil. The Amendment refers it to the school children of the State of Illinois on a referendum issue, and I move for the adoption of Amendment #1."

Speaker Braun: "The Lady has moved for the adoption of Amendment 1. And on that, is there any discussion? All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

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Speaker Braun: "Third Reading. House Bill 326, Representative Didrickson. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 326, a Bill for an Act to amend an Act concerning spouse and child support payments. Second Reading of the Bill. Amendment #2 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "There are no Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 327, Representative Weaver. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 327, a Bill for an Act to amend the County Jail Good Behavior Allowance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any... "

Clerk Leone: "Floor Amendment #1 is being offered by Representative Homer."

Speaker Braun: "The Chair recognizes the Gentleman from Fulton on Amendment 1."

Homer: "Thank you, Madam Speaker. This is a Bill that came to the House Judiciary II Committee and the Bill itself deals with the good behavior provisions for good... good time that is given by Sheriffs to inmates in the jail. The Bill, as drafted, would have said that there would be no good time under that Act where the offense is one for which there was a minimum penalty. The Sponsor, Representative Weaver, acknowledged in committee that it was not his intent to exclude good behavior for any sentence under that offense, merely in situations where the minimum was given, such as 24 or 48 hours, where we have such offenses. So, the Amendment #1 would help clarify the Sponsor's intent, to say that the Good Time Act would not apply to a sentence

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given which is less than twice the minimum term of imprisonment, and I would ask for its adoption."

Speaker Braun: "Is there... is there further discussion? The Gentleman from Cole, Representative Weaver."

Weaver: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. As Representative Homer has indicated, we had some serious discussion in committee on this Bill, and I have agreed that the Amendment will not only strengthen the Bill, but make a good Bill better, and I endorse its... its passage."

Speaker Braun: "The Chair recognizes the Gentleman from Macon, Representative Dunn on Amendment 1."

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

Speaker Braun: "He indicates he will."

Dunn: "The... if I understood the explanation of the Amendment correctly, where the sentence is, as you put it, less than a minimum some place, there will be no good time, day for day credit for a sentence served in the county jail? Is that correct?"

Homer: "Oh, I'm sorry, he's talking to the Sponsor of the Amendment, not the Sponsor of the Bill. Yes, the... the Bill itself said that if... that there would be no good time for any offense which happens to have a minimum sentence connected with it, but the Amendment says that it's only when the court issues a sentence of less than twice the minimum, will there be no good time. Otherwise, there will be good time, day for day good time."

Dunn: "Let me ask this, then, if your Amendment is adopted, then, and maybe the Bill is bad too, but if your Amendment is adopted, there will be instances where people are confined in county jails and there is no way they can accrue any good time. Is that correct?"

Homer: "If they received a sentence of less than twice the

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minimum, yes, they would get no good time, but the Bill, Representative Dunn, the Bill unamended would say that, let's give you an example, the current law... "

Dunn: "I'm... I'm not... I'm not looking for an example, well, go ahead, go ahead, go ahead. Give me your example."

Homer: "Well, I'm driving on a suspended license, is a Class A misdemeanor, punishable by up to 364 days in jail. It also carries a minimum jail sentence of seven days, so if somebody were sentenced under that offense, under the Sponsor's Bill unamended and got like a six month sentence, the Bill would say there would be no good time, and I don't think that the Sponsor intended his Bill to be that harsh, and the Amendment would attempt... would say that no, they'll still get day for day if they get a six month sentence. The only time we won't give them day for day is if they get a sentence down in the minimum range."

Dunn: "If we're talking about minimums of four or five days then... may be one thing, but are there some sentences where the minimum may be 30 days, 60 days, a year?"

Homer: "Well, we... I don't know of any current... seven days is the longest minimum I am aware of. Secretary of State Edgar's DUI package has a Bill that would say that there be a 90 day minimum for people convicted of driving on a suspended license. Well, we don't have any now."

Dunn: "Well, I guess... that's what I'm concerned about with the Amendment and the Bill is it looks to me like... that there's a good possibility that we will have people confined in county jails who will have no incentive to try to accrue good time, and if they can't accrue good time, then there is no incentive to be on good behavior and we have people... we have county jails which are understaffed and underpeopled enough at the present time without aggravating that problem. You may be making a bad Bill

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better, but it sure sounds to me like the underlying Bill is bad, nevertheless, so I don't know whether you should make this bad Bill better, or whether you should leave it bad and try to kill it."

Speaker Braun: "Representative Homer to close."

Homer: "Thank you, Madam Speaker. I would just say that the previous speaker's concerns are really addressed to the underlying Bill. Actually, he should be in support of the Amendment because it waters down the Bill itself. I would ask for adoption of Amendment 1."

Speaker Braun: "The Gentleman moves the adoption of Amendment #1. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 328, Representative Curran. Is the Gentleman in the chamber? Representative Curran. Out of the record. House Bill 330, Representative McPike, on 330. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 330, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, being offered by Representative McPike."

Speaker Braun: "The Gentleman from Madison, Representative McPike on Amendment 1."

McPike: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #1 adds a knowingly Section. This was brought out in Committee and it makes it similar to the other aggravating... aggravating factors that are in this part of the Statute. It says that the prosecutor must prove that the defendant knew that the individual harmed is

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physically handicapped. We adopted these knowingly Amendments to most of the criminal law that passes through here, and I move for the adoption of the Amendment."

Speaker Braun: "The Gentleman has moved the Amendment... moved the adoption of Amendment #1. On that, is there any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, being offered by Representative Johnson."

Speaker Braun: "The Chair recognizes the Gentleman from Champaign, Representative Johnson on Amendment #2. Representative McPike."

McPike: "Thank you, Madam Speaker. Representative Johnson is off the floor right now, so I spoke to his seat mate, Representative Countryman and it's our feeling that if Mr. Johnson was here, that he would concur in Amendment #1 and withdraw Amendment #2. So at this point, I would move to table Amendment #2."

Speaker Braun: "The Gentleman has moved to table Amendment #2. All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is tabled. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 331, Representative Madigan. Out of the record. House Bill 332, Representative Saltsman. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 332, a Bill for an Act relating to collective bargaining agreements. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Representative

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Didrickson."

Speaker Braun: "The Chair recognizes the Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, thank you, Madam Chairman, Members of the House. What this Amendment does right here is that it... it does not apply to... Oh, this, okay, this Act will not apply to anybody not bound by the federal law under the Collective Bargaining Agreement, and I ask for its adoption."

Speaker Braun: "The Lady has moved the adoption of Amendment #1. On that, is there any discussion? The Chair recognizes the Gentleman from Peoria, Representative Saltsman."

Saltsman: "Yes, Madam Speaker, I'm not going to ask the previous speaker what her Amendment is because I think she's a little confused with it. But the federal law has no binding powers and it has no teeth in it as far as any successor employers clause, and I'm asking for a definite 'no' vote on this Amendment. It's strictly a killer Amendment and we do definitely want a 'no' vote on this Bill... on this Amendment."

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

McCracken: "The... this issue has come up before and we've discussed whether or not the federal law has application to this, and the NRLB, or the NLRB, National Labor Relations Board has jurisdiction over this and is... and has it to the exclusion of the states. And under that... and under that law, a successor employer is not bound by a collective bargaining agreement. However, what he has to do is recognize the union. And if he recognizes the union, he has to deal and come to his own conclusion with that, so that, in fact, this is superseded by federal law and should be passed because it merely restates the law relative to

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successor agreements."

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

Didrickson: "Thank you, Madam Chairman. Just to close, what this Amendment does is, after what Representative McCracken just said, is that it makes it Constitutional. Without this Amendment going on this Bill, House Bill 332 will actually be unconstitutional."

Speaker Braun: "The Lady moves the adoption of Amendment #1. All in favor say 'aye', opposed say 'nay'. Do you want a Roll Call, Representative Didrickson? The Lady requests a Roll Call. All in favor say... all in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 41 voting 'aye', 63 voting 'no'. The Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Barger."

Speaker Braun: "The Chair recognizes the Gentleman from DuPage, Representative Barger on Amendment 2."

Barger: "I'm sorry, I don't have a copy of Amendment 2. Madam Speaker."

Speaker Braun: "Representative Barger, what's your pleasure with regard to the Amendment?"

Barger: "I came upon a copy of Amendment #2 and I would like to proceed."

Speaker Braun: "That's what I thought. The Gentleman from DePage."

Barger: "Amendment 2 provides a successor employee is now bound to a collective bargaining agreement which contains a successor clause if the employer, who is party to the agreement, failed to notify the successor as to the

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successor clause. I move its adoption."

Speaker Braun: "The Gentleman moves the adoption of Amendment #2, and on that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Leverenz: "Would you repeat that explanation?"

Barger: "Yes, certainly. I can't say it an awful lot faster than that, but I figured if I said it fast enough, you might not... "

Leverenz: "That's okay. The back row finally woke up."

Barger: "Okay, is it alright if I do it slower?"

Leverenz: "Go slower."

Barger: "Okay. It provides that a successor employer is not bound to a collective bargaining agreement, which contains a successor clause, if the employer who was party to the agreement failed to notify the successor employee... employer of the successor clause. Actually... "

Leverenz: "What's the penalty to the employer if he does not notify the successor?"

Barger: "It would be the same as in any business arrangement where a person fails to provide all of the necessary information to a person making a purchase."

Leverenz: "Is it then that this Amendment, it makes the Bill useless?"

Barger: "That is a possibility."

Leverenz: "Come on, now, just tell the truth. Say yes."

Barger: "Would it be alright if I said that it makes a useless Bill less useless?"

Leverenz: "No, makes it more useless."

Barger: "Oh, it's more?"

Leverenz: "Bad Amendment. Thank you."

Barger: "You're entirely welcome."

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Speaker Braun: "Representative Greiman in the Chair."

Speaker Greiman: "The Gentleman from Peoria, Mr. Saltsman."

Saltsman: "Thank you, Mr. Speaker. It don't seem like I have too much opposition to this bill this year and it looks like it's going to be set for passage. This is another Amendment that's just a killer Amendment and I'm sure that if we do take a Roll Call and waste more time in the House, it will be the same results as the last one. I'm asking you to vote 'no' on this Amendment and get on with the proceedings of the House."

Speaker Greiman: "Further discussion? Mr. Barger to close."

Barger: "This Amendment merely removes the criminal penalties for the Act and I ask that it be passed."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 40 voting 'aye', 63 voting 'no', 1 voting 'present', and the Amendment fails. Further Amendments?"

Speaker Leone: "Floor Amendment #3, offered by Representative Stephens."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Stephens."

Stephens: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment 3 allows an employer subject to collective bargaining agreement which grants a union the exclusive right of referral of its members, to select which member of the union the employer will employ. I would think that this recognizes a problem that exists in some areas where the union with the exclusive right of referral continues to send a single employee that the employer might not be satisfied with, but then allows the union protection in that they have control of the list, of course. This

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give the... seems like a reasonable agreement between labor and business, and I would move for its adoption."

Speaker Greiman: "The Gentleman from St. Clair moves for the adoption of Amendment #3 to House Bill 332. Is there any discussion? The Gentleman from Peoria, Mr. Saltsman."

Saltsman: "Yes. I ask a 'no' vote again for this killer Amendment. It's the same as House Bill 1296. House Bill 1296, which never got out of the Labor Committee. Therefore, I'm asking for another 'no' vote. Not even getting ahead of ourselves, #4 is the same thing. It's too bad we can't vote for both of them at once and vote 'no' and get out of here. We're wasting the time of the House."

Speaker Greiman "The Gentleman from Madison... the Gentleman from Madison, Majority Leader McPike."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'm not aware of any inside unions, machinists, steel workers, the UAW, glass bottle blowers or whatever that work for factories all over this state, that have this authority. To my knowledge the employer hires who he wishes to hire and that individual then joins the union. The only... the only unions that I know that would be affected by this, are the outside construction trades, that have historically had union halls, business agents, that tried to apportion work among their members. So, if this Amendment simply is a slap at carpenters, laborers, operating engineers, electricians, cement finishers, sheet metal workers and a long list of AFL... AF of L Unions that have historically and traditionally had the right to apportion work among their members. What the Sponsor of the Amendment has against these various trades is beyond me. But I see no reason to offer Amendments on the House floor to slap at these construction trades, that have built the entire State of Illinois with their labor."

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Speaker Greiman: "The Gentleman from St. Clair, Mr. Stephens, to close."

Stephens: "Well, Representative McPike, obviously, I'd have no reason to want to slap the face of any member of the AFL-CIO. I can't think of any reason, I have many of them that live in my district, many of them support for me. What I am trying to address here is an issue wherein an employer will be able to reward good employees for the work that they do. The fact of the matter is, that the outside trades do control the worker that is sent to the work place and the employers who are paying the workers' compensation, unemployment insurance cost and wage cost and other related cost and providing the jobs for these union workers ought to be given some degree of leverage in who they employ. They have struck a bargain with the local unions and they have agreed to use their members, they just want to be able to use workers that they are used too, workers that they can rely on, workers that they depend on to make a living. And this is not intended in any way, shape or form to attack my good friends in the AFL-CIO. I look for their continued support and I know that they do not find this terribly unreasonable. I would urge an 'aye' vote."

Speaker Greiman: "The question is, 'Shall Amendment #3 be adopted?' All those in favor signify by voting 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 35 voting 'aye', 58 voting 'no' and none voting 'present', and the Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative Stephens."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Stephens."

Stephens: "Withdraw."

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Speaker Greiman: "Number four is withdrawn. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills
Second Reading appears House Bill 337. Mr. Stange. Mr.
Clerk, read the Bill."

Clerk O'Brien: "House Bill 337, a Bill for an Act to amend
certain Acts in relation to blood banks. Second Reading of
the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Greiman: "Third Reading. On the Order of House Bills
Second Reading appears House Bill 334. Mr. Clerk, read the
Bill. I'm sorry, 344."

Clerk O'Brien: "House Bill 344, a Bill for an Act to amend
Sections of the School Code. Second Reading of the Bill.
Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to that?"

Clerk O'Brien: "A Motion to table Committee Amendment #1, offered
by Representative Frederick."

Speaker Greiman: "The Lady from Lake, Ms. Frederick on the Motion
to table Amendment #1."

Frederick: "Yes, Mr. Speaker, I move that we table Amendment #1.
It was technically incorrect."

Speaker Greiman: "Yes, Ms. Frederick."

Frederick: "Mr. Speaker, I move we table Amendment #1, which was
technically incorrect."

Speaker Greiman: "The Lady moves to table Amendment #1. All
those in favor signify by saying 'aye', all those opposed
'no'. In the opinion of the Chair, the 'ayes' have it.
Amendment #1 is tabled. Are there other Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative
Frederick."

Speaker Greiman: "The Lady from Lake, Ms. Frederick on Amendment

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#2."

Frederick: "Yes, Mr. Speaker, thank you and Members of the House. Amendment #2 simply corrects the deficiency that was in Amendment #1, substituting the word 'colon' for the word 'semicolon'. I move adoption."

Speaker Greiman: "The Lady from Lake, Ms. Frederick moves for the adoption of Amendment #2 to House Bill 344. And on this, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it, and the Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. With leave, we will skip 345, and we'll come back to that in a few moments. On the Order of House Bills Second Reading appears House Bill 361. Yes, Mr. Homer, for what purpose do you seek recognition?"

Homer: "Thank you, Mr. Speaker. Point of inquiry. I don't want to raise a matter that isn't properly before us, but the last Bill that was considered was House Bill 337, Representative Stange. It has been brought to my attention that Representative Stange had an agreement with Representative White, Chairman of the Committee, to hold the Bill on Second Reading."

Speaker Grieman: "Yes, I am advised of that too. Mr. Stange advised me of that. So with leave of the House, with leave of the House, we will return House Bill 337 to the Order of Second Reading, where it will remain. Now, on House Bills Second Reading appears House Bill 361. Mr. LeFlore, do you wish to proceed? Mr. LeFlore? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 361, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #2 was adopted in Committee."

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Speaker Greiman: "Are there any Motions with respect to Amendment #2?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Parke."

Speaker Greiman: "The Gentleman from Cook, Mr. Parke on Amendment #3."

Parke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Under the Bill that has been introduced, under current Statute excuse me, that requires that when an automobile is to be judged a total loss by an insurance company, the insurance company is deemed to be the owner of the car and upon payment of the claim, the claimant must surrender title to the car. My Amendment in essence, says that since most everybody agrees, including the Secretary of State's office, that allowing the person who has this car, allowing him the opportunity to keep title to it, that if the car is eight years under the Amendment that was placed in committee; if the car is eight years or newer this would not apply. We feel that it should be five years or newer, because from the estimates from one of the major insurance companies on this Bill, they felt that if you went from eight years or newer that only 15 to 20 percent of the cars would be able to be kept by the consumer. If we move it to five years or newer, it could jump from 70 to 75 percent of those cars that are total losses, that the consumer would have the option to keep title to that car. So I would ask this House to approve my Amendment moving it from eight, that was approved in committee to five years or newer on the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to House Bill 361. And on that question, the

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Sponsor, the Gentleman from Cook, Representative LeFlore."

LeFlore: "Madam Chairman, Madam Speaker, I just rise in support of the Amendment."

Speaker Breslin: "The Gentleman rises in support of the Amendment. Is there any further discussion? Hearing none, the question is, 'Shall Amendment #3... Representative Leverenz, on the question.'"

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

Speaker Breslin: "He will."

Leverenz: "To either one of them. How does this Amendment set now with the Watkins in the Secretary of State's Office?"

Parke: "I am sorry, someone was talking to me. Could you repeat that again, Representative Leverenz?"

Leverenz: "No problem. The Bill as amended provides that the eight years that is in there lines up with other laws that we have in the state. Lieutenant Watkins runs the Secretary of State's Police. He was against five years in committee, your Amendment provides five years. I wanted to know if he has changed his opinion?"

Parke: "It is my understanding that he has not changed his position on this issue. But I think for the consumers of Illinois, quite frankly to use the justification to make it consistent to other parts of the Statute is rather weak. When we are talking about allowing consumers of Illinois to have the right to keep title to a car. It just doesn't make sense to me just because we want to be consistent with Statute. I think that's a major part of what the argument was in committee. I don't believe it's valid, many of my colleagues do not feel it was valid. We feel five years or newer is the basis, not eight years."

Leverenz: "Madam Speaker, to the Amendment."

Speaker Breslin: "Proceed."

Leverenz: "The Gentleman says that we should not be consistent

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with this law that we want to make as it relates to other laws that we have on the books. The Secretary of State is dead set against the Amendment, and I wouldn't want to anger him. Thanks."

Speaker Breslin: "The Gentleman from Cook, Representative Young."

Young: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in support of the Amendment. I don't think this Body should pass on legislation based on what angers the Secretary of State. This Amendment will make it easier and better for consumers, who have minor damages to old vehicles, to receive an insurance claim and keep the old vehicle. It's a good Amendment, and it's a consumer orientated Amendment, the Sponsor of the Bill wants the Amendment. And I think we should adopt it."

Speaker Breslin: "The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I, too rise in support of this Amendment. The whole purpose of what we are about here is to allow those of us in the State of Illinois, who are willing to drive what we call beaters. To keep them if the fender has been crumpled or cosmetic damage has been done which is sufficient to essentially total the car. At the present time you have to take the total value of the car and it may still run and you would like to have the car, but you can't, that's the law now. This legislation would allow... would allow the insurance companies, who are willing to do this, to pay the claim and give you the title to your beater. And what is at issue here is, there are people who are afraid of car titles being abused, but that only works with regard to newer cars. The insurance companies said that so long as we don't get involved with cars that are brand new or two years old or three years old or four years old, so long as we... did we say the beater has to be five

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years old or older, we can do some good. But if we leave this Bill at eight years we might as well save our paperwork, because it won't do anybody any good at all. So without this Amendment, we don't have a good Bill, with this Amendment we do have a good Bill. I would certainly recommend that you support the Amendment and then support the Bill with this Amendment on it."

Speaker Breslin: "The question is, 'Shall Amendment 3 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 96 voting 'aye', 10 voting 'no' and 2 voting 'present', and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Going back to House Bill 345. Clerk, read the Bill."

Clerk O'Brien: "House Bill 345, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Representative Greiman, do you rise on this Bill?"

Greiman: "Yes, Mr. McCracken suggested that there were Amendments filed. Now, I find that there are no Amendments filed. Mr. McCracken, it would be appropriate, I think, for you to withdraw this... I think, admittedly spurious fiscal note request."

Speaker Breslin: "Representative McCracken."

McCracken: "Representative Greiman and I agreed that I would

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withdraw the fiscal note, if we had a chance to move on the Amendments, then he went down to the Clerk's well, and apparently was told by the Clerk, they weren't filed. I have just checked with my staff to confirm it, the Amendments were filed. All I'm asking is that we have a chance to act on them and I'll withdraw the Fiscal Note. They were filed and this isn't the first case where there's been a discrepancy between what our staff or your staff and the Clerk's Office have said. I'm not suggesting anything is wrong. Our staff... I checked with them since we spoke and they tell me that the Amendment was filed. All I'm asking is an opportunity to have those Amendments heard."

Speaker Breslin: "Mr. Clerk, would you search again to see if there were any Amendments filed? Representative Greiman."

Greiman: "Yes, thank you. The Clerk indicates that there are none filed. Mr. McCracken, if the Bill goes to Third Reading and we discover that indeed, your staff is correct and the Clerk's Office is incorrect, I will return the Bill to the Order of Second Reading so that you may have your day in court."

McCracken: "That's fine. Thank you."

Speaker Breslin: "Very good. House Bill 345 then moves to the Order of Third Reading. House Bill 368. Excuse me, Representative McCracken. You removed the Fiscal Note request. He did. He removed the Fiscal Note request. House Bill 368. Representative Matijevich. And Representative Greiman in the Chair."

Speaker Greiman: "Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 368, a Bill for an Act in relation to construction of areas subject to flooding. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

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Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. There has been a Fiscal Note requested. Has that been satisfied?"

Clerk O'Brien: "No Fiscal Note has been filed."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 375. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 375, a Bill for an Act to amend Sections of the Insect Pest and Plant Disease Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 378. Mr. Rice. Mr. Rice, did you wish us to proceed? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 378, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Rice on Amendment #1."

Rice: "House Bill 378, there is a technical situation there, a spelling of the word from... to 'delinquency'."

Speaker Greiman: "The Gentleman from Cook moves for the adoption of Amendment #1 to House Bill 378. On this, is there any discussion? And there being none, the question is, 'Shall this Amendment be adopted?' Those in favor 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Are there any

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further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills
Second Reading appears House Bill 380. Mr. Clerk, read the
Bill."

Clerk O'Brien: "House Bill 380, a Bill for an Act to amend the
Illinois Vehicle Code. Second Reading of the Bill. No
Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bill
Second Reading appears House Bill 384. Mr. Mautino, do
wish us to read that? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 384, a Bill for an Act to amend the
School Code. Second Reading of the Bill. No Committee
Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative
McCracken and Cowlishaw."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken on
Amendment #1."

McCracken: "Thank you, Mr. Speaker. This would require parental
consent before schools could enroll students in the
Positive Activity - Teen Pregnancy Prevention Programs.
That's all it would do, and I ask for its adoption."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken moves
for the adoption of Amendment #1 to House Bill 384. And on
that, is there any discussion? There being none, the
question is, 'Shall this Amendment be adopted?' Those in
favor say 'aye', opposed 'nay'. In the opinion of the
Chair, the 'ayes' have it. The Amendment is adopted.
Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative

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McCracken."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken on Amendment #2."

McCracken: "This would require that the Teen Pregnancy Prevention Program be not offered during the normal school day. And after the first year of operation, the State Board of Education report to the General Assembly the expenditures for the program and the programs success in reducing the incidence of teen pregnancies. And future appropriations will depend upon the programs success. I move the adoption of Amendment #2."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken moves for the adoption of Amendment #2 to House Bill 384. And on that, the Gentleman from Cook, Mr. Young."

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

Speaker Greiman: "Indicates he will yield for questions."

Young: "Representative, if we adopted Amendment #2, would that include a student's free period during the regular school day? Such as his study hour time? Or such as lunch hour?"

McCracken: "I don't know."

Young: "Is it your intention that those hours would also be included?"

McCracken: "Yes."

Young: "Well, Mr. Speaker, to the Amendment. I rise in opposition to the Amendment. I think these programs are worthwhile, we need to encourage them, and if there are times during the regular school day when a student is not scheduled for other classes, he ought to be able to participate in these programs. And I urge us to defeat this Amendment."

Speaker Greiman: "The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you very much. I concur in total with Representative Young's position. I think this Amendment is

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unique since I have been down here seven terms, I've never seen one drafted quite like this. That provides that the expenditures on an ongoing basis, be evaluated on achieving the goals as it pertains to a certain situation, and a continued appropriation shall depend upon the success of the program. Now, if you want to do that for every department of government that expends any money, and there is a reasonable, responsible provision based upon the job done by all departments of governments and any agencies that receives funds, then I'd say you have a good Amendment if you'd apply it to everyone. This does not apply to everyone to a certain segment and I stand in opposition."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, to close."

McCracken: "I think the Amendment speaks for itself. If the strengthen of the objection to the Amendment is that it is after school or that it is necessary to prove its success for continuing appropriations, I would advise the Body that we are dealing with a very sensitive subject, we are dealing with a pilot program. And it is not unusual or inconsistent to expect some reports on pilot programs in order to determine whether they should be continued. And I move the adoption of Amendment #2."

Speaker Greiman: "The question is, 'Shall Amendment #2 be adopted?' Those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. And this... Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 40 voting 'aye', 65 voting 'no', none voting 'present'. And the Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 389. Mr. Cullerton. Out

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of the record. On the Order of House Bill Second Reading appears House Bill 394. 393. I'm sorry, 393. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 393, a Bill for an Act to amend the Energy Assistance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 394. Mr. O'Connell. Out of the record. On the Order of House Bills Second Reading appears House Bill 395. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 395, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 398. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 398, a Bill for an Act in relation to state aid to school districts. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 401. Mr. Matijevich. Yes, Ms. Breslin, will you take that Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 401, a Bill for an Act to amend

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Sections of the Citizens' Utility Board Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Piel on Amendment #1 to House Bill 401. Mr. Piel."

Piel: "Basically, thank you, Mr. Speaker and Ladies and Gentlemen of the House... "

Speaker Greiman: "Excuse me, Mr. Piel. Yes, Mr. Homer, for what purpose do you seek recognition?"

Homer: "Thank you, Mr. Speaker, inquiry has this Amendment been printed and distributed?"

Speaker Greiman: "I am advised by the Clerk that it has not been printed and distributed."

Homer: "Then I would move that we table Amendment #1."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer moves to table Amendment #1 to House Bill 401. Mr. Piel."

Piel: "I would ask the Gentleman, if he would mind holding the Bill. The reason being obviously, I don't think he has seen the Amendment. I don't think he would have any problems with the Amendment. Obviously, it is a situation where it would definitely help the Citizens' Utility Board and not hurt them. So I would ask them at the present time if they would take a look at the Amendment and at least hold it. Hold the Bill, yeah, it was filed this morning and it's a situation where... obviously, if he doesn't like Amendment he can kill the Amendment he has got the numbers over there, but at the present time, you know we have had an agreement to try and get these Amendments heard. If you'd seen the Amendment, obviously you realize it is not a dilatory type of... stalling type of an Amendment."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich."

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Matijevich: "Mr. Speaker, I haven't seen it, but my associates tell me it guts my good Bill. Time is of the essence. I appreciate Bob Piel, his concern for me, but I'd rather not have that concern and move the Bill."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken."

McCracken: "Mr. Speaker, thank you. I was under the impression we were going to be given a chance to have the Amendments heard? This Amendment again was filed this morning, at the beginning of business, whenever the Clerk's Office opened. And apparently, it's the crush of paper work that keeps the Clerk from being able to have these printed and distributed in a timely manner. It's again, my understanding that the Leaders have agreed that these Amendments will be heard. And I would ask the Gentleman to give us a chance to get that Amendment up here so that we can move on with the business of having those matters considered. The Speaker, himself who sits up there right now, is gracious enough to agree to that, and I would ask Representative Matijevich to do that as well."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Hallock."

Hallock: "Well, Mr. Speaker, on the same Motion, we have absolutely thousands of Bills to consider and we have had hundreds of meetings being held throughout all the week..."

Speaker Greiman: "Excuse me, Mr. Hallock. Mr. Matijevich is seeking recognition. Mr. Matijevich."

Matijevich: "I'll hold the Bill for a reasonable amount of time, and then proceed with that. Thank you."

Speaker Greiman: "We'll have time to return to you today. Thank you. The Bill will be out of the record for awhile. Returning now to the Bill we passed over. Mr. Clerk, read House Bill 389 on the Order of House Bills Second Reading."

Clerk O'Brien: "House Bill 389, a Bill for an Act in relation to trauma centers. Second Reading of the Bill. No Committee

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Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Lady from Cook, Ms. Wojcik on Amendment #1. Ms. Wojcik. Mr. McCracken, you are Cosponsor of this very important piece of legislation, perhaps you'd like to proceed on it. Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. The Amendment would exclude any county with a population of three million or more, and that being Cook County. The purpose behind the Amendment is to implement one of the recommendations of the Governors' Task Force on Welfare Reform. And for that reason, I offer the Amendment."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken moves for the adoption of Amendment #1 to House Bill 389. And on that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Greiman: "He indicates he will yield for questions."

Cullerton: "Representative, could you please, I know that you weren't planning on handling this particular Amendment, could you take just a second to see if the one that you spoke to is the same as the one that is up on this Bill? I believe he is talking about another Amendment."

McCracken: "Yes, you are right. I was..."

Speaker Greiman: "Mr. McCracken, we'll give you an opportunity to try it again. Do you want to proceed on Amendment #1?"

McCracken: "Doesn't Amendment #1 exclude Cook County from the Bill?"

Cullerton: "I believe it excludes Cook County, but that's not part of any recommendation of any Governor's Task Force."

McCracken: "Yes, you're right. You're right. You're right about that."

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Cullerton: "So do you want to explain, why?"

McCracken: "Why? Because Cook County generally writes its own legislation. And I thought that probably you would be interested in making sure that Cook County were taken care of in a more favorable manner than this."

Cullerton: "Well, Mr. Speaker, to the Amendment."

Speaker Greiman: "Proceed."

Cullerton: "If it wasn't... if it wasn't as important a Bill as it is dealing with children, who are the victims of... trauma victims in emergency care then we could have some fun with excluding Cook County. But the fact of the matter is, it's a very significant piece of legislation. Even the Governor, himself, indicated he wanted to have an emphasis this year on bills that deal with children. This Bill, and I will be happy to explain it on Third Reading, in greater detail, what it does. But, it clearly is meant to apply statewide, it will have its most immediate effect initially in Cook County. And the Amendment is just merely an attempt to gut the Bill, it is not really a serious attempt to have a responsible approach to modifying the bill. For that reason I would object and ask you to vote 'no' on the Amendment."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken to close."

McCracken: "What can I say in response to that speech, I move the adoption of Amendment #1."

Speaker Greiman: "The question is, 'Shall Amendment #1 be adopted?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'nos' have it. And the Amendment fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Pullen."

Speaker Greiman: "The Lady from Cook, Ms. Pullen on Amendment #2."

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Ms. Pullen, proceed."

Pullen: "I ask leave to withdraw the Amendment, Mr. Speaker."

Speaker Greiman: "Leave to withdraw Amendment #2 is granted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Cullerton."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton on Amendment #3."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a technical Amendment which changes... makes some technical corrections in that it changes the word 'emergency' to 'critical care'. Designates trauma as being a designated pediatric trauma and is basically just a cleanup Amendment. I'll be happy to answer any questions. I appreciate your support."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton moves for the adoption of Amendment #3 to House Bill 389. And on that, the Gentleman from Cook, Mr. Piel."

Piel: "Question of the Clerk. Has this been printed and distributed?"

Speaker Greiman: "I am advised, Mr. Cullerton, that this Amendment has not been printed and distributed. Yes, Mr. Cullerton. Mr. Cullerton."

Cullerton: "Well, I would just ask if the Clerk had double checked since we had one delivered to our desk here. We normally get one right after they are introduced but this is... we got a second one, that was distributed by a Page. So, perhaps... maybe only the Democrats got it, in which case... "

Speaker Greiman: "We are double checking it, Mr. Cullerton. Yes, Mr. Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker. In the interest of time, I would just be happy to withdraw the Amendment."

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Speaker Greiman: "Leave to withdraw. Third Reading. On the Order of Second Reading appears House Bill 410. Out of the record, Mr. Klemm? Out of the record. On the Order of House Bills Second Reading appears House Bill 421. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 421, a Bill for an Act to amend the Abused and Neglected Child Reporting Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "There has been a request for a Fiscal Note. Has a Fiscal Note been filed, Mr. Clerk?"

Clerk O'Brien: "Fiscal Note has not been filed."

Speaker Greiman: "Mr. Curran, it has not been filed. Mr. Curran."

Curran: "Thank you, Mr. Speaker. I move that the Fiscal Act did not apply in the case of House Bill 421. I don't think there's any objection from the other side?"

Speaker Greiman: "The Gentleman from Sangamon, Mr. Curran moves to dispense with the filing of a Fiscal Note in respect to House Bill 421. And on that, Mr. McCracken, the Gentleman from DuPage."

McCracken: "Alright. It is agreed, I guess, thank you."

Speaker Greiman: "Fiscal Note is withdrawn. The Bill goes to Third Reading. On the Order of House Bills Second Reading appears House Bill 422. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 422, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 423. Mr. Clerk, read the

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Bill."

Clerk O'Brien: "House Bill 423, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich on Amendment #1."

Matijevich: "Speaker and Ladies and Gentlemen of the House, Amendment #1 was at the request of the committee members to make... to clarify that the Bill only applies to police officers and firemen and not other civil service employees. And I move the adoption of the Amendment."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich moves for the adoption of Amendment #1 to House Bill 423. And on that, is there any discussion? The Gentleman from Cook, Mr. Young."

Young: "Will the Sponsor yield?"

Speaker Greiman: "He indicates he will yield for questions."

Young: "Would this Amendment include the City of Chicago?"

Matijevich: "Yes, Chicago is exempt, and the reason for that is they have a separate disciplinary procedure as to fire and policeman, so they are exempt."

Young: "So then this Amendment would not apply to the city?"

Matijevich: "Chicago is exempted by this Amendment. We had to clarify that too."

Speaker Greiman: "There being no further discussion, the question is, 'Shall this Amendment be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Greiman: "Third Reading. On the Order of House Bill Second Reading appears House Bill 428. Mr. Phelps. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 428, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 430. Mr. Hartke. Out of the record. On the Order of House Bills Second Reading appears House Bill 432. Mr. Dunn, did you wish to proceed? Mr. Dunn, 432. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 432, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 440. Out of the record. On the Order of House Bills Second Reading appears House Bill 461. Mr. Curran. Out of the record. On the Order of House Bills Second Reading appears House Bill 462. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 462,..."

Speaker Greiman: "Yes, Mr. McCracken, for what purpose do you seek recognition?"

McCracken: "Parliamentary inquiry. I think you passed over 451 by mistake or was that taken out of the record?"

Speaker Greiman: "451 is an appropriation Bill."

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McCracken: "Oh, alright."

Speaker Greiman: "Mr. Clerk, 462, read it."

Clerk O'Brien: "House Bill 462, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 471. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 471, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

Speaker Greiman: "The Lady from Sangamon, Ms. Hasara on Amendment #1. Ms. Hasara. Yes, excuse me, Mr. Cullerton, for what purpose do you seek recognition?"

Cullerton: "I would ask if that Amendment has been printed?"

Speaker Greiman: "Ms. Hasara. Do you want to wait just a second, Mr. Clerk. Is the Amendment being printed? I am advised by the Clerk, Mr. Cullerton, the Amendment has not printed."

Hasara: "Mr. Speaker, I do understand it has been filed."

Speaker Greiman: "We understand it has been filed, but it apparently hasn't been printed. That's the issue."

Hasara: "Mr. Speaker, it was filed early this morning."

Speaker Greiman: "Well, I suggest you appeal to Mr. Slater's... what is your pleasure, Mr. Slater? Mr. Slater. Mr. Slater."

Slater: "Can we come back to the Bill?"

Speaker Greiman: "Well, we will try. I don't guarantee it, but

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we'll try. Do you want to take it out of the record?
Pardon?"

Slater: "Third Reading. Move it to Third Reading."

Speaker Greiman: "No, you have to move to table her Amendment if
you care to. You may do that, Sir."

Slater: "Mr. Speaker, I move to table the Amendment."

Speaker Greiman: "The Gentleman from McDonough, Mr. Slater moves
to table Amendment #1 to House Bill 471. And on that, is
there any discussion? Being none, the question is, 'Shall
the Amendment be tabled?' All those in favor say 'aye',
those opposed 'no'. In the opinion of the Chair, the
'ayes' have it. The Amendment is tabled. Further
Amendments?"

Clerk O'Brien: "No Further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills
Second Reading appears House Bill 461. Mr. Clerk, read the
Bill."

Clerk O'Brien: "House Bill 461, a Bill for an Act to amend
Sections of the School Code. Second Reading of the Bill.
No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Lady from Cook, Ms. Didrickson on Amendment
#1."

Didrickson: "Thank you, Mr. Chairman or Mr. Speaker and Members
of the House. I offer Amendment #1 in the instance where a
gift is given to an individual or school attendance center,
that that gift, parcel of land, or whatever it may be, may
be enjoyed and used in benefit for the entire school
district, and that the school board would be receiving the
title to such a gift."

Speaker Greiman: "The Lady from Cook, Ms. Didrickson moves for

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the adoption of Amendment #1 to House Bill 461. And on that, is there any discussion? The Gentleman from Cook, Mr. Levin. Proceed, Sir."

Levin: "A couple of questions, if I might. First of all, would this apply to Chicago? Oh first of all, is this printed and distributed?"

Speaker Greiman: "We are advised that it has not been printed or distributed."

Levin: "Alright. Did somebody have that motion?"

Speaker Greiman: "Mr. Curran."

Curran: "Mr. Speaker, move to table Amendment #1."

Speaker Greiman: "Mr. Curran."

Curran: "I think I am getting the impression that I'm changing my mind about tabling Amendment #1."

Speaker Greiman: "Yes, it would be courteous to take it out of the record. Thank you. We will try and get back to you. On the Order of House Bills Second Reading appears House Bill 472. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 472, a Bill for an Act in relation to certain canal lands in LaSalle County. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Breslin."

Speaker Greiman: "The Lady from LaSalle, Ms. Breslin on Amendment #2."

Breslin: "Thank you, Mr... Thank you, Mr. Speaker. Ladies and Gentlemen, Amendment #2 is offered at the request of the Department of Conservation. It indicates that any contract it would enter into with regard to this canal land in the

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County of LaSalle, would be subject to any applicable federal or state law or restrictive covenant. I think it is an appropriate Amendment, and I ask for its adoption."

Speaker Greiman: "The Lady from LaSalle moves for the adoption of Amendment #2 to House Bill 472. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor, 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. We'll, just backup for one that we missed. On the Order of House Bills Second Reading appears House Bill 430. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 430, a Bill for an Act concerning the care and treatment of persons who are mentally retarded. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Kankakee, Mr. Pangle on Amendment #1. Mr. Hartke, are you going to take that Amendment for Mr. Pangle? Mr. Hartke."

Hartke: "Yes, withdraw Amendment #1."

Speaker Greiman: "Mr. Pangle. Withdraw Amendment #1. Alright, #1 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Kirkland and Hartke."

Speaker Greiman: "The Gentleman from Kane, Mr. Kirkland on Amendment #2."

Kirkland: "Thank you, Mr. Speaker. The Bill as originally drawn, allowed increase of the property tax rate above .10 percent and unlimited amount. This would say from .10 percent up to a maximum of .2 percent by front door referendum only."

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Ask for adoption of the Amendment."

Speaker Greiman: "The Gentleman from Kane, Mr. Kirkland moves for the adoption of Amendment #2 to House Bill 430. On that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "There is a Fiscal Note request, Mr. Curran... Mr. Hartke, Mr. Hartke, there is a Fiscal Note requested on this Bill. I believe you have not filed the Fiscal Note, yet, so the Bill will have to remain on the Order of Second Reading. On the Order of House Bills Second Reading appears House Bill 473. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 473, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from McDonough, Mr. Slater."

Slater: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1 simply assures that only vested interest in a trust can be gotten to for the purposes of this Bill. Its a technical Amendment. I move for its adoption."

Speaker Greiman: "The Gentleman from McDonough moves for the adoption of Amendment #1 to House Bill 473. Is there any discussion? There being none. All those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendments adopted. Any further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 474. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 474, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. We'll go back to 461. We took that out of the record. Mr. Clerk, 461."

Clerk O'Brien: "House Bill 461, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "Ms. Didrickson. Amendment #1, Ms. Didrickson. Do you wish to withdraw that Amendment? Amendment #1, withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "There is a Fiscal Note request. Has that been satisfied, Mr. Clerk?"

Clerk O'Brien: "Fiscal Note has been filed."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 475. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 475, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

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Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Piel and Flinn."

Speaker Greiman: "Gentleman from Cook, Mr. Piel on Amendment #1."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 basically... If you'll hold on for one second, let me grab my paper."

Speaker Greiman: "I'm sorry, Amendment #2. Proceed."

Piel: "Amendment #2. I'm sorry. Amendment #2, basically, when the... a transfer takes place, as set forth in the Bill, it's basically stating that all powers and all the operations of the bank that is being purchased are transferred over to the purchaser. The way the Bill states right now is that... that might be construed as not the situation, and so, we wanted to clarify on Amendment #2 as far as the powers and the abilities of the purchasing bank. I'd be more than happy to answer any questions."

Speaker Greiman: "The Gentleman from Cook, Mr. Piel moves for the adoption of Amendment #2 to House Bill 475. On that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' Those in favor 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Mr. Clerk, on the Order of House Bills Second Reading, House Bill 430."

Clerk O'Brien: "House Bill 430, was read a second time."

Speaker Greiman: "Are there further Amendments, Mr. Clerk?"

Clerk O'Brien: "Amendment #2 was adopted and the Bill was held on Second Reading. No further Amendments."

Speaker Greiman: "And a Fiscal Note has been filed?"

Clerk O'Brien: "A Fiscal Note has been filed."

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Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 478. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 478, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Wojcik and McCracken."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik on Amendment #1."

Wojcik: "I'd wish to withdraw the Amendment."

Speaker Greiman: "Amendment #1 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "There has been a Fiscal Note request. Has the request been fulfilled, Mr. Clerk?"

Clerk O'Brien: "Fiscal Note has not been filed."

Speaker Greiman: "The Bill will remain on the order of Second Reading, Ms. Davis, otherwise. Yes, Ms. Davis."

Davis: "Mr. Speaker, the Bill really doesn't require any extra funds. The Department of Public Aid suggests that it might require special training or extra training for the case workers."

Speaker Greiman: "Do you wish to move at this time, to dispense with the filing of a Fiscal Note?"

Davis: "Yes, Sir."

Speaker Greiman: "The Lady from Cook, Ms. Davis moves to dispense with the filing of a Fiscal Note with respect to House Bill 478. And on that, the Gentleman from DuPage, Mr. McCracken."

McCracken: "To the Motion, yield?"

Speaker Greiman: "Indicates she'll yield for questions."

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McCracken: "Representative, are there any possibility of payments being made which are not now authorized under the law?"

Davis: "No, Representative McCracken, they're not."

McCracken: "Does this refer to... well let me ask this... how does the Bill amend the Public Aid Code?"

Davis: "The Bill simply asks that when case workers are visiting homes, and they find or suspect child neglect or abuse, that they report it immediately to the Department of Children and Family Services."

McCracken: "Is that not already the law?"

Davis: "That maybe the law, Sir, but we didn't feel that it was being carried out to the degree that it should be. We also find that many times, if recipients are receiving funds, they do not always... say, pay their rent or do the things that are necessary that are required to take care of children in a home. And this Bill also provides other remedies to protect the children."

McCracken: "And this Bill provides that the Department may make more frequent visits or payments to a substitute payee or other remedies?"

Davis: "Yes it does."

McCracken: "And what are those other remedies?"

Davis: "The other remedies are if necessary, the substitute payee takes over the payment of that recipients bills, or a voucher service is provided."

McCracken: "Okay, thank you."

Davis: "Yes."

Speaker Greiman: "Further discussion? Question is, 'Shall the Fiscal Note Act be inapplicable to House Bill 478?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion is carried. Third Reading. On the Order of House Bill Second Reading appears House Bill 486. Mr. Clerk,

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read the Bill. Ms. Didrickson, did you wish us to proceed on 486?"

Didrickson: "Yes."

Speaker Greiman: "Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 486, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 494. Ms. Jones. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 494, a Bill for an Act concerning training and amending certain Acts herein named. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Lady from Cook, Ms. Wojcik on Amendment #1. While Ms. Wojcik... Ms. Wojcik, yes. Yes... Yes, Ms. Wojcik, proceed."

Wojcik: "I think I am here. I am trying to... if you could... one moment I am just trying to find the copy of the Amendment so I can look at it."

Speaker Greiman: "Alright, Ms. Wojcik, take your time."

Wojcik: "Okay, what this Amendment says is they must participate in Project Chance in order for them to take... to be part of the entrepreneur program."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik moves for the adoption of Amendment #1 to House Bill 494. And on that, the Lady from Cook, Ms. Jones."

Jones: "I object to Amendment #1, Representative Wojcik, because I don't think, in fact, I know that that wouldn't have

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anything to do with Project Chance. Project Chance, my Bill says that they have to do entrepreneurial training for anyone that is on Public Aid that request... that requests that. Project Chance is in my district. Number one, it does not work, it is not working now. I think it is a part of the Welfare Reform Package that the Governor has, but this has nothing to do with the Project Chance. So therefore, I am objecting to that Amendment."

Speaker Greiman: "The Gentleman from Cook, Mr. Young."

Young: "Thank you, Mr. Speaker. I rise in opposition to the Amendment. The Sponsor's Bill deals with the Office of Urban Assistance, not with the Department of Public Aid. And I would urge a 'no' vote on the Amendment."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. I rise in support of the Amendment, some people might question the original purpose of the Bill, which is entrepreneurial training might be a quantum leap for some of these people who are more in need of the opportunities that they could be afforded by participation in Project Chance. To say that Project Chance doesn't work in a neighborhood or a district or a city is really very premature. We are just completing the first year of Project Chance the numbers look very encouraging, they look good, looks like the Governor's Program of Welfare Reform is one that we ought to embrace and is step one being Project Chance. And projects similar to that, it makes good sense that if something is probably working according to the numbers that we see, that before we get into this quantum leap into entrepreneurial training, whatever that may be, I suppose that's how to get involved in risk taking and risk management and associating your skills with the capital investment and all the nuances involved, therein. I think it certainly makes a little

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more sense to try to develop a step by step procedure and Representative Wojcik, I think has a good Amendment here and I rise in support."

Speaker Greiman: "The Gentleman from Cook, Mr. Williams."

Williams: "I also rise in opposition to Amendment #1. For those of you who are not familiar, Project Chance generally has... to my knowledge and I have been asking for some information from the Department of Public Aid, has put people in jobs that are not necessarily leading to anything. That are not necessarily doing anything'and even though I may say that the program has its admirable points is in a manner of saying, a person, anybody, who wants to enter into business, try his best to make it on his own, and some people will come out of business could use this sort of training to get back into business. They've had the experience, they know what they want to do, they have had some great programs that has come under this sort of situation, dealing with setting up and selling blinds, setting up and selling and they know the needs of their community. I feel that to put this sort of requirement on an individual is to tell him in essence you shall be put in some menial job for the rest of your life instead of given an opportunity to own and operate your own business. We should be encouraging this sort of step and I rise to oppose this Amendment, which would be a step backwards instead of one forward."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik, to close."

Wojcik: "I would just like to clarify what we are trying to do is, when you do go into the field of business and you're flaunting and you don't know what product you are trying to sell or what you are trying to work with. You don't know how to manage money, you don't know the very first steps. This is an excellent idea to keep you on your feet, so that

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if you do get into a business you are not going to lose it.
I think it is a good Amendment and I ask for its adoption."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'nos' have it. In the opinion of Chair, we'll have a Roll Call. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 42 voting 'aye', 59 voting 'no', none voting 'present'. And the Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Mr. Clerk, has the Fiscal Note been filed?"

Clerk O'Brien: "Fiscal Note has not been filed."

Speaker Greiman: "The Bill will have to, therefore, remain on the Order of Second Reading, Ms. Jones. On the Order of House Bills Second Reading appears House Bill 497. Out of the record. On the Order of House Bill Second Reading appears House Bill 500. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 500, a Bill for an Act to amend the Grade A Pasteurized Milk and Milk Products Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

Speaker Greiman: "Mr. Ropp, the Gentleman from McLean."

Ropp: "Thank you, Mr. Speaker and Members of the House. This Amendment changes one word, it changes the word from 'may' to 'shall', so that we do have Grade A products going into this Grade A product."

Speaker Greiman: "The Gentleman from McLean moves for the adoption of Amendment #1 to House Bill 500. On that, is

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there any discussion? The Gentleman from Cook, Mr. Young."

Young: "Thank you, Mr. Speaker, will the Sponsor yield."

Speaker Greiman: "He indicates he will."

Young: "Representative, what are we changing from 'may' to 'shall'?"

Ropp: "Because the word 'may' would allow milk that does not come up to grade A standards to be used as a replacement product and I only want the highest of quality, under the grade A standards to be used in attempting to deal with this particular Bill."

Young: "Well, Representative, I guess this makes a bad Bill worse in my opinion. So, if you are for the Bill may be you shouldn't vote for this, but if you are against the Bill then you should support it."

Ropp: "Well, obviously, you don't understand the Bill. But that's alright."

Speaker Greiman: "The question is, 'Shall this Amendment be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. We'll just backup just for a moment to pick up one that we missed. With leave of the House on page 12. On the Order of House Bills Second Reading appears House Bill 394. 394. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 394, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment 11, offered by Representative Ropp and McCracken."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp on

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Amendment #1."

Ropp: "Thank you, Mr. Speaker and Members of the House. House Bill... this Amendment #1 states that by the year 1988-89 school year, that we should more adequately comply with the School Reform Package that we passed some years ago. That those programs that are dealing with vocational studies will include in their curriculum a vocational math as well as a vocational science course that would be accepted for high school graduation and college entrance as we already have one school currently doing in our Chicago area. And I move for your support."

Speaker Greiman: "The Gentleman from McLean moves for the adoption of Amendment #1 to House Bill 394. And on that, the Gentleman from Cook, Mr. O'Connell."

O'Connell: "Question of the Sponsor of the Amendment, Representative Ropp, did this Amendment originally, was it presented in the Bill form?"

Ropp: "Yes, it was."

O'Connell: "And was it presented to a committee?"

Ropp: "Yes, it was."

O'Connell: "And what was the action of that committee?"

Ropp: "The action was exactly what happened to the man sitting in our Speaker's Chair, it lost. Not for the same reason, it's just because there weren't enough people in the committee."

O'Connell: "Well, did the man sitting in the Speaker's Chair lose that same Bill?"

Ropp: "He lost it in committee, but he got it on, on the House Floor. And I welcome your support, as you supported his Amendment that lost twice in committee. Mine only lost once. But I had 12 votes."

O'Connell: "Representative, you've lost once on this Bill. You have lost many times on other Bills. May I speak to the

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Bill, Mr. Speaker?"

Speaker Greiman: "Proceed, Mr. O'Connell."

O'Connell: "I usually support some of Representative Ropp's Bills, however, this happens to be a Bill, which deals with a issue totally alien from the vocational issue that the Representative is trying to address in his Amendment. And while I may have supported that Amendment in its Bill form, I really would appreciate keeping my Bill which deals with teen suicide, in as pure form as possible. And for that, I would respectfully ask the Representative to either withdraw the Amendment or I would ask the Members to oppose the Amendment, if he wishes to persist with the measure."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp, to close."

Ropp: "Well, Mr. Speaker and Members of the House, I told the Representative or at least asked him to consider this Bill. He never got back to me whether or not he was in support of it or not. I really think that one of the ways that we can deal with teenage suicides, is to provide them with an opportunity to have hands on experience in our educational school system. And certainly that's exactly what this Bill does. It allows people to become involved in math and science, as are required under our law. But it deals with a specific kind of a career opportunity and I'm telling you those people who are inclined to want to consider suicide, are those kind of people who have no direction, have no purpose in life. And I can assure you if you pass this Bill, this Amendment, it does provide for those people to have opportunities to become involved in something to want to live for something, rather than to die for nothing."

Speaker Greiman: "The question is, 'Shall Amendment #1 be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'nos' have it. And the Amendment is defeated. Are there further

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Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 502. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 502, a Bill for an Act to create the Office of Criminal Drug Conspiracy. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 504. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 504, a Bill for an Act to amend the Alcoholism and Substance Abuse Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Brunsvold."

Speaker Greiman: "The Gentleman from Rock Island, Mr. Brunsvold on Amendment #2."

Brunsvold: "Thank you, Mr. Speaker. Amendment #2 simply was requested by the LRB on some language corrections and I ask for its adoption."

Speaker Greiman: "The Gentleman from Rock Island moves for the adoption of Amendment #2 to House Bill 504. There being no discussion, the question is, 'Shall the Amendment be adopted?' All in favor 'aye', all opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative

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Brunsvold."

Speaker Greiman: "The Gentleman from Rock Island, Mr. Brunsvold on Amendment #3."

Brunsvold: "Amendment #3, Mr. Speaker, would insert a sentence that was left out in Amendment #1, that was drawn up by TASK. I would ask for its adoption."

Speaker Greiman: "The Gentleman from Rock Island moves for the adoption of Amendment #3 to House Bill 504. There being no discussion... yes, the Gentleman from DuPage, Mr. McCracken."

McCracken: "I was all set to support the Amendment, until Representative Brunsvold said it was offered by TASK. The purpose of the Amendment is to make clear that rules of evidence don't govern the finding of addiction. Is that one of the points of the Amendment?"

Brunsvold: "The Amendment is such that it would make sure it is language in current law, Representative. It was a corrective Amendment, there, suggested by TASK, it was omitted is all. It puts the Bill... it puts the Amendment in good shape, the Bill in good shape."

McCracken: "Well, in spite of the support from TASK, I'll support this Amendment."

Speaker Greiman: "The question is, 'Shall this Amendment be adopted?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 506. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 506, a Bill for an Act to amend the Illinois Controlled Substance Act. Second Reading of the Bill."

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Speaker Greiman: "Excuse me, yes, Mr. McCracken, for what purpose do you seek recognition?"

McCracken: "I think 505 is on the Calendar, it was next up. We just did 504, I believe."

Speaker Greiman: "Yes, you are right, Mr. McCracken, these old eyes are failing. We will do 505... 506 as long as we are on it, and then we will go back and do 505, with your permission. Proceed, Mr. Clerk."

Clerk O'Brien: "House Bill 506, a Bill for an Act to amend the Illinois Controlled Substance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Rock Island, Mr. Brunsvold on Amendment #1."

Brunsvold: "Thank you, Mr. Speaker. Amendment #1 was suggested by committee to get the Bill in proper form and I believe Representative Homer offered that suggestion in committee. And I am asking for the adoption of Amendment #1."

Speaker Greiman: "The Gentleman from Cook... from Rock Island moves for the adoption of Amendment #1 to House Bill 506. On that, is there any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' Those in favor 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 505. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 505, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill."

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No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Petka and Countryman."

Speaker Greiman: "The Gentleman from Will, Mr. Petka on Amendment #1."

Petka: "Thank you, Mr. Speaker. I would move to withdraw that Amendment."

Speaker Greiman: "Amendment #1 will be withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Ewing and Countryman."

Speaker Greiman: "The Gentleman from Livingston, Mr. Ewing. Mr. Ewing. Mr. Countryman? The Gentleman from Rock Island... oh, Mr. Ewing on Amendment #2, Mr. Ewing."

Ewing: "I'd like to withdraw that Amendment."

Speaker Greiman: "The Amendment is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 508. Mr. Preston, do you wish to proceed with that? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 508, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken on Amendment #1."

McCracken: "This would require parental permission before pupils could be enrolled in the class which would be created by the Bill, it is a parenting class. It is not intended to

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be a hostile bill, I hope the Sponsor looks on it that way. I think that this is something of enough controversy to warrant at least this measure of protection for the parents and family."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, moves for the adoption of Amendment #1 to House Bill 508. And on that the Gentleman from Cook, Mr. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. While I greatly respect my colleague and friend, Representative McCracken, I think this Bill does violence... this Amendment does violence to the Bill itself and in fact kills the Bill. What... what the original Bill calls for is schools to teach something about the responsibilities parents to their children, so as to avoid problems of physical abuse and sexual abuse of children. This Bill, requiring consent of parents for this, first of all mechanically, is next to impossible. What happens in a class, if three parents decide no, no I don't want Johnny, Jane and Sally to have this kind of instruction, in high school. I want... but twenty-seven other parents in the class say its okay. Are they suppose to send these three students out... it does absolute violence to the Act. This Bill is... the Bill is supported by numerable organizations, I believe it passed out of Committee unanimously. And I think... I'd ask you, as strongly as I can, to defeat this Amendment."

Speaker Greiman: "Further discussion? Mr. McCracken to close."

McCracken: "I can see we've... Representative Preston and I have stirred up a lot of emotions over this. I just think this is something that the parents should have some control over and ask that the Amendment be adopted."

Speaker Greiman: "The question is shall Amendment #1 be adopted. Those in favor say 'aye' those opposed 'no'. In the

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opinion of the Chair, the 'nos' have it. And the Amendment fails. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 510. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 510, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from St. Clair, Mr. Stephens on Amendment #1."

Stephens: "Thank you, Mr. Speaker. Amendment 1 would allow a victim of a sex offense who is mentally retarded or mentally impaired by Alzheimer's Disease, to testify by means of video-tape testimony or close circuit television. The intent of this Amendment, Mr. Speaker, is to extend the same treatment given children, to adults have... that have 'quote-unquote' mental age of a child. I think it is an appropriate Amendment, the Sponsor of the Bill, I believe has... might have a problem with it. Anyway, I think it makes good sense, it is a good addition to this Bill, and I urge and 'aye' vote and so move."

Speaker Greiman: "The Gentleman from St. Clair moves for the adoption of Amendment #1 to House Bill 510. And on that the Gentleman from Cook, Mr. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. While I do respect the motives and the intent of the Sponsor of this Amendment, I do oppose this Amendment. The underlying Bill here is a very complex and novel idea in Illinois. It has to do with the permitting into

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evidence the video-tape testimony at the trial of a juvenile sex abuse victim. This expands that to include adults and mentally handicapped individuals. The concerns I think are very real, that Representative Stephens has, and I would be glad to join with him in legislation, but not on this Bill. This Bill is in the form that it has twice passed the House and Senate and gone to the Governor's desk as is, and we are trying... I have an appointment to meet with the Governor later this week, to work out any problems we have. And this Amendment expands it considerably. And I very strongly ask that the Amendment be defeated."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Stephens, to close."

Stephens: "Well, Mr. Speaker, I would, with all due respect to the Sponsor, why don't we just run this up and see if we can get a few votes for it."

Speaker Greiman: "The question is 'Shall Amendment #1 be adopted?' All those in favor signify by saying 'aye' those opposed 'no'. In the opinion of the Chair the 'nos' have it. The Amendment fails. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 513. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 513, a Bill for an Act in relation to activities of merchants. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions in respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills

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Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills
Second Reading appears House Bill 524. Mr. Clerk, read the
Bill."

Clerk O'Brien: "House Bill 524, a Bill for an Act to amend the
Code of Criminal... The Criminal Code. Second Reading of
the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

Speaker Greiman: "The Lady from Sangamon, Ms. Hasara on Amendment
#1."

Hasara: "Thank you, Mr. Speaker. This Amendment simply clarifies
the crime of intimidation by making it an offense, not only
if it occurs in person but also by mail or by telephone. I
move for the adoption of the Amendment."

Speaker Greiman: "The Lady from Sangamon, Ms. Hasara, moves for
the adoption of Amendment #1 to House Bill 524. And on
that is there any discussion? The Gentleman from Cook, Mr.
Young."

Young: "Will the Sponsor yield?"

Speaker Greiman: "Indicates she will yield for questions."

Young: "This Amendment it would, I guess redefine intimidation,
wouldn't it?"

Hasara: "That's true. As the Act now stands it simply reads that
intimidation is... a person commits intimidation when...
with intent to cause another perform or to admit the
performance of any act. It really does not clarify and
it's been interpreted as only meaning in person."

Young: "Right now in order to commit the offense of intimidation,
you need to communicate the threat personally, don't you?
You have to be more or less face to face, isn't that

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correct?"

Hasara: "Representative Young, I am not an attorney, but I assume it would be up to the courts to interpret and this Bill is intended to allow them to definitely interpret that to mean by mail or by telephone."

Young: "Okay, Mr. Speaker, to the Amendment."

Speaker Greiman: "Proceed, Sir."

Young: "I rise in opposition to the Amendment, that right now the way the law states you cannot commit an offense of intimidation, unless you are face to face with someone and make a threat and you have the apparent ability to carry out that threat. What this Amendment would do, it would create an offense of intimidation by telephone or by mail. I would think it would be a... raise havoc within the courts as to how to interpret or how to just visualize carrying out a threat to someone by mail. According to this Amendment someone could be in New York and somebody else could be in California and a remark over the telephone could be construed as a threat even though there would be, obviously, no capability of carrying that threat out. It increases the definition of intimidation to the point where I think the courts would just get flooded, when everytime someone made a remark over the telephone that someone else didn't like, there would be proposed criminal action. I would recommend that... as my colleague suggests, I think it's totally unrelated to the Bill. And I would move for defeat of the Amendment."

Speaker Greiman: "The question is, 'Shall Amendment #1 be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'nos' have it and the Amendment fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative McCracken."

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Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken on Amendment #2."

McCracken: "This Amendment, Mr. Speaker, was requested by the Chairman of the Committee and defines the term 'child' for purposes of the Bill as being a minor under the age of 17 years. That's all."

Speaker Greiman: "The Gentleman from Cook, Mr. Young."

Young: "Has this Amendment been printed and distributed?"

Speaker Greiman: "We have been advised by the Clerk that it has not been printed and distributed, Mr. Young. Mr. McCracken? Mr. Parke, what is your pleasure? Do either of you have a pleasure? Yes, Mr. Young."

Young: "Could the Sponsor of the Amendment, explain the Amendment?"

McCracken: "Yes, the Chairman of the Committee asked me to amend this Bill to define the term child. And the Amendment states that that term means a minor under the age of 17 years. That's the only way in which the substance has changed."

Young: "We would have no objection to adopting the Amendment."

McCracken: "Thank you."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it, the Amendment is adopted. Further Amendments?"

Clerk D'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 526. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 526, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills
Second Reading appears House Bill 527. Mr. Clerk, read the
Bill."

Clerk O'Brien: "House Bill 527, a Bill for an Act to amend the
Code of Criminal Procedure. Second Reading of the Bill.
No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken on
Amendment #1."

McCracken: "Mr. Speaker, on 526, apparently it hadn't been
printed and distributed, but, again the Committee asked me
to introduce an Amendment to that Bill."

Speaker Greiman: "We are on 527, Mr. McCracken. We just zipped
by 526."

McCracken: "I know. I am asking, if you don't mind, to take it
back to Second Reading."

Speaker Greiman: "Well, lets finish 527, and then we will deal
with 526. Alright?"

McCracken: "Alright. 527, makes it explicit that the intent that
the Bill refers to applies only to cases where the victim
and the defendant are members of the same household."

Speaker Greiman: "The Gentleman from Cook, Mr. McCracken...
DuPage, Mr. McCracken moves for the adoption of Amendment 1
to House Bill 527. And on that, is there any discussion?
There being none, the question is, 'Shall the Amendment be
adopted?' Those in favor say 'aye', those opposed 'no'.
In the opinion of the Chair the 'ayes' have it. The
Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative
Hasara."

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Speaker Greiman: "The Lady from Sangamon, Ms. Hasara."

Hasara: "Thank you, Mr. Chairman. Amendment #2 is a technical Amendment that makes the provisions for handling forfeited bail uniform. Currently there is one procedure for handling 10% bail and another for handling 100% bail, and this simply makes the procedure uniform for the circuit clerks."

Speaker Greiman: "The Lady from Sangamon, Ms. Hasara, moves for the adoption of Amendment 2 to House Bill 527, and on that, is there any discussion? The Gentleman from Fulton, Mr. Homer."

Homer: "Thank you. Representative Hasara, the Amendment, it hasn't been out long enough for us to really take a look at it. Could you just explain current law with respect to the difference between the two procedures?"

Hasara: "Yes. As it stands now, when there is forfeited 10% bail, that money now, after three years, is... goes to the county treasury. Notice must be sent to the defendant. In the case of 100% bail, notice is still sent, but that money is turned over to the state treasurer. So this would simply make it uniform. It's very difficult for clerks to sort out which procedure should be which."

Homer: "Well, maybe the confusion is that where someone puts up bail because they're charged with an offense, and then they fail to appear for their court appearance, the judge will routinely order that the bail be forfeited. It... "

Hasara: "There are literally thousands of dollars of unclaimed bail every year."

Homer: "So in other words, in those situations where a judge, because a person doesn't appear, orders their bail forfeited and often times issues a warrant at the same time, are these the cases you're talking about?"

Hasara: "This, yes, this is in the case of unclaimed bail,

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Representative."

Homer: "What's the difference between forfeited bail and unclaimed bail?"

Hasara: "Forfeited bail could be, I believe, could be unclaimed. But in many cases, if bail is ordered to be returned and the clerk doesn't know where to return it, it just sits there for a number of years. And then it's eventually turned over."

Homer: "Alright. If... if bail is actually forfeited, that bail automatically goes to the county treasury, then, right, if it's bond forfeiture?"

Hasara: "That's true."

Homer: "There is no need to give publication or notice where there is a bond forfeiture. What you're talking about is..."

Hasara: "Unclaimed bail, yes... "

Homer: "...unclaimed bail, where bail has been posted. There's no forfeiture, but the..."

Hasara: "That's true."

Homer: "...defendant just never came and got his bail."

Hasara: "That's right."

Homer: "And there are these two different procedures for 10% versus the 100%?"

Hasara: "Right. And this would simply make them uniform."

Homer: "Which way are we going? Are they going to be the same as the 10%?"

Hasara: "They will be the same as the 10%..."

Homer: "Alright."

Hasara: "... because there are many more 10% bails that are unclaimed."

Homer: "Okay. Thank you."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' Those in favor signify by saying 'aye', those

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opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. We will now return to the... to House Bills Second Reading, House Bill 526. Now, Mr. Clerk, where is that? Is that on the Order of Third Reading now?"

Clerk O'Brien: "The Bill has been moved to Third Reading."

Speaker Greiman: "So, alright. With leave of the House, we return the Bill to the Order of Second Reading for the purpose of Amendment. Mr. Clerk, ... "

Clerk O'Brien: "Amendment 2... Floor Amendment #1 offered by Representative McCracken."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken on Amendment #1."

McCracken: "Thank you, Mr. Speaker. Thank you for coming back to this. This Amendment also was suggested by the Committee, and I didn't want to move the Bill without placing it on the Bill. This clarifies that the court not necessarily find or be supplied specific information as to all three elements of the defense of consent, that being date, time and place, before it may rule that evidence of prior sexual conduct can be introduced on the issue. What happened in Committee was, is that the Bill sought precise information as to all three elements, and it was felt wiser to pattern this more closely after the information necessary to be tendered to raise the affirmative defense of alibi. And this Amendment makes it more similar to the information necessary to be raised in that defense. Again, suggested by the Committee, and I move its adoption."

Speaker Greiman: "The question is, 'Shall Amendment #1 be adopted?' The Gentleman from Cook, Mr. Cullerton. Mr.

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Cullerton."

Cullerton: "No. I don't have any questions."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer. The question is, 'Shall the Amendment be adopted?' Those in favor vote... say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 528. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 528, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Excuse me, Mr. Clerk. Yes... "

Parke: "Would you take that Bill out of the record?"

Speaker Greiman: "Yes, Mr. Parke, I will. It's easier if you give the Chair some notion that you're... actually have movement any longer and are taking nourishment. Alright. On the Order of House Bills Second Reading appears House Bill 529. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 529, a Bill for an Act to amend an Act to revise the law in relation to criminal jurisprudence. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading on page 15 of the Calendar appears House Bill 532. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 532, a Bill for an Act to amend an Act to revise the law in relation to plats. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

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Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 540. Mr. Tate? Out of the record. On the Order of House Bills Second Reading appears House Bill 541. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 541, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Second Reading of the Bill. Amendment #1... "

Speaker Greiman: "Out of the record. On the Order of House Bills Second Reading appears House Bill 542. Mr. Clerk... Mr. Dunn, are you in the chamber? On the Order of House... oh, I'm sorry, Mr. Dunn, alright. Out of the record. On the Order of House Bills Second Reading appears House Bill 543. Mr. Terzich? Out of the record. Mr. Terzich? 543? Mr. Tate, for what purpose do you seek recognition?"

Tate: "Speaker, you heard me. I was in the back of the chamber, in the back row, you provide courtesy to all Members on... I've been watching you all day long... "

Speaker Greiman: "Mr. Tate... "

Tate: "... and you've allowed people to get to their seat. I was six rows back... "

Speaker Greiman: "Mr. Tate... "

Tate: "... when I said I wanted the Bill called."

Speaker Greiman: "Mr. Tate... "

Tate "Now would you please go back... "

Speaker Greiman: "You will note, Mr. Tate..."

Tate: "... to House Bill 540 and give me the same courtesy that you give every other Member?"

Speaker Greiman: "You will note, Mr. Tate, if you will let the Chair speak, that I afforded Mr.... I treated Mr. Dunn in the same way when he was not readily at his seat. And I

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moved to the next Bill."

Tate: "Mr. Speaker, I was right in the back row."

Speaker Greiman: "Now it's not a Macon County thing... it's not a Macon County thing. We'll get back to you, Mr. Tate. We will get back to you, Mr. Tate."

Tate: "Today?"

Speaker Greiman: "Hell, Mr. Tate, we will try and accomodate you as best we can."

Tate: "Today?"

Speaker Greiman: "On the Order of House Bills Second Reading appears House Bill 546. Mr. Clerk, read... Is Mr. Preston in the chamber? Mr. Terzich. Out of the record. On the Order of House Bills Second Reading appears House Bill 543. Mr. Clerk, read the ... "

Clerk O'Brien: "House Sill 543, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House bill 547. Mr. Preston in the chamber? Mr. Preston? Out of the record. On the Order of House Bills Second Reading appears House Bill 543. Mr. Preston? Out of the record. On the Order of House Bills Second Reading appears House Bill 552. Mr. Slater? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 552, a Bill for an Act to amend the Park District Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 555. Mr. Preston? Out

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of the record. On the Order of House Bills Second Reading appears House Bill 566. Is Mr. McGann in the chamber? Out of the record. On the Order of House Bills Second Reading appears House Bill 569. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 569, a Bill for an Act to amend the Illinois Horse Racing Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Rock Island, Mr. DeJaegher on Amendment #1."

DeJaegher: "Would you read the Amendment, please?"

Clerk O'Brien: "Amends House Bill 569 on page 7, Line 4, by deleting 'foundation' and inserting 'foundation or any standards and requirements for headgear the Illinois Racing Board may approve'."

DeJaegher: "This was... this Amendment was given to us by the Illinois Racing Board and I... and I'm receptive to the Amendment."

Speaker Greiman: "The Gentleman from Rock Island moves for the Adoption of Amendment #1. Is there any discussion? The question is, 'Shall Amendment #1 be adopted?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative McCracken."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken."

McCracken: "Please withdraw #2."

Speaker Greiman: "Amendment #2 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative

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DeJaegher."

Speaker Greiman: "The Gentleman from Rock Island, Mr. DeJaegher on Amendment #3."

DeJaegher: "Would you read the Amendment, please?"

Clerk O'Brien: "Amends House Bill 569 on Page 7 by inserting after Line 6 the following: '(n) The Board shall require each individual authorized to jog, train, warm-up or drive, et cetera'."

Speaker Greiman: "Yes, Mr. ... Mr. DeJaegher, did you have something you wished the Chair to do?"

DeJaegher: "Move for acceptance."

Speaker Greiman: "Oh, fine. The Gentleman from Rock Island moves for the adoption of the Amendment #3 to House Bill 569. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' Those in favor say 'aye, those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representatives Hallock and McCracken."

Speaker Greiman: "Alright. The Gentleman from DuPage, Mr. ... no, the Gentleman from Winnebago, Mr. Hallock. I'm sorry. I didn't see him. Mr. Hallock?"

Hallock: "Thank you, Mr. Speaker, Members of the House. This Amendment tries to address a Bill we passed last year but wasn't really sufficient for the rest of the state. This Bill would allocate... "

Speaker Greiman: "Excuse me."

Hallock: "... 4/7's of the... "

Speaker Greiman: "Excuse me. Mr. DeJaegher?"

DeJaegher: "Out of the record, please."

Speaker Greiman: "The Gentleman... the Sponsor wishes for the Bill to be taken out of the record. Out of the record. On

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the Order of House Bills 530 ... House Bills Second Reading
appears House Bill 580. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 580, a Bill for an Act to amend the
Joliet Regional Port District Act. Second Reading of the
Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Van
Duyne."

Speaker Greiman: "The Gentleman from Will, Mr. Van Duyne on
Amendment #2."

Van Duyne: "Thank you, Mr. Speaker. With leave of the House, I
would like to withdraw it."

Speaker Greiman: "Amendment #2 is withdrawn. Further
Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative
Wennlund."

Speaker Greiman: "The Gentleman from Will, Mr. Wennlund on
Amendment #3."

Wennlund: "I withdraw Amendment #3, Mr. Speaker."

Speaker Greiman: "Amendment #3 is withdrawn. Further
Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills
Second Reading appears House Bill 589. Mr. Clerk, read the
Bill."

Clerk O'Brien: "House Bill 589, a Bill for an Act to amend the
Environmental Protection Act. Second Reading of the Bill.
No Committee Amendments."

Speaker Greiman: "Yes. I note that that, by the way... The Chair
notes that we skipped 569 and 575. We will go back to
those Bills when we finished this Bill. Floor Amendment?"

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

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn on Amendment #1."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker, House Amendment... I mean Amendment #1 to House Bill 589 takes care of the objection the Pollution Control Board had to the Bill in Committee, and I agreed to accept it, and all the Bill does now, is provide that where there is a problem in a particular legislative district of creating an impact upon the fee or rate payers, that the Pollution Control Board will give those Legislators notice, and that's all the Amendment does. It changes the Bill substantially. I would move for its adoption."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn moves for the adoption of Amendment #1 to House Bill 589. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Williamson."

Speaker Greiman: "The Lady from Cook, Ms. Williamson on Amendment #2. Ms. Williamson."

Clerk O'Brien: "Williamson, Peterson and Daniels."

Speaker Greiman: "Mr. Peterson, do you wish to take that? Mr. Flinn, what's your pleasure?"

Flinn: "I move to table Amendment #2."

Speaker Greiman: "The Gentleman from St. Clair moves to table Amendment #2 to House Bill 589. All those... Is there any discussion? Being none, the question is, 'Shall the Amendment be tabled?' Those in favor say 'aye', those

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opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is tabled. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading."

Clerk O'Brien: "There was a request for a fiscal note on that Bill."

Speaker Greiman: "Excuse me, Mr. Flinn. There is a request for a fiscal note on this Bill."

Flinn: "Yes. I would like to address the fiscal note. With Amendment #1 that we adopted, it removes any cost whatsoever to the state, and I would move that we waive the fiscal note application since its not applicable."

Speaker Greiman: "The Gentleman... Gentleman from St. Clair moves that the Fiscal Note Act is inapplicable to House Bill 589, and on that, is there any discussion? The Gentleman from DuPage, Mr. McCracken."

McCracken: "Representative Flinn, is it currently the law that the PCB give Legislators a notice as required by your Amendment #1?"

Flinn: "Only in the register, and they have agreed to it, if I adopt this Amendment, they would support the Bill at ... at very little or no cost ... to notify particular Legislators of the district that is affected. Not the whole state, such as the register notifies them, and so I... I don't think the fiscal note would be... very little, if any, effect upon the state government cost. So minute it would cost more to print the fiscal note than we'd save."

Speaker Greiman: "Further discussion? All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Motion carries and the Fiscal Note Act is inapplicable to this Bill. Third Reading. Now on the Order of House Bills Second Reading appears House Bill 569. No, I'm sorry, 575. 575. Mr.

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Clerk, read the Bill."

Clerk O'Brien: "House Bill 575, a Bill for an Act to amend the Retailers' Occupation Tax Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 576. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 576, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 590. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 590, a Bill for an Act to provide for an alternative to defamation actions for damages. Second Reading of the Bill. Amendments #1, #2 and #3 were adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to the Amendments on file?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Johnson."

Speaker Greiman: "The Gentleman from Champaign, Mr. Johnson on Amendment #4."

Johnson: "Your Honor, this is basically a technical Amendment that tightens up the Bill to meet some of the ... some of

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the concerns that have been expressed and provides for...a defense with a reputation damaging remark was taken from an identified candidate and so forth. This is really basically a technical Amendment and I move its adoption."

Speaker Greiman: "The Gentleman from Champaign moves for the adoption of Amendment #4 to House Bill 590, and on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 598. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 598, a Bill for an Act concerning the determination of death. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 600. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 600, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. Amendments #1, #3 and #4 were adopted in Committee."

Speaker Greiman: "Any Motions with respect to those Amendments?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Bowman."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman on Amendment #5."

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Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment 5 deletes part of the addition to the Bill contained in Amendment 3. The Amendment... this Amendment deletes the proposed right that a crime victim should have had to request that a judge review a state's attorney's decision not to disclose certain details regarding the investigation of a crime to a crime victim. As a result, the current law on that subject remains intact, allowing the state's attorney to make the determination that the disclosure of certain information regarding an investigation would unreasonably interfere with the investigation. This Amendment is being offered because the state's attorneys opposed the... this particular provision that I am deleting, and I pledged to the Committee that if the Bill was reported out that I would delete the language in question. That is what this Amendment does. I move its adoption."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman moves for the adoption of Amendment 5 to House Bill 600, and on that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 605. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 605, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

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Wojcik."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik on Amendment #1."

Wojcik: "Yes... "

Speaker Greiman: "Excuse me, Ms. Wojcik. Mr. Young, the Gentleman from Cook, for what purpose do you seek recognition?"

Young: "Thank you, Mr. Speaker. Amendment #1, it appears, is... would be technically incorrect, because, as it stands, it will have two different sections to it. If the Parliamentarian would look at it... "

Speaker Greiman: "Let us examine it. Thank you."

Wojcik: "Mr. Speaker, I was going to withdraw the Amendment."

Speaker Greiman: "The Amendment is withdrawn. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "There has been a fiscal note request here, Mr. LeFlore. Yes, Mr. LeFlore."

LeFlore: "Yes, I have applied for a fiscal note, Mr. Speaker."

Speaker Greiman: "Well, shall we hold it then on the Order of Second Reading until you ... "

LeFlore: "I would like for it to move on to Third."

Speaker Greiman: "Oh, it's filed. I'm sorry, yes. The fiscal note has been filed. Third Reading. Before we go to the next page, page 16, we will pick up a couple of Bills from Sponsors who were off the floor. On the Order of Macon County. On the Order of House Bills Second Reading appears House Bill 540. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 540, a Bill for an Act prohibiting local governments from regulating hunting and fishing. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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Speaker Greiman: "Third Reading. On the Order of House Bills
Second Reading appears House Bill 542. Mr. Clerk, read the
Bill."

Clerk O'Brien: "House Bill 542, a Bill for an Act to create the
Illinois Trade Secrets Act. Second Reading of the Bill.
No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "Yes, Mr. Dunn?"

Dunn: "Thank you, Mr. Speaker. I request leave to withdraw
Amendment #1."

Speaker Greiman: "Amendment #1 withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative
Dunn."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn on Amendment
#2."

Dunn: "Request leave to withdraw Amendment #2."

Speaker Greiman: "Amendment #2 withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative
Dunn."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House.
Amendment #3 is the Amendment which has been worked out by
the parties in interest on this Bill and it puts the
legislation in the... in the form that those who have been
working closely with this legislation would like to see it
passed, and I would request a favorable vote on Amendment
#3."

Speaker Greiman: "The Gentleman from Macon moves for the adoption
of Amendment #3. Is there any discussion? There being
none, the question is, 'Shall the Amendment be adopted?'
Those in favor 'aye', opposed 'no'. In the opinion of the

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Chair, the 'ayes' have it. The Amendment is adopted.
Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. We will change the Order of
Business and go to the Order of House Bills Second Reading
- Short Debate Calendar, and on that Order appears, on page
3 of the Calendar, House Bill 34. Mr. Clerk, read the
Bill."

Clerk O'Brien: "House Bill 34, a Bill for an Act to amend the
Criminal Code. Second Reading of the Bill. No Committee
Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Lady from Cook, Ms. Parcells on Amendment
#1."

Parcells: "Thank you, Mr. Speaker. This particular Amendment
would be called the Unlawful Visitation Interference. This
is the one that would keep ... there would be a penalty
for custodial parents who do not allow visitation of their
children to the non-custodial parent, and this would be an
offense just as it is presently an offense for the
non-custodial parents not to support those children, and it
is very necessary for children to have the love and support
of both parents, and therefore, when children are kept from
seeing their non-custodial parent, it is just as much...
just as hard on them as to not have the funds with which to
rear them, and I would move for the adoption of this
Amendment."

Speaker Greiman: "The Lady from Cook, Ms. Parcells moves for the
adoption of Amendment #1 to House Bill 34, and on that, the
Lady from Lake, Ms. Stern."

Stern: "Mr. Speaker and Members of the House, I object to this

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Amendment being applied to my Bill. This Bill's going to have enough trouble when it gets to Third Reading without a hostile Amendment which I think is really non-germane. The fact of the matter is, this Bill, I believe it was presented by Representative Pullen last year to the Judiciary II Committee, was defeated in Committee, and I think would be bad law in any case, and I object to having it on my Bill."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer."

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

Speaker Greiman: "She indicates that she will."

Homer: "Will you, will you, Representative Parcels, help us with a little recent history?"

Parcels: "Yes. Representative..."

Homer: "Let me... let me ask. You will..."

Parcels: "Give you recent histories that would do this..."

Homer: "Will you help with a little recent history?"

Parcels: "If I can."

Homer: "Now, Representative Stern mentioned a year ago that Representative Pullen had a Bill which did what this Amendment would do in the House Judiciary Committee."

Parcels: "That was a mistake. The House... Representative Pullen's Bill, last year, did pass the House with 69 favorable votes."

Homer: "Well, but, it was... now, wasn't her Bill amended to take it out of the criminal court and to put it into... she doesn't have a microphone, but it came through very resoundingly that apparently that is not the case. I'm asking a question. Did the Bill pass last year in the form that it's in now?"

Parcels: "Yes."

Homer: "What happened to it after it passed this House?"

Parcels: "Somewhere in the Senate it was tied up."

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Homer: "Can you guarantee Representative Stern that, if this Amendment gets on, that somehow in the Senate this Bill isn't going to get tied up? I think that was a rhetorical question. Briefly to the Amendment, Mr. Speaker. This matter that the Sponsor wishes to address, certainly an important question, has to do with what hap... the rights of a non-custodial parent in child custody cases, and the Bill itself has nothing to do with that. It has to do with unlawful use or production of plastic weapons that can be taken on airplanes through metal detectors. As it is alien to the Bill, it certainly is in the same Chapter 34, which covers a whole wide... or Chapter 38, rather, which covers a wide range of subjects, but it certainly has nothing to do with this Sponsor's Bill, and what the Amendment would do, would be to make criminals out of custodial parents, usually in most cases mothers, who... or allegedly interfere with the custodial rights of the father, the non-custodial parent. These kind of matters come up every day in the courts. They are dealt with in the civil divorce proceedings through the contempt powers of the court. If we're going to create a criminal offense and make a crime out of 'moms' who for good or bad reasons deny visitation privileges in some case with the father, then I'm thinking... I think we're not only addressing that subject, we're opening the criminal courts, the flood gates are open, and we're saying to judges, we realize you've got armed robbers, rapists and murderers, but we want you also, criminal judge, to take into account all these domestic disputes that arise, some with merit, some without merit. They don't belong in the criminal court, this Bill (sic - Amendment) does not belong on Representative Stern's Bill and I would urge the Membership to vote °down this Amendment."

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Speaker Greiman: "The Gentleman from St. Clair, Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. Just to rise in support of the Lady's Amendment. The creation of the offense of unlawful visitation interference seems to make good sense to me, and I don't know why the Sponsor or the Members on the other side of the Aisle are objecting to adding it to this piece of legislation. The... certainly wouldn't do anything to demean her Bill and I don't think it will change the likelihood of this Bill's passage. I think they ought to accommodate Representative Parcells and endorse Amendment 21 to House Bill 34. Thank you."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. You know, in the criminal law, already, is essentially taking your own child in violation of a custody order. I forget the title of it, but this is the converse of that situation. This is where the custodial parent interferes with the visitation rights of the non-custodial parent. What is already criminal law is where the non-custodial parent takes the child away from the custodial parent. So we are already in the criminal law with one-half of the relationship in visitation matters, and it, I think, makes good sense to treat the other half as well. I would also point out that it is a petty offense for the first two offenses, something which is, as a practical matter, probably not going to be litigated to the detriment of any court calendar, and only on a third time is it a misdemeanor. I think it's appropriate, given the fact that we already have the custodial situation in the criminal law, and it does not do any harm to Representative Stern's Bill, which is also a good Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Young."

Young: "Thank you, Mr. Speaker, I rise in opposition to the

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Amendment. Besides the fact that the Sponsor does not want it, the biggest thing wrong with this Amendment is that it will place a matter in criminal courts that the criminal courts just don't have the resources to deal with. When this was a Bill, the state's attorneys were against this measure and also the local police departments are against this measure because you're inserting them in a family situation that they are not properly trained to handle and we simply don't have the resources for. It's a... it was a bad Bill last year and it's even worse when you want to stick this bad Bill on Representative Stern's Bill, and I urge that it be defeated."

Speaker Greiman: "Ms. Parcels to close."

Parcels: "Thank you, Mr. Speaker. It's hard to respond to some of the things that were said because Mr.... the first Representative that spoke was all over the place, but we do know that in ... it's been tradition here in the House that the Criminal Code can be amended with other Acts of the Criminal Code because a crime is a crime and we have seen this happen over and over again. As it was said, the flip side of this particular problem is a criminal offense. This would be a petty offense the first two times, and it's quite amazing to me that, particularly anybody in this House that is a non-custodial parent, wouldn't think that it's just as important to have an influence on your child as it is to support that child. Children do not live by bread alone, and they do need that support from their parent, and it is a known fact that parents very often will keep, in a spiteful manner, that child from visiting a non-custodial parent. I think this is a very important piece of legislation, and I encourage your 'aye' vote."

Speaker Greiman: "The question is, 'Shall Amendment #1 be adopted?' All those in favor signify by saying 'aye',

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those opposed 'no'. In the opinion of the Chair, the 'nos' have it. Alright. In the opinion of the Chair, we'll have a Roll Call, so everybody will be relaxed. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 51 voting 'no', 61 ... I'm sorry, 51 voting 'aye', 61 voting 'no', 1 voting 'present', and the Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading - Short Debate appears House Bill 243. Out of the record. On the Order of House Bills Second Reading - Short Debate appears House Bill 308. Mr. McPike, do you wish to proceed? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 308, a Bill for an Act in relation to sewer and water projects. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Hallock."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Hallock on Amendment #2."

Hallock: "Mr. Speaker, Amendment #2 increases the bonded authorization for this category. We're suggesting herein that if we are, in fact, going to contemplate doing any Build Illinois Projects, that we're going to have to increase the bond authorization, whether its in the EPA category or any others, we're going to have to do that so I would suggest that we adopt this and then move along."

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Speaker Greiman: "The Gentleman from Winnebago moves for the adoption of Amendment 2 to House Bill 308, and on that, the Majority Leader, Mr. McPike."

McPike: "Will the Sponsor yield?"

Speaker Greiman: "He indicates he will yield for questions. Proceed, Sir."

McPike: "Well, Representative Hallock, the last time I spoke to you on this in Mr. Daniels office, it was my understanding that we weren't going to proceed with Amendments to Build Illinois. That the amount of money coming in to pay for this program is only about 40% of the cost. That we already have 200 million dollars worth of programs... worth of projects in Build Illinois that we can't pay for. Now you're suggesting that we increase the bond authorization by 700 million dollars? Could you give us any hint as to how you're going to pay for this? Could you tell us what tax you're going to use to pay for this?"

Hallock: "I would just say that if this House is going to contemplate doing anything to Build Illinois as we have discussed, and you and I have discussed that, as well, that we're going to have to increase the bonded authorization. But what I would also suggest at this point in time is that we continue to try to work on what we are going to do exactly in this area and until we can resolve that further, I'll withdraw the Amendment."

Speaker Greiman: "Amendment #2 is withdrawn. Further Amendments? Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Daniels and McCracken."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken on Amendment #3."

McCracken: "Thank you, Mr. Speaker. The Governor has identified approximately 236 communities which need funds in order to

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comply with Federal EPA waste water and sewer standards. This would establish the Federal Clean Water Act Revolving Loan Fund. The fund would be funded by the sale of approximately 70 million dollars of bonds to constitute the state's 20% matching grant to that raised by the federal authorities, and authorizes the EPA to make loans from the fund for the purpose of upgrading the waste water treatment facilities. This is an alternative to the Governor's proposal that one of the purposes of his tax increase would be to solve the problem facing these communities, rather than accepting the tax proposal because one facet of it, at least, responds to a legitimate, a pressing problem throughout the state. We propose that this bond sale should be the vehicle for resolving that problem. It does not require a general tax increase and addresses only that part of the problem which is so timely due to the deadlines, and I move the adoption of Amendment #3."

Speaker Greiman: "The Gentleman from DuPage moves the adoption of Amendment #3 to House Bill 308, and on that, the Majority Leader, Mr. McPike."

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

Speaker Greiman: "He indicates he will yield for questions."

McPike: "Representative McCracken, I would ask you the same question I asked Mr. Hallock. Currently we have a Build Illinois program that is costing two to three times the amount of revenue that the Used Car Tax is bringing in. We have a program that is bankrupt..."

McCracken: "I understand."

McPike: "... and now you are adding 70 million... my only question is, how do you suggest we pay for this?"

McCracken: "This is from the sale of general obligation bonds."

McPike: "Yes, and when you sell those GO bonds, you have to pay for them."

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McCracken: "Right."

McPike: "And you suggest we pay for them from what?"

McCracken: "I don't have a suggestion. Was that a disarming answer?"

McPike: "No. That was... that was... that's right."

McCracken: "My... my understanding was that you and Representative Daniels spoke. I was under the belief that this was to be offered, not as an agreed Amendment, but, after those conversations, that it was not understood that these would not be offered. If I'm mistaken..."

McPike: "Oh, no, no, I don't think I asked Mr. Daniels not to file this. I think that it was the understanding that we would encourage Members of both sides of the aisle to file their individual projects for their districts. We would encourage them to file those Amendments to EPA, CDB, DOT, et cetera, because this program already has 200 million dollars worth of projects in it that are neither authorized nor is there any hope to pay for them."

McCracken: "This is not... this is..."

McPike: "Now I have no objection to you adding on top of all this nightmare that we found ourselves in, we ... we can't pay for this, and now you're saying that you want to add 70 million more. Certainly, I did not... certainly Mr. Daniels, the Minority Leader, did not tell me he was not going to do this, but I'm just a little surprised that you would... that you would offer 70 million dollars more in bonds when we can't pay for the ones we have now."

McCracken: "These are not bonds to be paid from the Build Illinois Fund. These bonds are to be paid from the General Revenue Fund."

McPike: "Well, I'll tell you, the Build Illinois bonds are being paid for from General Revenue. There's no question about that."

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McCracken: "It's just... it's just an appropriation. It has... if we go with this, it doesn't mean we have to adopt any new Build Illinois programs, other than this."

McPike: "Alright. Let me go on a different tack then. We have currently outstanding authorized 948 million dollars in bonding, for Build Illinois."

McCracken: "That's right."

McPike: "We've only sold about 250. We still have 700 million worth of those bonds to sell. We haven't even sold those. So why authorize more of these? And they're being paid for... let's not pretend they're not being paid for out of GRF."

McCracken: "I... I have no response."

McPike: "To the... "

Speaker Greiman: "Proceed, Mr. McPike."

McPike: "To the Amendment. We have taken a hard look at Build Illinois and everyone should understand that the election is over, that the Used Car Tax is bringing in about 1/3 of the cost of the Build Illinois program. That what we have appropriated in FY86 and FY87, added to what the Governor wants to do in the next three years, gives us 200 million dollars more in projects than what we've authorized. We can't pay for any of those. The one reason we are in a tight budget right now is because we are skimming at least 50 million a year from GRF to pay for Build Illinois. I don't know why anybody wants to expand... to expand this program. And then to expand the program regardless of whether or not you're saying it's coming from GRF or some special tax, for the life of me I can't understand why somebody wants to get up on the House floor and say, I want to sell some more bonds... I want to authorize some more bonds ... unless, when you stand up and say, I want to authorize some more bonds, you raise your hand and say, and

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I'm voting for all the new taxes. I mean, if that's it, you ought to vote for this, but I would suggest that those people that are not crazy about trying to find a way to pay for bonds when we can't pay for the ones we have now, ought to think about voting 'no' on this."

Speaker Greiman: "The Gentleman from Adams, Mr. May. Mr. Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. There's a couple of misconceptions, I think, that have been bandied about as the result of the last questioning, and I don't know whether I can clear them up or muddy the waters further, but I would simply offer this as a suggestion. Build Illinois is a questionable source, at this point, for future projects, and I think everybody understands that the funding source that was put in to retire those bonds is not exactly... met the expectations of the General Assembly Members, Republican and Democrat, at the time... when we passed that program. This, however, is general obligation bonds, and you ask, 'Well, what do we do to retire these things?' or 'What kind of taxes are you going to raise to pay for them?' The proceeds from the sale of these bonds would be used as a loan to the communities that have been cited by the Feds for having deficiencies in waste water treatment facilities. The loans would, when repaid by the local communities, would then be established to repay the general obligation of the State of Illinois, and that is why I believe, if we are going to do anything in this area, a general obligation bond issuance is the appropriate place to do it because we can do it cheaper, we can do it more efficiently. Also, we can do it in a manner such that, with this loan program established, we can retire the debt issued by general obligation when the loans are repaid by the communities to which the loans are made. For that reason, I would stand in support of the Amendment

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by Representative McCracken."

Speaker Greiman: "Further discussion? There being none, the Gentleman from DuPage, Mr. McCracken to close."

McCracken: "These 236 communities are in need of this loan. The 350 million dollars of federal money is waiting for a 20% match. 70 million dollars when put against that, especially in the form of bonds of the State of Illinois, I think is something that is not an inappropriate means of undertaking, and I move its adoption."

Speaker Greiman: "The question is, 'Shall Amendment #3 be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. All those in favor signify by voting 'aye', those opposed 'no'. Mr. Cullerton, one minute to explain your vote. Mr. Cullerton?"

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm pretty certain the Governor has got me a little confused with his tax proposals. I think that these projects, that this Amendment addresses, was to be paid for by a tax increase on non-prescription drugs. Maybe... or did he change it to computer software... I'm not sure. Maybe someone over there, when they explain their vote, can tell, but as I recall, it's one of those Governor's tax increases. I just can't remember which one. But this Amendment deals with a... probably a very deserving projects... it is a loan, but it has to be paid off by an increase in revenue to the state, and if you want to vote for it, it's great. That indicates your indication that you're not just saying 'no' to taxes, that you are saying 'yes' to taxes. I'm not sure which tax it is that... it is, or that you're being inconsistent in that you are for the projects, but not willing to vote for the tax. So maybe someone over there on the other side of the aisle, who is keeping abreast of the Governor's tax increases, can

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tell me which particular tax increase this particular project was to be paid by."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman. One minute to explain your vote."

Bowman: "Well, just for the record, just to point out that the side of the aisle that is offering this Amendment, made quite a few speeches not too long ago on this same floor regarding the personal needs allowance for nursing home patients, and were opposed to giving each patient a \$10 stipend because it was too costly. I think that was far less costly and far more worthy than this Amendment."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Stephens. One minute to explain your vote."

Stephens: "Thank you, Mr. Speaker. This vote doesn't have anything to do with tax increases. This is a question of priorities. This is a question of 370 million dollars that the taxpayers of Illinois sent to the Federal coffers and we'd like to access that money back. We have 236 communities who have serious water and sewer plant problems that needs to be addressed. It's a question of whether or not you want to put your priorities up on the voting board or whether you don't. We have to address health and safety issues, we have serious problems back in those communities, and it's not a question of which tax, or any tax, that you endorse. It's whether or not you want to spend wisely or whether you want to just keep spending and throwing money down the drain. We choose not to spend money and throw it down the drain. We choose to spend our money wisely accessing 370 million dollars. If you folks over there want to do it, fine. Turn your backs on Federal money."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 39 voting 'aye', 72 voting 'no', 1 voting

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'present' and the Amendment fails. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #4 offered by Representative McPike."

Speaker Greiman: "The Gentleman from Madison, Majority Leader McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a clean-up both for a Republican and Democrat projects that we appropriated either in FY86 or in FY87 that dealt with water supply. EPA does not have the authority to proceed with our individual projects unless we supply language that will allow them to do so. So I move for the adoption of Amendment #4."

Speaker Greiman: "The Gentleman from Madison, Majority Leader McPike moves for the adoption of Amendment #4, and on that, the Gentleman from Winnebago, Mr. Hallock."

Hallock: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Greiman: "Indicates that he will."

Hallock: "Well, Mr. McPike, does this in any way expand beyond the current framework of Build Illinois as we have done in the past two Sessions?"

McPike: "No, it does not. As you recall, we put certain Democrat Members' projects on the FY86 and the 87 budget. We put certain Republican projects. We had a commitment from the Governor that these projects would be funded. Unfortunately, we did not supply the technical language to allow EPA to do it. Now, that's not true with sewer projects, or road projects, or CDB projects, but only lately did we discover that it is for water supply projects. So, if you have some Members over there that are interested in their personal project that dealt with water supply, I was asked both by Republican and Democrat staff

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to offer this as a clean-up Amendment."

Hallock: "Well, Mr. Speaker and Members of the House, to the Amendment. I would concur with his observation that we are going to have to have some more language in here to make sure we can, in fact, spend the money on those programs, but I also would like to point out that, as the previous speaker has said in his other discussions, this program is in jeopardy. We may, in fact, have to increase bond authorization if we are, in fact, going to fund all the current operations which we have laid out over the past two years. Mr. McPike and I have had some meetings on this. Clearly, from the discussions here today, we're going to have to have some more and come to a more clear meeting of the minds, but I would support this Amendment."

Speaker Greiman: "The Gentleman from Lake, Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. Has this Amendment been printed and distributed?"

Speaker Greiman: "The Amendment has not been printed and distributed, Mr. Churchill. Mr.... Yes. Mr. McPike, to close."

McPike: "Well, I move for the adoption of the Amendment."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' Those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Yes. What is it, Mr. Mc... Yes, who is seeking recognition? Well, Mr. Piel, yes, what is your pleasure, Sir?"

Piel: "Mr. Churchill asked if the Amendment had been printed and distributed. No, it has not. And then you went right ahead and wanted to pass the Amendment. If it hasn't been printed and distributed ..."

Speaker Greiman: "Well, that's right. There are different ways of doing it. There's no particular... it doesn't mean that

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the floor action necessarily has to stop. Now some Sponsors prefer to take the matter out of the record, some Sponsors move to table, some withdraw. None of those are necessarily appropriate, unless you request."

Piel: "But the Speaker's Chair wanted to pass the Amendment, so we've got to basically take one of those three, right?"

Speaker Greiman: "Those are some of the... Mr. Churchill just made the observation. I wasn't... the Chair is not... does not have to intuit what Mr. Churchill would like having done, the Chair merely listens. Mr. Hallock, you were seeking recognition, Sir?"

Hallock: "Yes, Mr. Speaker, I think the Amendment in what it seeks to do is probably fine. We'll probably support it. But I would suggest that... "

Speaker Greiman: "You indicated support of it before, yes."

Hallock: "Yes, I did, and I would reiterate that, but I would suggest that we clearly have had some disagreements on what we thought we had agreed to here today, and I would suggest to Mr. McPike that he take the Bill out of the record and we can hopefully clarify those points and get back to it and support it at that time."

Speaker Greiman: "Well, Mr. McPike, the Gentleman from Madison, indicates that he will hold the Bill on the Order of Second Reading until you have an opportunity to have it printed and distributed. Thank you for your cooperation, Mr. McPike. On the Order of House Bills Second Reading - Short Debate appears House Bill 319. Mr. McPike, do you wish to proceed with this Bill? Mr. McPike? 319? Alright, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 319, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment

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1."

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills
Second Reading - Short Debate appears House Bill 340. Mr.
Clerk, read the Bill."

Clerk O'Brien: "349?"

Speaker Greiman: "Yes, 349."

Clerk O'Brien: "House Bill 349, a Bill for an Act to amend the
Unified Code of Corrections. Second Reading of the Bill.
No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills
Second Reading - Short Debate appears House Bill 549. Mr.
Preston, do you wish to proceed? Mr. Clerk, read the
Bill."

Clerk O'Brien: "House Bill 549, a Bill for an Act to amend the
Juvenile Court Act. Second Reading of the Bill. No
Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills
Second Reading Short Debate appears House Bill 672. Mr.
Clerk, read the Bill."

Clerk O'Brien: "House Bill 672, a Bill for an Act to amend the
School Code. Second Reading of the Bill. No Committee
Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Has the fiscal note been filed, Mr. Clerk?"

Clerk O'Brien: "Fiscal note is filed."

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Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading - Short Debate appears House Bill 676. Out of the record. On the Order of House Bills Second Reading Short Debate appears House Bill 812. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 812, a Bill for an Act in relation to forest preserve districts. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading - Short Debate appears House Bill 813. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 813, a Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative McCracken."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken on Amendment 2."

McCracken: "Mr. Speaker, Amendment #2 to House Bill 813 would provide for the election of the trustees of the city colleges of Chicago, rather than their appointment by the Mayor. They'd be elected in 1989 from trustee districts for two year terms. In 1991 they would be elected to staggered terms of six years and four years. I move the adoption of Amendment #2 to House Bill 813."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken moves for the adoption of Amendment #2 to House Bill 813, and on that, the Gentleman from Cook, Mr. Young."

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Young: "Thank you, Mr. Speaker. Has this Amendment been printed and distributed?"

Speaker Greiman: "I'm advised that it has not. The Amendment has not. Mr. Steczo, do you wish to take this Bill out of the record?"

Steczko: "Speaker, I move to table Amendment #2, please."

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo moves to table Amendment #2 to House Bill #13, and on that, is there any discussion? There being none... Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. As everybody knows, there has been a log jam somewhere in the system and the Amendments apparently are not getting up here as quickly as they should. I would like to have this issue addressed, and I would ask the Gentleman if he could hold the Bill for a short time and give us an opportunity to get the Amendment up here."

Speaker Greiman: "Mr. Steczo?"

Steczko: "Thank you, Mr. Speaker. Mr. Speaker, I would ... I would like, under normal circumstances, to adhere to the Gentleman's request. Yesterday when this bill came up at the very, very last moment, although the Bill has no fiscal application whatsoever, a fiscal note was filed. So it required me to ... to hold the Bill one more day. I want to get it moved. And then, there's no telling when the Amendment to this Bill was filed, so I would move to table the Amendment."

Speaker Greiman: "Alright, so your answer is no. You've spoken in debate previously, now, Mr.... The Gentleman from St. Clair, Mr. Stephens."

Stephens: "Well, Mr. Speaker, as a Member of the General Assembly, I feel like we're the ones being punished here. We... someone files an Amendment, it doesn't get there on time, so the Sponsor of the Bill objects and wants to table

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the Amendment. We don't know if it's an Amendment that the people of Illinois need or not, and we ought to have a chance to debate it. I don't see any reason... it just seems that the system is the problem here, and we ought to let the system catch up with us and take these bills out of the record until the Amendments have been printed and distributed so the Members of the General Assembly can review them and debate them on the House floor and let the votes fall where they may. Thank you."

Speaker Greiman: "Further discussion? Mr. Young, to the Motion."

Young: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Motion, and I would just like to point out that this particular Bill amends the Community College Act. There have been numerous bills that amend this Act, and as far as the log jam on Amendments, it seems that the log jam of Amendments are all on Democrat sponsored Bills, that all the Amendments have been filed on Democrat sponsored Bills. There are other vehicles out here for this Amendment, and I support the Gentleman's Motion to table."

Speaker Greiman: "The Lady from Champaign on the Motion to table."

Satterthwaite: "Mr. Speaker, I rise to support the Gentleman's Motion to table the Amendment. This issue has been discussed in other legislation that had been before the Body. The issue was rejected in Committee, as I believe it was also rejected as an Amendment to another Bill on the House floor last week, and so whether or not the Amendment is printed and distributed, I think we are acquainted with the issue and reject it, and so I would support the tabling of the Motion (sic - Amendment)."

Speaker Greiman: "The question is, 'Shall Amendment #2 be tabled?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have

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it and the Amendment is tabled. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third... has the fiscal note been requested here?"

Clerk O'Brien: "Yes, fiscal note has been filed."

Speaker Greiman: "Fiscal note has been filed, I'm advised by the Clerk, so Third Reading. Representative Braun in the Chair."

Speaker Braun: "On page 3 of the Calendar appears House Bill 976. Representative Bowman? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 976, a Bill for an Act to amend the State Occupation and Use Tax Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amend....Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Black."

Speaker Braun: "The Chair recognizes the Gentleman from Vermillion, Representative Black on Amendment 2."

Black: "Thank you, Madam Speaker. I talked with the Sponsor of this Bill earlier today and I certainly have some very deep concerns about the Amendment that I'm trying to add onto his Bill. But I did give him my word that I would withdraw this. He was kind enough to say, Well, say your piece, but if you would be kind enough to withdraw it. And I'll do that. But let me just say that what we're trying to amend onto this Bill is a simple little bill, called House Bill 875, that would eliminate the sales tax on coal and coke used by Illinois foundries. This addresses 17,000 employees in the State of Illinois, most of them members of the UAW, and I'm going to bring this Amendment back to another Bill, but I did make a promise to the Sponsor that

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I would withdraw it, but I do think this is a good issue that needs to be aired. With that, my apologies to the Sponsor. I would withdraw this Amendment."

Speaker Braun: "The Gentleman withdraws Amendment 2. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 1023. Representative Keane? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1023, a Bill for an Act to amend the County Hospitals Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Chair recognizes the Gentleman from DuPage on Amendment 1."

McCracken: "Thank you, Madam Speaker. Amendment #1 would increase the non-referendum rate for historical... downstate historical museums by .002% and for referendum limits up to .006%, I'm sorry, the non-referendum limit would be .004 and the referendum .006. It also includes Representative Keane's Bill and I would move its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1, and on that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Keane on Amendment 1."

Keane: "Question of the Sponsor?"

Speaker Braun: "He indicates he will yield."

Keane: "Do the... does the new portion of the... what you have put on that's new, does that... is that strictly permissive on the part of the county, or is that mandatory?"

Speaker Braun: "Representative McCracken."

McCracken: "It's permissive. It's ... it's the ... it raises the

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limits available."

Keane: "And this... and the... and your Amendment only applies to any county except for Cook?"

McCracken: "Downstate, right."

Keane: "Any downstate counties. Madam Speaker, I have no problems with the Amendment."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 1, and on that... and the question is, 'Shall Amendment 1 be adopted?' All in favor say 'aye', all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative McCracken."

McCracken: "Withdraw. Withdraw Amendment #2."

Speaker Braun: "Amendment 2 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 11... Representative Keane. A fiscal note has been requested. Has one been filed? The Gentleman from Cook."

Keane: "I think it's going to be withdrawn by the request for the fiscal note."

Speaker Braun: "Representative McCracken, is he the filer?"

McCracken: "Yes. I withdraw it."

Speaker Braun: "Representative McCracken withdraws his request for fiscal note. The Bill will be placed on the Order of Third Reading. House Bill 1108. Representative Sutker? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1108, a Bill for an Act to amend the Probate Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 1110. Representative

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Sutker. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1110, a Bill for an Act to provide for a simplified form of durable power of attorney. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 1146. Representative Flowers? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1146, a Bill for an Act to amend the Personnel Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "A fiscal note has been requested, Representative Flowers. The Lady from Cook."

Flowers: "Madam Speaker, I don't think a fiscal note should be applicable for this particular Bill."

Speaker Braun: "The Lady moves that the fiscal note... the Lady moves that the Fiscal Note Act be deemed inapplicable, and on that, is there any discussion? Representative Piel."

Piel: "I don't think that was a Motion, but I think it was more of a statement on her part that she didn't think it was applicable to the bill, but I would ask why she does not feel that it's applicable to the bill, because obviously, you know, there has to be a reason why she doesn't think that there is a monetary situation there involved."

Speaker Braun: "Representative Flowers."

Flowers: "Representative Piel, it seems to me that this should already be done, so, therefore, I don't see why it would cost any monies to have it just published so the public can know about what jobs are available."

Speaker Braun: "Representative Piel. I said, Representative Piel."

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Piel: "A question. If it's already being done, then why do we have the Bill?"

Flowers: "No Sir. I said it should already be done, and right now... "

Piel: "Oh, it should already be done. Okay, well then, what you're asking, you're asking the Department of CMS to list these vacancies and everything like this, and if there are, you know, we're talking about, you know, literally thousands of vacancies in the state, Madam Speaker, so it's not a situation where, you know, they're going to obviously have to hire somebody to do this job, it's going to be a bookkeeping work, you know, I'm saying, at least one person to do this, and depending on how many thousands of vacancies you have, and having that person to update this, this is going to be a cost to the State of Illinois."

Speaker Braun: "Representative Flowers."

Flowers: "Madam Speaker, Representative Piel, do they not now have to post jobs to bid on contracts for the State of Illinois?"

Piel: "Wait a minute. You're asking me questions as far as your Bill. You know, ... "

Flowers: "Well, what I'm saying is... "

Piel: "To the Motion, Madam Speaker. You know, I'm not going to get into a debate on the Bill with the Sponsor of the Bill, Madam Speaker, and what it is, basically, we're talking about a Bill that is going to cost the State of Illinois money. At least, in the opinion of the people who asked for the fiscal note, and I think it's a justifiable request. I mean, we're not sitting here taking something that's going... it's on Short Debate... it's obviously going to, you know, go to Third Reading probably tomorrow. All she has to do is get something from CMS on what they feel is their cost on it. Or from Economic and Fiscal on

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what they feel the cost would be. You know, I mean, it's a situation where it's definitely applicable to the present Bill."

Speaker Braun: "Alright."

Piel: "And so I would ask the the Lady either withdraw her Motion or that we vote 'no' on her Motion."

Speaker Braun: "The Lady has moved that the Fiscal Note Act is inapplicable to House Bill 1146. All in favor say 'aye',... a Roll Call has been requested. All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 65 voting 'aye', 41 voting 'no', and the Motion prevails. The Bill will go to Third Reading. House Bill 1268. Representative Greiman? Out of the record. House Bill 1288. Representative Dunn? Representative Dunn? Is the Gentleman in the chamber? Out of the record. House Bill 1319. 1319, Representative Panayotovich? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1319, a Bill for an Act to amend the Pharmacy Practice Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment 2, offered by Representative Panayotovich."

Panayotovich: "Madam Speaker, I would like to withdraw Amendment #2."

Speaker Braun: "The Gentleman withdraws Amendment 2. Further Amendments?"

Clerk O'Brien: "Floor Amendment 3, offered by Representative Panayotovich."

Speaker Braun: "The Gentleman from Cook on Amendment 3."

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Panayotovitch: "Thank you, Madam Speaker. Amendment #3 is a clarification we've received from the Department to clarify this Act, to maintain what a pharmacist is, and I move for its adoption."

Speaker Braun: "The Gentleman moves the adoption of Amendment 3, and on that, is there any discussion? There being none, the question is, 'Shall Amendment 3 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Panayotovitch."

Speaker Braun: "The Gentleman from Cook on Amendment #4."

Panayotovitch: "Thank you, Madam Speaker. Again, Amendment #4 coordinates the language in House Bill 1319 with current law. It just changes a word and puts the word 'as a prerequisite' and also adds the word 'but'. Move for its adoption."

Speaker Braun: "The Gentleman moves the adoption of Amendment 4. On that, is there any discussion? There being none, the question is, 'Shall Amendment 4 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 1527. Representative McCracken. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1527, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 1645. Representative

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Martinez? Out of the record. House Bill 1727.
Representative McCracken? Has a fiscal note been filed on
this, Representative McCraddick?... Representative
McCracken?"

McCracken: "No, Madam. I move that the fiscal note is not
applicable."

Speaker Braun: "Okay, well, we'll have to get to that. I just
asked a preliminary question. House Bill 1727. Mr. Clerk,
read the Bill."

Clerk O'Brien: "House Bill 1727, a Bill for an Act to amend the
Liquor Control Act. Second Reading of the Bill. No
Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "A fiscal note has been requested and the
Gentleman moves that the Fiscal Note Act be deemed
inapplicable to House Bill 1727, and on that, is there any
discussion? The Chair recognizes the Gentleman from Cook,
Representative Young."

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the
House. It seems kind of strange that the Sponsor of the...
of this Motion... I want to... I wish I could remember the
argument he just made on another Bill we just passed where
there was a Motion that the note is not applicable. It
would seem, in this case, ... pardon me?... Ladies and
Gentlemen of the House, to the Motion. I would say that
the note is applicable in this case. This Bill would... we
will call for a certified official record of the revocation
or suspension hearing and it shall be filed with the State
Commission within five days. These records and notices
have to be prepared by court reporters. There's always
some kind of charge with this record, and the charges
usually increase when it has to be produced within five

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days. This is the type of Bill that would definitely cause some type of cost to the state, and I think before we move it to Third Reading, we should wait and see what the fiscal impact will be, and I urge that this Amendment... or this Motion be defeated."

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

Cullerton: "Yes, will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Cullerton: "Well, I certainly want to take this Bill serious... this Amend... this Motion seriously."

McCracken: "Thank you."

Cullerton: "In other words, if this Amend... if this fiscal note was filed just as a harrassment, then I think I would support the Motion. On the other hand, if... if it really is something which normally would call for a fiscal note, then we should find out what efforts were taken to obtain it. Now, I see that the Bill itself has 'Fiscal Note Act May Be Applicable' stamped on it, so the Reference Bureau thought it might apply. Would the Sponsor yield for a question?"

McCracken: "Yes."

Cullerton: "Representative McCracken, did you ask the Liquor Control Commission for a fiscal note?"

McCracken: "No. I haven't had the chance."

Cullerton: "Well, I was just wondering if... is there another Board or Commission that you think might be more appropriate to ask, that could get it quicker?"

McCracken: "No. Not necessarily. I just... it was done yesterday while we were on the floor. We went til 9:00 and I've been on the floor since 9:00 this morning, so... "

Cullerton: "And you've been... that's right... and you've been

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doing a lot of talking. Madam Speaker. Can I inquire of the Chair as to who filed the request for the fiscal note?"

Speaker Braun: "Mr. Clerk?"

Cullerton: "It may have been Representative McCracken, in which case, he could probably just withdraw it."

Speaker Braun: "We don't yet know who filed the fiscal note request. Oh, yes, Representative McCracken, you can answer the question?"

McCracken: "I think so. My notice says Representative Cullerton filed it on May 11."

Cullerton: "Well, Madam Speaker, maybe I can help resolve the situation. If Representative McCracken would simply request the Liquor Control Commission for a fiscal note, even though he doesn't have it now, at this time I would withdraw my request for the fiscal note as long as he can assure us that it will be filed before he calls it on Third Reading. Under those circumstances I would be happy to withdraw my request. As long as he is willing to disclose what the fiscal note says prior to Third Reading."

Speaker Braun: "Representative McCracken."

McCracken: "I'm not interested in that."

Cullerton: "Well,..."

McCracken: "But, thank you."

Cullerton: "Well, Madam Speaker, now wait a minute..."

McCracken: "Let me close on my Motion."

Speaker Braun: "Representative Cullerton was in the process of asking questions. He still has the floor. Representative Cullerton."

Cullerton: "Right. Madam Speaker, I'll tell you what I'll do. I will ask the Liquor Control Commission if they will give me a fiscal note and I will be happy to withdraw my request for a fiscal note on this Bill so the Bill can be moved to Third Reading. All I want to know is how much money this

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Bill may affect the finances of the state. As long as I can find that out before Third Reading, I'll be satisfied, so at this time I'll be happy to withdraw my request."

McCracken: "I can tell you how much it will cost the state."

Cullerton: "Hell, see, that's even... that's even nicer than I... then we can do that on Third Reading."

Speaker Braun: "You're a great American, Representative Cullerton."

Cullerton: "I'd like to withdraw my... "

Speaker Braun: "The fiscal note request is withdrawn. The Motion is, therefore, withdrawn, and this Bill will be placed on the Order of Third Reading. House Bill 1737. Representative Mays. Representative Mays? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1737, a Bill for an Act in relation to the Illinois Veterans' Home at Quincy. Second Reading of the Bill."

Speaker Braun: "Representative Mays, the Clerk is checking the Amendment which is indicated on the Calendar. So we'll be at ease until he does that. Representative Mays."

Mays: "... If we could get back to it, we could take it out of the record for now and move on with others."

Speaker Braun: "Thank you. Out of the record. Oh, he has the answer. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1737, a Bill for an Act in relation to the Illinois Veterans' Home at Quincy. Second Reading of the Bill. The Calendar appears to be in error. There was no Committee Amendment."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 1781. Representative Van Duyn? Oh, I'm sorry. Representative Young, for what reason do you rise?"

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Young: "Madam Speaker, I believe that a fiscal note was filed on House Bill 1737."

Speaker Braun: "That is correct. It was not reflected on the Calendar, however. Representative Mays, there has been a fiscal note request filed on House Bill 1737, so that Bill will have to be returned to the Order of Second Reading."

Mays: "Madam Speaker, it's my understanding that it already went to Third, but once everything gets all worked out, I know, and in your heart, you're going to take care of that Bill, and I'll let it go back to Second so long as you know that we got to have it."

Speaker Braun: "Thank you, Representative Mays. House Bill 1781. Representative Van Duyne? Representative Van Duyne? Is the Gentleman in the chamber? Representative Van Duyne, 1781? The Gentleman from Will, what's your pleasure? Do you want to hear the... "

Van Duyne: "Yes. I think I have an Amendment filed which clarifies the description... gives a land description, and I... "

Speaker Braun: "So you do want to proceed at this time."

Van Duyne: "Yes, and I would like to move for adoption of that Amendment."

Speaker Braun: "Alright, well let's go back. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1781, a Bill for an Act directing the Department of Conservation to convey certain real property. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Van Duyne."

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Speaker Braun: "The Gentleman from Will on Amendment 2."

Van Duyne: "Thank you, Madam Speaker. I just move for adoption of Amendment 2, which is nothing more than a description of the land in question."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 2. On that, is there any discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Wennlund."

Speaker Braun: "The Gentleman from Will, Representative Wennlund on Amendment 3."

Wennlund: "Thank you, Madam Speaker. I withdraw the Amendment."

Speaker Braun: "Amendment 3 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 1805. Representative Phelps? Representative Phelps? Is the Gentleman in the chamber. Representative Turner? House Bill 1805? Representative Phelps. Out of the record. 1955, Representative Phelps? Out of the record. 2013, Representative Currie? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2013, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Lady from Cook on Amendment 1."

Currie: "Thank you, Madam Speaker, Members of the House. Amendment 1 are technical clarifications suggested by technical review staff. I would urge adoption of Amendment

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1 to 2013."

Speaker Braun: "The Lady moves the adoption of Amendment 1 and on that, is there any discussion? There being none, the question is, 'Amendment 1... Shall Amendment 1 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. Representative Phelps has requested that we go back to one of the two Bills of his that were passed over. Mr. Clerk, would you read House Bill 1805."

Clerk O'Brien: "House Bill 1805, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Gentleman from DuPage on Amendment #1."

McCracken: "This creates districts throughout the state for math and science academies. I move it's adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 1, and on that, is there any discussion? Representative Phelps?"

Phelps: "Madam Speaker, has this Amendment been printed and distributed?"

Speaker Braun: "Mr. Clerk? It apparently has not. Representative Phelps, will you take the Bill out of the record?"

Phelps: "No. I want to table the Amendment if they are not printed and distributed, Ma'am."

Speaker Braun: "The Clerk informs that the Amendment has not been... has neither been printed nor distributed."

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Representative Phelps?"

Phelps: "Request it be taken out of the record."

Speaker Braun: "The Bill will be taken out of the record. Okay, Ladies and Gentlemen, this concludes the Bills that appeared on the Calendar on Short Reading... Second Reading - Short Debate. We will, however, go back pursuant to requests of Sponsors in this Order and consider Bills on this Order which we passed over earlier in the day. So, in that regard, if you have a request, please come forward with it. So far, Representative Berrios has requested that we go forward with House Bill 243, and I would ask the Clerk to read the Bill. Representative Berrios."

Clerk O'Brien: "House Bill 243, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. On the Calendar on the Order of Short Debate appears House Bill 2332. Representative McAuliffe. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2332, a Bill for an Act to amend the Professional Boxing and Wrestling Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1..."

Speaker Braun: "Mr. Clerk, is the Amendment printed and distributed yet? Representative McAuliffe, we're going to have to again keep this Bill out of the record. The Amendment can't be located at the present time."

McAuliffe: "It was there. It's on my desk."

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

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

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Representative McAuliffe on Amendment 1. Representative McAuliffe."

McAuliffe: "Madam Speaker and Ladies and Gentlemen of the House. Amendment #1 would simply allow occupational therapists to practice their profession while their licenses were being printed. It's just a technical Amendment. I move for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 1, and on that, is there any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. Representative Jane Barnes has requested that we go to House Bill 2559, which was on the Order of Short Debate and was passed over this morning. Mr. Clerk, would you read the Bill."

Clerk O'Brien: "House Bill 2559, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. On... there's been a request to have House Bill 1727 on the Order of Short Debate heard. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1727..."

Speaker Braun: "Representative McCracken, that Bill apparently has already gone to the Order of Third Reading because the request for the fiscal note was withdrawn. For what reason does the Gentleman from Adams, Representative Mays, rise?"

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Mays: "Thank you very much, Madam Speaker. On House Bill 1737 there was a request for a fiscal note also, and I talked with Representative Young. There has been an appropriation approved by the General Assembly last year that would... for the sum of about \$750,000 for that purpose, and I think Representative Young indicated that would satisfy his request."

Speaker Braun: "Representative Young."

Young: "Thank you, Madam Speaker. I'd like to withdraw my request for a fiscal note."

Speaker Braun: "Mr. Clerk, on House Bill 1737, would you read the Bill."

Clerk O'Brien: "House Bill 1737, a Bill for an Act in relation to the Illinois Veterans' Home at Quincy. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. Representative Bowman has requested that we consider two... House Bill 2114. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2114, a Bill for an Act to amend the Hearing Aid Consumer Protection Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. There's a fiscal note... has been filed. The Bill will go to the Order of Third Reading. Ladies and Gentlemen, we've been so successful on Short Debate that we will now go to the Order of House Bills Second Reading. ...Second Reading on page 16 of the Calendar, picking up at House Bill 609. Representative

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Dunn? Representative Dunn? Is the Gentleman in the chamber? Out of the record. House Bill 612. Representative Ropp? Representative Ropp. On 612? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 612, a Bill for an Act concerning the registration of all-terrain vehicles. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Amendment #1 is being offered by Representative Phelps."

Speaker Braun: "The Chair recognizes the Gentleman from Saline, Representative Phelps on Amendment 1. Is Representative Phelps... is the Gentleman in the chamber? Representative Ropp, the Gentleman appears not to be in the chamber. What's your pleasure?"

Ropp: "Madam Speaker, I would like to move to table that Amendment, please."

Speaker Braun: "The Gentleman moves to table Amendment #1. Is there any discussion? Representative Homer?"

Homer: "Thank you, Speaker. I think Mr. Phelps has returned."

Speaker Braun: "Representative Ropp, what is... Representative Ropp withdraws his motion to table Amendment #1. The Chair recognizes the Gentleman from Saline, Representative Phelps on Amendment 1. Representative Phelps."

Phelps: "I would like to table Amendment #1, please."

Speaker Braun: "The Gentleman tables Amendment 1. Further Amendments? Withdraws Amendment 1. Further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representatives Ropp, Ronan and Deuchler."

Speaker Braun: "The Gentleman from McLean, Representative Ropp on Amendment 2."

Ropp: "Thank you, Madam Speaker. This Amendment that is agreed to by the environmentalists, the conservation people, the

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Farm Bureau people and everybody involved. It's got good Sponsorship of this Amendment and I move its passage."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 2, and on that, is there any discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 627. Representative Farley. Representative Farley. Is the Gentleman in the chamber? Out of the record. House Bill 643. Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 643, a Bill for an Act to amend the Liquor Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Braun: "Third Reading. House Bill 644. Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 644, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "There are none. The fiscal note has been filed."

Speaker Braun: "Third Reading. House Bill 645. Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 645, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Braun: "Any Floor Amendments?"

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Clerk Leone: "Floor Amendment #2 is being offered by Representative Brunsvold."

Speaker Braun: "The Chair recognizes the Gentleman from Rock Island, Representative Brunsvold on Amendment 2."

Brunsvold: "Madam Speaker, the Amendment #2 for House Bill 645 makes a grammatical change to the Bill, correcting the language. That's all the Amendment does."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 2, and on that, is there any discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "No further Amendments, Third Reading. House Bill 653. Representative Hicks. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 653, a Bill for an Act to amend an Act relating to firearms. Second Reading of the Bill. There are no Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Currie and Bowman."

Speaker Braun: "The Chair recognizes the Lady from Cook on Amendment 1."

Currie: "Thank you, Madam Speaker and Members of the House. I understand the motivation behind the introduction of House Bill 653, for the present system of enforcing the Firearm Owners Identification Act requirements in the State of Illinois does not work very well. But Amendment 1 to this Bill offers a different alternative. Instead of abolishing the program altogether, it would make it possible for the Department of State Police to see to it that former felons and people who have been in mental institutions are not

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able to buy firearms in the State of Illinois. It would ensure that only those people who statutorily are eligible to buy firearms are, in fact, able to do so in this state. The Amendment is one that would strengthen the Act so that the Department of State Police can enforce its provisions and ensure that convicts and the mentally disabled and the mentally ill and youngsters are not able to walk into any gun shop and pick up a firearm. So, given the extend of the problem of present enforcement, as I say, I can respect the Sponsors of House Bill 653, but I think in terms of protecting the lives, the safety, the health of the people of Illinois, Amendment 1 to this Bill offers a better solution. I would appreciate your support for Amendment 1 to House Bill 653, and I would be happy to answer your questions."

Speaker Braun: "The Lady has moved the adoption of Amendment 1, and on that, is there any discussion? The Chair recognizes the Gentleman from Macon, Representative Tate."

Tate: "Well, Madam Speaker, I... we were just trying to get your attention because I'm not sure if this Amendment has been printed and distributed."

Speaker Braun: "It apparently has not. Representative Hicks."

Hicks: "Yes, Madam Speaker, I move to table Amendment 1."

Speaker Braun: "Representative Currie, in response to the Motion to table."

Currie: "Thank you, Madam Speaker, Members of the House. I oppose the Motion to table Amendment 1. I think Amendment 1 is a legitimate, and certainly not a dilatory Amendment. I think that Amendment will offer us an opportunity to consider ways to make the firearm owners identification system in the state work better, either by making sure it works not at all, or making sure that the Department of State Police are able to see to it that convicts, the

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mentally ill and underaged individuals are not eligible to buy firearms in the state. I think the only way we can have that debate is if we reject this Motion to table and consider the Amendment when it is printed and distributed so we can make a wise choice in this difficult area of public policy."

Speaker Braun: "The Gentleman has moved to table Amendment 1 to House Bill 653. Representative Hicks."

Hicks: "Yes, Madam Speaker. I would like if... on my Motion to have a Roll Call, please, on this?"

Speaker Braun: "Okay. The Chair recognizes the Gentleman from Macon, Representative Tate."

Tate: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of the Motion. The Sponsor of this Bill has worked hard on this Bill. This is a Bill that is... deserves to have a hearing on its own merits. It's one that concerns all of us in this chamber. It's one that deserves a debate based on its merits, and I would ask that the Members that are really concerned about the issue of FOID cards to support this Motion and move this Bill to Third. The Representative that is opposing this Motion had the opportunity, like other Members in this process, to introduce legislation, to have a Bill assigned to a Committee, to have a full hearing on that Bill. I don't see why she has to... to attempt to make this Bill change its current form and for those reasons, I would ask all the Members to give this Member an opportunity to hear its Bill on its own merits and move this Bill along."

Speaker Braun: "The Chair recognizes the Gentleman from Franklin, Representative Rea."

Rea: "Thank you, Madam Chairman and Members of the House. In fact, the FOID card has not served any real value to us. It has never done what it was intended to, and this has

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been a real bother for... for the people. Whenever you talk about this Amendment being one that would help the State Police, I was in a committee meeting just recently where I heard the Director of Law Enforcement say that actually this should be abolished. So I rise in support of the Motion to table and would ask others to join with me."

Speaker Braun: "The Chair recognizes the Gentleman from St. Clair, Representative Stephens."

Stephens: "Thank you, Madam Speaker. When, then Director 'Zagel' was presented before the Appropriations Committee talking about his budget, he talked about the FOID card and, the fact of the matter is, that we're just wasting state dollars. Representative Hicks has a fine piece of legislation here. I think that we ought to get along with that Bill and move it to Third Reading and move it to the Senate. I support his Motion to table this Amendment. It's just slowing down the process. Thank you."

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

Olson: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. To join with Representative Hicks and Tate and Stephens, this Bill had a good hearing in Judiciary. The pros and cons of the issue were debated. The FOID card proposition deserves to die on its merit. I urge support of the tabling Motion."

Speaker Braun: "The Chair recognizes the Gentleman from Saline, Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I also rise in support of tabling Amendment #1. The information required on the FOID card right now duplicates that information that's required when you purchase a firearm under the federal form, and I believe that, since that information is available and required

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through the gun retailers, that the state is just going through the futile exercise, and especially when you start renewal of those notices, we are just complicating the system. So I rise in support of tabling #1."

Speaker Braun: "Alright, Representative Hicks has moved to table Amendment #1. All in favor say 'aye', opposed say 'no'. All in favor... all in favor vote 'aye', opposed vote 'no' on the Motion to table. Representative Bowman, for what reason do you rise?"

Bowman: "To explain my vote, Madam Speaker. I see an awful lot of green lights up there from people on the other side of the aisle, particularly who have been complaining all afternoon that we have been tabling Amendments to Bills because those Amendments have not been printed and distributed yet, and so I see the double standard is alive and well on the floor of the Illinois House and so I would just urge that they either change their vote now or forever hold their peace."

Speaker Braun: "On this... the Clerk will take the record. On this Motion there are 86 voting 'yes', 25 voting 'no' and Amendment #1 is tabled."

Bowman: "And you can turn off my microphone now, too."

Speaker Braun: "Further Amendments? Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading."

Bowman: "You can still turn off my microphone. Is the engineer asleep or something?"

Speaker Braun: "I wouldn't blame him. House Bill 654. Representative Rea. I'm sorry. For what reason does Representative Parke rise?"

Parke: "Thank you, Madam Speaker. I have in front of me a Bicentennial of the United States Constitution proposed as a speech by the American Legion. I'll be around passing

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this speech out if anybody is interested for the Constitution speeches."

Speaker Braun: "You're a great American, Representative Parke."

Parke: "I know. Thank you. You're absolutely right."

Speaker Braun: "Representative Rea on 654. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 654, a Bill for an Act in relationship to home care for disabled and aged persons. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Braun: "There is a fiscal note requested, Representative Rea. Has one been filed?"

Rea: "Yes."

Clerk Leone: "Fiscal note has been filed."

Speaker Braun: "Third Reading. House Bill 659. Representative Hicks. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 659, a Bill for an Act to amend certain Acts in relationship to the Department of Conservation."

Speaker Braun: "For what reason does, Representative Rea, seek recognition?"

Rea: "Personal privilege, Madam Speaker. I'd just like to point out, in case any other Members of the House should run into... through the same experience I have in regards to a fiscal note on the last Bill. I had requested one, and the Department of Aging had sent one back, which is not on a letterhead, it's not signed, it could be typed up by anybody, so I did request, then, that it be done properly, and I did file the proper request. So I would caution all of you that if you receive these, I would hope you receive the right request, rather than one that is done haphazardly."

Speaker Braun: "Moving right along, Representative Hicks on House

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Bill 659."

Clerk Leone: "House Bill 659, a Bill for an Act to amend certain Acts in relationship to the Department of Conservation. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Braun: "Third Reading. House Bill 660. Representative McGann. Representative McGann. Is the Gentleman in the chamber? Out of the record. House Bill 664. Representative Turner. Representative Turner? 664. Out of the record. House Bill 666. Representative Ropp. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 666, a Bill for an Act relating to the cancellation of drivers' licenses and permits of dropouts. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed in respect to Amendment #1."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Hartke."

Speaker Braun: "The Chair recognizes the Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Madam Speaker, Members of the House. Amendment #2 just simply adds a provision that before a drivers license can be cancelled for... that they must have the parental consent, as they need to get these drivers licenses. I would ask for its adoption."

Speaker Braun: "The Gentleman moves the adoption of Amendment 2, and on that, is there any discussion? The Chair recognizes the Gentleman from McLean, Representative Ropp."

Ropp: "Madam Speaker, is this printed and distributed? I don't

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seem to find a copy of it."

Speaker Braun: "Yes, it is."

Ropp: "Do I have a copy of it? Let me ask a question of the Sponsor, please."

Speaker Braun: "He indicates he will yield."

Ropp: "In regards to this Amendment, is... does... do you have an intent that if, by chance, they might be working or something, that they might need to have a license, or are you attempting to say... give the parents the opportunity to encourage kids to drop out of school."

Hartke: "Well, Representative Ropp, I admire what you're trying to do with this piece of legislation under House Bill 666, but I believe that there are many individuals who are responsible young adults who have decided to drop out of school, and if your summary is correct that I have, the Secretary of State has a right to pull this license if they are under the age of 18 and do not have a GED or dropped out of school. Many parents feel that, if these young people are responsible, that they should maintain their drivers licenses. If they feel that the license should be pulled, all they have to do is agree with it. I think we're taking that parental right away from the parents of that individual and I think that should remain with the parents or guardians of individuals and not put it in the hands of the Secretary of State or school officials."

Ropp: "Well, currently, there's no right by the parents right now."

Hartke: "Well, right now when they apply... "

Ropp: "As a student you just have to be 16, pass the test, after you've taken the drivers test, then you're eligible to get your license. I don't know why you want to get the parents necessarily involved in that particular issue. Seems to me like parents would be... ought to be more concerned about

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making sure their kids get a adequate education by at least graduating from high school."

Hartke: "My... my question, what recourse would the parents have if they did object?"

Ropp: "Well, there is provisions, as I understand it, for any time the Secretary of State takes away a license, there is a certain period at which time a hearing may come about which would allow the Secretary of State to give other considerations about whether or not it should be taken away or not, and I think that's in the Statute right now, and, I guess, it seemed to me like you may be attempting to add another layer involving the parents when I really think that what we're trying to do is to make sure kids get a proper education, and this seems to be a way, without any added cost to the state, that would provide that incentive to stay in school."

Hartke: "Well, I think that parents have to approve of them getting a license, I think they ought to approve of them... of someone taking it away."

Ropp: "I don't think they have to approve to get them right now."

Hartke: "I think it is."

Ropp: "Is that right?"

Hartke: "Yes."

Ropp: "Okay. I guess I'd have no big problem with it."

Hartke: "Thank you."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 2. On that, is there any further discussion? The Gentleman from Cook, Representative McNamara."

McNamara: "Thank you, Madam Speaker. I rise in opposition to this Amendment because the Bill, the underlying Bill, as a Bill, is an encouragement in order to make teenagers responsible. It's like saying that you have to have parental consent when a kid loses his license because he's

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found for DUI or something on that order. Driving is a responsibility. If we're going to encourage responsible actions, we have to have penalties. There's no greater penalty for a teenager than taking away his license. That is a responsibility that that teenager must have, and that responsibility means that he has a responsibility to lose that license as well, and thereby remain in school because it has such a penalty attached to it, and I think that this Amendment should be defeated."

Speaker Braun: "Is there further discussion? The Gentleman from Cook, Representative Shaw."

Shaw: "Thank you, Madam Speaker. I rise in support of this Amendment. I think it's a great Amendment. As one of the previous speakers said that the parents sign for the... the license and they would have... it would give them a right to sign to take those licenses away. And I don't think that a better Amendment could be on this Bill. I think it should be there, and I think that we should support Representative Hartke's Amendment #2."

Speaker Braun: "Is there further discussion? The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Reluctantly I rise in opposition to the Amendment. And I say reluctantly because the Amendment does make this Bill better, but I would like to see the Bill unamended so it can be defeated soundly. I don't like to see high school dropouts. No one does. But I don't know all the perimeters which influence someone to terminate a high school education and I don't think we're taking into account, with this legislation, all the circumstances which may motivate someone to drop out of high school. Those who do drop out are going to hang out on the street corners if they can't get a job, and if they can't drive a car to go

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to work, they're certainly not going to get a job, and to say to someone that, if you drop out of high school we're going to take your drivers license away, is a terrible thing. So, I'm on the horns of a dilemma here. The Representative's Amendment does make this Bill better, but even in the case of this Amendment, there are plenty of people who get at odds with their parents or guardians and that's part of the set of circumstances which causes them to drop out of school, and if a parent or guardian then says that you're out and you have no car, that just is the same as almost sentencing them to some kind of difficulty and trouble. The whole concept is bad, and I wish we could just figure out the best way to defeat this Bill soundly and so I reluctantly urge the Membership to defeat this Amendment, which certainly is well-intentioned. The Sponsor is a good man, a friend of mine, but I think in this particular case, he's helping a bad Bill too much with this Amendment."

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

Rice: "Madam Speaker, I'd like to ask... can I ask the Sponsor a question?"

Speaker Braun: "He indicates he will yield."

Rice: "Are we talking about an 18 year old... "

Hartke: "No."

Rice: "...or younger."

Speaker Braun: "Representative Hartke."

Hartke: "If a child is under the age of 18, under the Sponsor's Bill, House Bill 666, the Secretary of State has the right to pull that license, provided they are out of school. My Amendment says that before the Secretary of State can pull that license, he must have the parents or guardians consent of that 18 year old or under. If the parents wish that

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that license be revoked, all they must have to do is sign a statement saying so. If they do not, the Secretary of State cannot pull that license."

Speaker Braun: "Representative Rice."

Rice: "Then to the Bill itself. As Representative prior to me speaking, if we are in the business of developing youngsters and to see that they maintain their op... maintain their opportunity, take advantage of the opportunity of going to school, certainly taking licenses away from them, without the parents notation, is redundant, because we know from experience, if a youngster wants to drive, he's going to drive legally or illegal. Then we're going to have gangsters, or individuals who are creating criminal offenses or getting into trouble with the Secretary of State, in driving on our highways. I think, basically, with the... with Hartke's Amendment, it would be a better Bill if you're going to let it out of this House. Certainly, this, and all the parts of it, should be defeated in this House."

Speaker Braun: "Representative Hartke to close."

Hartke: "Well, I think we've listened to all sides, and what I perceive what's happening out here, I'm trying to help a good Bill and a bad Bill, depending on what side you're on. I would like to see this Amendment go on and then we'll vote on the merits of the Bill. I would appreciate your support on Amendment 32 to House Bill 666."

Speaker Braun: "The Gentleman has moved the... the further discussion... Representative LeFlore, if you can explain your vote, as your light just went on. The Gentleman has moved the adoption of Amendment 32. All in favor vote 'aye', opposed vote 'no'. The voting is open. Representative LeFlore, to explain his vote."

LeFlore: "Thank you, Madam Speaker. To explain my vote, I had

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already... I had spoken to Representative Ropp about this Bill and he promised me that he would try to clarify all the language. Now, to the Bill, I like Representative Hartke's Amendment, so I encourage everyone to support this Amendment because Representative Ropp's Bill will encourage students to do the things that they should do in order to receive their drivers license. Thank you."

Speaker Braun: "Have all voted who wish? Have all voted? The Clerk will take the record. On this question there are 47 voting 'aye', 54 voting 'no'. The Amendment fails. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 669. Representative White? Representative White on 669. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 669, a Bill for an Act to amend the School Code. Second Reading of the bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed in respect to Amendment #1."

Speaker Braun: "Any Floor Amendments? Any Floor Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative White."

Speaker Braun: "The Chair recognizes the Gentleman from Cook on Amendment 2."

White: "Madam Speaker, Ladies and Gentlemen of the House. Amendment #2 is clarifying language. It clarifies the fact that there is only one policy for exempting a youngster from physical education. Those are because they are part of an athletic program, the other is because they are taking a course for college, and the other is that they

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need a course in which to graduate. That is the Amendment, and that's all it does."

Speaker Braun: "Representative White, we'll get to that as soon as the Clerk has had an opportunity to clear the board. The Gentleman has moved the adoption of Amendment 2, and on that, is there any discussion? The Chair recognizes the Gentleman from Kane, Representative Kirkland."

Kirkland: "Will the Sponsor yield, please?"

Speaker Braun: "He indicates he will."

Kirkland: "Representative White, how does the... does the Amendment apply to grades 9 through 12. I didn't hear the first part of your presentation."

White: "Let me explain what the Amendment does."

Kirkland: "Alright."

White: "The Amendment is clarifying language. In the Bill, there was a question as to whether we're talking about establishing one policy or two policies. This Amendment was drafted by the State Board of Education. They are in support of the Bill. They are in support of this particular Amendment. And the Amendment is strictly clarifying language."

Kirkland: "Well, I don't know if he answered my question or not, or maybe he's not sure of the answer, but does it... as we passed the law a couple of years ago to address this issue for the first time, didn't it just apply to grades 11 and 12? Do I remember that correctly or not?"

White: "Yes. Yes, that is correct."

Kirkland: "Okay, now does this lang... "

White: "And that's all this does is just puts it right back to where it was in the beginning."

Kirkland: "In the beginning before we passed anything two years ago?"

White: "That is correct."

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Kirkland: "So what we passed two years ago is being effectively repealed by... "

White: "This Amendment."

Kirkland: "... by this Amendment?"

White: "No. No. No. It's putting it back to where it was then."

Kirkland: "After the... "

White: "We're not changing anything, so if that is... if you can understand that, we're going right back to where it was several years ago."

Kirkland: "We passed change in law... we passed 7... this was part of the language in 730, correct?"

White: "This is the exact language for 730, yes."

Kirkland: "So, with your Amendment, we are back to where we were just after we passed 730."

White: "That is correct, Sir."

Kirkland: "Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Representative White, I don't seem to know where your Amendment is, but why do we need to put back language that was passed in 730? That is now law, is it not?"

White: "In my Amendment that was drafted... that was... we put on the Bill in the Elementary and Secondary Education Committee, there was a conflicting statement that was made, and the State Board of Education asked that this Amendment be drafted to clarify the fact, or to establish the fact, that we're talking about... that we're talking about one policy rather than two policies, so that's all this Bill does, it's clarifying language and we are just trying to let you know and let the Body... this Body know that this Bill is zeroing in on one policy, and that is the policy that was est... that was set up in House Bill 730."

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Satterthwaite: "What is that policy, more specifically, that we excuse students in both 11th and 12th grade from PE if they meet certain requirements as established by the local school board?"

White: "Well, let me... let me read to you exactly what I'm attempting to do with this Amendment. One is that it will allow a youngster who is participating in an athletic program to be exempt from PE classes. Number two, it will allow a youngster to opt out of PE if he or she would like to attend college. And number three, if there is a course that is necessary, or needed, in order for the person to graduate from college (sic - high school). That's all that this Amendment does."

Satterthwaite: "Why do we need it if it only does what the law currently calls for?"

White: "Well, what happened was that in one of the Am... in the Bill or in the Amendment that was adopted in the Elementary and Secondary Education Committee, there was a problem. It had the tendency to lead one to believe that we were trying to establish two policies, and all this Amendment is doing is to set the record straight, to let you know that we are talking about one policy, and that is the policy that was established in House Bill 730."

Satterthwaite: "In regard to the health education, what happens if a student is exempted from PE in 11th or 12th grade and the school policy is to have the health education in the 11th or 12th grade?"

White: "You are now talking about the Bill and not this Amendment."

Satterthwaite: "So I'm to understand that if we adopt this Amendment, then the only change that occurs in the Bill is relative to the health education program and not to the physical education program?"

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White: "No. Just the opposite. Just the opposite. To the PE part of the Bill, and it does not have anything to do with health education."

Satterthwaite: "The Amendment has nothing to do with health education."

White: "That is correct."

Satterthwaite: "And the Amendment restores the language relative to PE waivers to exactly what the law is now."

White: "That is correct."

Satterthwaite: "Thank you."

Speaker Braun: "Further discussion? The Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Madam Speaker. Would the Sponsor yield for a question?"

Speaker Braun: "He indicates he will."

Didrickson: "Representative White, in essence, what you are doing, then, you are removing the objectionable language and putting it back to the original language exactly that we had in 730 after it had been clarified two years ago, or a year ago?"

White: "Yes and no. We're going... Yes, yes, I would say yes to that question. But what happened..."

Didrickson: "Okay, word for word after the... reform..."

White: "May I... may I finish... may I finish..."

Didrickson: "Sure."

White: "... my response to you? Either in the Amendment, Amendment 1, or in the Bill, there was a problem that was brought to my attention by a Mr. Dave Carey from the State Board of Education, and he said to me that if I could adopt this Amendment, it would help to clarify that we are talking about one policy pertaining to PE and not two, and that's all I'm attempting to do with this Amendment is to satisfy the State Board of Education, hopefully to satisfy

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you, because that's all we're trying to do is clarify policy."

Didrickson: "Well, shame on Mr. Carey for not telling a few of us that that is what we were doing here with this Bill, if, in fact, that's what it is."

White: "Oh, I said... I said that earlier. I made it clear that this Amendment came to me by way of the State Board of Education."

Speaker Braun: "Is there further discussion? The Gentleman moves for the adoption of Amendment 2. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment 2 is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 670. Representative Breslin. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 670, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed in respect to Amendment #1."

Speaker Braun: "Any Floor Amendments? Any Floor Amendments? For what reason does the Gentleman from Cook, Representative Shaw, rise?"

Shaw: "Yes. Thank you, Madam Speaker. I did file Amendment #3."

Speaker Braun: "The Clerk is finding the Amendments now. The Lady from LaSalle, Representative Breslin."

Breslin: "I'm waiting to present my Amendment."

Speaker Braun: "Okay. The Chair recognizes the Lady from LaSalle on Amendment 2."

Clerk Leone: "Amendment #2 to House Bill 670 offered by Representative Breslin."

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Breslin: "Ladies and Gentlemen, this Bill deals with the distribution of anabolic steroids to amateur athletic participants. The Amendment was suggested by staff. It puts in a knowing requirement that a person knowingly distribute it to an amateur athletic participant, and it also has some cleanup language. I'd appreciate the adoption of Amendment #2."

Speaker Braun: "The Lady moves the adoption of Amendment #2. On that, is there any discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representative Shaw."

Speaker Braun: "The Gentleman from Cook on Amendment 3."

Shaw: "Yes. Yes. Thank you, Madam Speaker. Amendment #3, the only thing that it does is set forth the... in the Bail Bond Statute, that would require that 95% of the bond... 95% of the bond be returned to the poster."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 3. On that, is there any discussion? There being none, the question is, 'Shall Amendment 3 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment 3 is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. We are going to move to the Order of House Bills Third Reading - Short Debate on page 52 of the Calendar. On the Order of House Bills Third Reading - Short Debate Calendar appears House Bill 89, Representative O'Connell. Representative O'Connell? Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 89, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

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

O'Connell: "Thank you, Madam Speaker. House Bill 89 was a Bill that was requested of me by one of my library districts. It simply provides that if the Board of Trustees so elects, that the library employees may be exempt from civil service, if they are in a library district wherein the trustees are elected. The motive for the Bill is simply that the library district is required to have employees with high levels of education, for example, this particular library district was required to have a Masters in Library Science, and it is a rather unique education... educational background and it is a very small community. Accordingly, we've presented House Bill 89. There was little or no debate in the Cities and Villages Committee, and hence, it's on Short Debate. I'd ask for a favorable vote. I'll be happy to answer any questions."

Speaker Braun: "The Gentleman has moved the passage of House Bill 89, and on that, is there any discussion? There being none, the question is, 'Shall House Bill 89 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted? On this Bill there are 111 voting 'aye', none voting 'no'. House Bill 89, having received the Constitutional Majority, is hereby declared passed. House Bill 124. Representative Ewing. Representative Ewing? Is the Gentleman in the chamber? Out of the record. House Bill 173. Representative Wolf. Mr. Clerk, read the Bill. We will momentarily be at ease as there is apparently a malfunction in the board."

Clerk Leone: "House Bill 173, a Bill for an Act to amend an Act in regard to Attorney General and state's attorneys. Third Reading of the Bill."

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Speaker Braun: "The Chair recognizes the Gentleman from Wolf... the Gentleman from Madison, Representative Wolf, on House Bill 173."

Wolf: "Thank you, Madam Speaker, Members of the House. House Bill 173 is the Bill that limits the maximum compensation for a special prosecutor to that not exceeding in any 12 month period the same compensation that the state's attorney of that county would make. It also requires that compensation for services of less than a year be for services reasonably and actually expended. The Bill also contains a provision that limits the power of that appointed attorney to only those powers necessary to fulfill the purpose of such appointment. I would move for its adoption."

Speaker Braun: "The Gentleman has moved the passage of House Bill 173, and on that, is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken."

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

Speaker Braun: "He indicates he will."

McCracken: "I noticed in the Bill that you amend current law by deleting all references to the Attorney General. What is the reason for that? In the past, the Attorney General sometimes has been the special prosecutor."

Wolf: "There were provisions of the... there were provisions in the existing law in order to make this applicable to state's attorneys only. That would be in conflict with the Attorney General's Office."

McCracken: "I don't understand. What does that... what does that mean?"

Wolf: "Tom, I'm not sure that I really understand it myself."

McCracken: "Touche'. Has there been a problem that prompts this Bill?"

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Wolf: "Yes, there has."

McCracken: "And it's been in Madison County?"

Wolf: "Madison County, for one, and I'm sure there's been several other counties that have had the same type of situation where the appointment of a special prosecutor, although I won't say that it has been abused, has bordered on that particular situation."

McCracken: "But this doesn't limit the discretion on the appointment of the special prosecutor. I mean, he can still be appointed in the court's discretion, as before."

Wolf: "Absolutely."

McCracken: "Okay, so has your experience been that they sometimes have gone beyond the bounds of what was necessary to accomplish the goal of the special appointment?"

Wolf: "I'm sorry, I didn't catch the first part of that."

McCracken: "I say... I say has it been your experience or observation that the special prosecutors in some cases have exceeded their authority relative to the reason for... "

Wolf: "There's been an indi... there's been an indication that that might be so, but I wouldn't be in a position to state specifically those particular situations."

McCracken: "Okay. Thank you."

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

Black: "Thank you, Madam Speaker. Will the Sponsor yield for questions? Will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Black: "Thank you very much. Representative Wolf, as a former county board chairman, I think I'm in agreement with this Bill, because it was a major expenditure item that we would incur year after year. The only thing that I am not sure of is the method of compensation that you are addressing in

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this Bill. It appears that you are tying the compensation of the special prosecutor to the state's attorneys' salary, prorated. Is that your intent, or am I misreading this?"

Wolf: "That's correct."

Black: "Have you heard from any... I, I, I, I'm in receipt of information from one county board who is opposed to this. I guess my only concern is, and perhaps you can answer this, will we, perhaps, be placing county boards in a situation, we know we're not going to get out of the special prosecutor use, will we perhaps be placing some of our smaller counties in situations with the compensation factor that attorneys will just simply say, 'No, thank you'?"

Wolf: "Well, Representative Black, I would hope that that wouldn't happen. That's certainly not the intent of the Bill. I do have some 30 letters... in excess of 30 letters from state's attorneys across the state who are in full support of this Bill."

Black: "Thank you, Representative."

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

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

Speaker Braun: "He indicates he will."

Slater: "Representative Wolf, could you explain to me the compensation factors which you have in this Bill?"

Wolf: "Well, I think the Bill is self-explanatory, Representative Slater. It simply limits the maximum compensation of a special prosecutor not to exceed... not to exceed that of the salary of the state's attorney of that particular county."

Slater: "In... in other words, now, I represent a number of different counties. I have some smaller counties and I

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have a larger county. In the larger counties, the state's attorneys are paid more money... "

Wolf: "That's correct."

Slater: "... than they are in the small counties. But the job that the special prosecutor does in the small county may be just as great as the job that the special prosecutor has to do in the large county. If your Bill passes, does that mean for that same different... for that same job, those two different prosecutors are going to be compensated in different sums?"

Wolf: "Well, I think you would find that under the provisions of the Bill that would be at the discretion of the appointing authority."

Slater: "But you're saying to the appointing authority, you can't pay any more than, on a pro rata basis, the state's attorney would have... would have earned during that same time frame. Is that correct?"

Wolf: "That's correct."

Slater: "So, if a special prosecutor is appointed in a county with population of less than 40,000, and that state's attorney is paid \$35,000 a year, or somewhere thereabouts, that's the basis of compensation for the special prosecutor."

Wolf: "That's right."

Slater: "But if that same person would be appointed in a larger county, one with over 40,000 population, he's going to get paid twice as much, because that state's attorney gets somewhere in the vicinity of \$65,000. Is that correct?"

Wolf: "That's correct."

Slater: "Then your Bill simply isn't fair. Thank you."

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

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Wolf: "Well, Madam Speaker, I... I believe that the Bill has been explained thoroughly enough. I think it is... I think it is a Bill that's needed at the present time to address a problem that does exist in a number of counties throughout the state. It's simply a Bill that says that a special prosecutor cannot be paid more in compensation than the state's attorney of that particular county. I would move for adoption of House Bill 173."

Speaker Braun: "The Gentleman has moved the passage of House Bill 173, and on that question... all in favor vote 'aye', opposed vote 'no'. The voting is open. 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 104 voting 'aye', 9 voting 'no'. House Bill 173, having received the Constitutional Majority, is hereby declared passed. We have had numerous requests to return to the Order of Second Reading, and we will do that now, so we're going to change the Order of Business, leave Third Reading Short Debate, and go back to House Bills on Second Reading, where we left off."

Clerk Leone: "House Bill 671, a Bill for an Act to amend the Township Law. Second Reading of the Bill."

Speaker Braun: "The Chair recognizes the Lady from Cook, Representative Pullen."

Clerk Leone: "There are no Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Braun: "Third Reading. Representative Parke, for what reason do you rise?"

Parke: "Yes, Madam Speaker. I'm having trouble following your... the way you're proceeding on this Calendar. Do you... can you tell us how you're going to be moving so we can get track and get our Amendments and Bills ready? I mean,

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you're jumping around for the last half hour to various calls of the Chair, at your option. Can you tell us some semblance of what direction you're going to go? We got another three hours."

Speaker Braun: "Representative Parke. The objective is to move through the Calendar as quickly as we can. We finished the Bills on Short Debate Second Reading, we then went to Second Reading Regular Debate, we momentarily went over to Third Reading, but due to some other difficulties, we have now gone back to Second Reading and we will continue on that Order."

Parke: "Are we going to continue... are we going to continue on in that for a while?"

Speaker Braun: "Yes. We will continue on that for a while. Representative Greiman."

Greiman: "I think that it is inappropriate to cross-examine the Chair in moments like that. Under the rules, the Chair has the right to change the Order of Business, and the Chair is... appropriate under the rules. Now, when some people have been here perhaps a little longer, they might understand that that is the prerogative of that Chair, and I... I... I take umbrage at any Member unduly hassling the Speaker while she, or anybody, is in the Chair."

Speaker Braun: "That's very nice of you, Representative Greiman. Can we continue with the work. Representative McCracken."

McCracken: "Representative Greiman apparently didn't have the votes for the Lobbyist Registration Act. He's very relieved we went back to Second Reading."

Speaker Braun: "Ladies and Gentlemen. Ladies and Gentlemen. I know everyone is tired, and I know... On the Order of Second Reading appears House Bill 677. Representative Rea. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 677, a Bill for an Act in relationship

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to volunteer fire protection. Second Reading of the Bill.
No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Braun: "Third Reading. House Bill 678. Representative
Currie. Out of the record. House Bill 679.
Representative Black. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 679, a Bill for an Act to amend the
Child Care Act. Second Reading of the Bill. Amendment #1
was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 681. Representative
Satterthwaite. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 681, a Bill for an Act to amend the
School Code. Second Reading of the Bill. No Committee
Amendments."

Speaker Braun: "Any... any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by
Representative Keane."

Speaker Braun: "The Chair recognizes the Gentleman from Cook,
Representative Keane on Amendment 1."

Keane: "Withdraw Amendment #1."

Speaker Braun: "Amendment 1 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative
Anthony Young."

Speaker Braun: "The Gentleman from Cook, Representative Young."

Young: "Withdraw Amendment #2."

Speaker Braun: "Amendment 2 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representative
Satterthwaite."

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Speaker Braun: "The Lady from Champaign, Representative Satterthwaite on Amendment #3."

Satterthwaite: "Madam Speaker and Members of the House, Amendment #3 on House Bill 681 deletes part of the language that was in the original Bill. The language that would require the principal to monitor the performance of all personnel assigned to the attendance center, and I would move for the adoption of Amendment #3."

Speaker Braun: "The Lady moves the adoption of Amendment 3. On that, is there any discussion? There being none, the question is, 'Shall Amendment 3 be adopted?' All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative Keane."

Speaker Braun: "The Gentleman from Cook on Amendment 4."

Keane: "Thank you, Madam Speaker. Amendment #4 amends the Bill by indicating that the principals will have the right to direct the engineer and the custodial staff, if all the pupils attending the attendance center are able to annually achieve a score assessing academic achievement in reading and mathematics at a grade level no more than one year below their current grade level. The reason for the Amendment to the Bill is that in many cases the principal... principals of institutions of some... of a number of the education... schools, elementary and secondary, the students are far behind the national norms. It seems to me that prior to putting more duties on the principals, what we should do is to have them focus their full attention on bringing up the educational standards to par, and then allow them to become the boss of the maintenance and the custodial, and I don't think... I think

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it's just good educational practices that where, in some schools the students are as far as four and five grades behind, that the principal should spend their full time in that. In a recent survey, based on our educational reform act, one of the things that we mandated was one on one meetings between principal and faculty. In a number of those instances, a number of cases, those... that mandate... the conferences between principals and faculty have not even reached the 25% level, so we have put a tremendous amount of responsibility on the principals. They have many, many things that they have to worry about, and this Bill would say we don't want them worrying about anything... about the maintenance until they've done what is necessary... academically necessary and that they've put the educational program in place. Thank you."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 4, and on that, is there any discussion? The Chair recognizes the Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, I rise in opposition to the Gentleman's Motion. Although it would certainly be a goal that we would hope all principals in the state would achieve in having the children's scoring on a level that was commensurate with their grade level, what the Bill attempts to do is to give us consistency throughout the state so that all principals will be in charge of the activities within their buildings. The downstate principals currently have the authority that the original Bill will provide, and they are not encumbered by any language such as that that you see in Amendment #4. I dare say that there is no school district in the state that could live up to the standard in Amendment #4 because it doesn't say that there should be an average performance

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rate at a grade level. It says that all pupils must achieve a score assessing academic achievement at a grade level no more than one year below their current grade level. I suspect that every school district within the state has some pupil that cannot perform at that level. It is certainly not my desire that we put an additional encumbrance on the ability of the principals. What we are attempting to do is simply to give equities throughout the state so that all principals have control of the staff within their building and for that reason I would soundly ask the Members to soundly reject Amendment 04. It is only meant as a deterrent to the passage of the Bill and is certainly not something that is going to be there as a way of improving the quality of education in the state."

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

Kirkland: "Will the Sponsor, Representative Keane, yield, please?"

Speaker Braun: "He indicates he will."

Kirkland: "As I read this, it says the... the principal would supervise all the operations of the attendance center only if all pupils attending the center weren't more than a year behind in reading and math course? All students?"

Keane: "Yes. For legislative intent. For legislative intent, in order to determine whether they are reading at a... at a grade level. Legislative intent. It would mean all of those in a given class. While I'm... while I'm answering that, and it's... I would also ask that you not confuse this Amendment with... this Amendment only applies to Chicago schools."

Kirkland: "My next... "

Keane: "The next Amendment, there has been some confusion,

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Amendment 85 would carry this Bill to all downstate schools, and I would be opposed to that. But this would be, for purposes of legislative intent, this would be a cumulative, when I say all, it would be cumulative, for a class."

Kirkland: "Maybe answer the question, if you would, answer the question: how many attendance centers, percentage-wise, or number among all those Chicago attendance centers... "

Keane: "I think there's something... "

Kirkland: "... would the principal survive this... this requirement? Would the principal, in fact, end up supervising all the operations?"

Keane: "I don't know. There would probably be... there would probably be several. But I'm not sure."

Kirkland: "I would... It would strike me as probably being miniscule."

Keane: "No. All of the... most of the magnet schools would do... do it. A number of the high schools. There are pro... you know there are some... "

Kirkland: "The magnet schools... what are the other schools? I'm sorry."

Keane: "There are schools that would. There are a great number of schools in the City of Chicago where the grades exceed national norms. Or... or... "

Kirkland: "Of all students?"

Keane: "Yes. Where you have a grade level... an average of a grade level, they combine them and then it exceeds the national norms."

Kirkland: "Alright. And... but if a school had different grade levels, one student off in any of those grade levels would, in fact... "

Keane: "No. In the intent of my Bill, this would be a cumulative, a cumulative grade point. In other words, we

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presently publish, the school district presently publishes, the... when they test... and they only test at three times during a grammar school career... it would be at those times and those would be the indices. Not individualized tests."

Kirkland: "Alright, so when you say cumulative, do you mean that all pupils, their average, all pupils of a given grade level? Is that what you're saying?"

Keane: "Yes. In the... that's correct."

Kirkland: "Alright. Thank you."

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

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

Speaker Braun: "He indicates he will."

Young: "Yes, Representative, does this Amendment apply to all the schools in the state?"

Keane: "No. It applies strictly to Chicago's Board of Education."

Young: "Is there a reason why this Amendment only applies to Chicago?"

Keane: "Yes. Downstate schools have varying... various arrangements, and I don't... the original Bill only deals with Chicago schools. In some downstate districts the principal supervises the custodial staff, but not the engineering staff. In other school districts downstate there are different arrangements. It was my... since the base Bill applied only to Chicago, I did not want to expand the question, or in any way change, the way downstate schools handle their situation."

Young: "Representative, didn't the base Bill bring Chicago in line with the rest... with the downstate schools?"

Keane: "I'm sorry, I didn't hear you."

Young: "I said, didn't the original Bill bring Chicago in line

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with the downstate schools. In other words, without your Amendment, then Chicago would be like the rest of the state, wouldn't it?"

Keane: "No. It would not. As I said earlier, there are different structures downstate. In some downstate districts, the engineer reports to a super... the equivalent of a supervisory engineer. In other downstate districts, the principal only controls the custodians, and not the engineers."

Young: "Thank you, Madam Speaker. To the Amendment. Ladies and Gentlemen of the House, don't be confused by any talk about trying to raise education levels on this Amendment. For those of you who are not familiar, this is the engineers against the principals issue again. Chicago is the only school system in the state where the principals do not have the keys to the school. This should be called the 'key' issue as to who can open up and close the school, as to whether or not a principal can have meetings with faculty and parents, without the okay of the operating engineers. This Amendment is strictly an Amendment by the engineers to keep controls of the school, and by controls I am talking about the physical key. Right now in the City of Chicago, the principal has to get the operating engineer to open the school for him and to close the school for him. The Sponsor of the Amendment mentioned an Amendment #5, which I have filed, and the reason I filed that, I hope we'll hear it next, because my Amendment would do the same thing to the rest of the districts in the state that this Amendment would do to the City of Chicago. So if you truly think this is a good Amendment, then you should vote for it, and then you should vote for Amendment #5 also. But, if you like downstate schools with the principal having the key, then I think the principal deserves the key in Chicago, and

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you should vote 'no' on this Amendment."

Speaker Braun: "Is there further discussion? The Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Madam Speaker, Members of the House. I would just like to reiterate what Representative Young has just said. And what you have all read about in editorials in the major Chicago newspapers over the last couple of months. This is not what it may appear to be in terms of the Amendment, an academic Amendment. It is to take away the local control that those principals are trying to get for their high schools and their grade schools in the City of Chicago, that you and I, in our schools elsewhere, enjoy. I hope we will defeat this Amendment and defeat it soundly."

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

Huff: "Madam Speaker, Ladies and Gentlemen of the House. I... I think this issue was covered quite well by the remarks made by Representative Young. It is absolutely true that the principals have no more control over the physical plant of the schools than my cat Tashia, and all she says is Meow."

Speaker Braun: "Further discussion? The Chair recognizes the Gentleman from St. Clair, Representative Flinn."

Flinn: "Thank you, Madam Chairman. For the first time this new Session, I move the previous question."

Speaker Braun: "The Gentleman has moved the previous question. The Chair recognizes the Gentleman... Representative Keane, to close."

Keane: "Thank you, Madam Speaker. I don't think that we should confuse downstate and Chicago. The original bill, the base Bill, deals with Chicago schools. It's a Chicago school problem, and it does not affect downstate as far as I'm concerned. As you know, any of you who have read, any of

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you who have looked at the statistics from Chicago schools, are readily aware that the academic level leaves a great deal to be desired. We have, now, an engineer, a building engineer, and the guy is responsible for - or the gal - is responsible for the operation of that building. These are major plants. They are major physical plants to operate. The school board, or someone, did a survey and I was told that 60% of the principals wanted this Bill. Sixty percent of the principals in the City of Chicago, or 61%, wanted this Bill. However, that survey, there was only something like 24% of those surveyed returned the questionnaire. They were a very, very small group. I have talked to a number of principals, especially female principals, who don't want anything to do with the operation of the building. They are... have more than they can handle with running the educational program. This Bill... this Amendment says to the principals and to the Chicago Board of Education, before you start expanding the duties of the principal, if the school is academically in... cannot read, the people don't read, and handle math at an academic level one year below where they should be, you cannot look and you cannot become the head of the physical plant. We do not want to expand their responsibilities, and for that reason I ask for your support to Amendment #4."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 4. All in favor vote 'aye', opposed vote 'no'. Voting is open. Representative McAuliffe to explain his vote."

McAuliffe: "Madam Speaker and Ladies and Gentlemen of the House, I rise in support of Representative Keane's Amendment because I can tell you from first hand experience in Chicago that the principals have more to do than worry about the physical plant. Look at the reading scores in Chicago Public Schools. It's much different than it is

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downstate. People move out of Chicago to get into the suburbs where their kids can get a better education. The principals in Chicook... Chicago could much better spend their time supervising the teaching of the students and supervising the teachers than they can running the physical plant. Leave the running of the physical plant to trained engineers who have experience and know what they're doing and leave the principals supervise the teaching of the students. That's their job."

Speaker Braun: "Have all voted who wish? Representative Williams to explain his vote."

Williams: "I'm urging that you all vote 'no' on this basically because he said downstate that the kids can read. We'll downstate the principals have control of the schools. If you can keep the schools open, if you can do the things that's necessary, as a principal, and not have to be dealing with the various things in terms of engineers and other folks, then, maybe, maybe, the education we deserve can be had. And the fact that if a school isn't reading right, it probably has more to do with lack of parent involvement and not necessarily dealing with the fact that... and that is a direct effect on the ability to keep the school open. If you can't get the school open, you can't get the parents in. I urge a 'no' vote. I'm losing... "

Speaker Braun: "Have all voted who wish? Representative McGann."

McGann: "Thank you, Madam Speaker, Members of the House. I rise in support of this Amendment 34. I think we ought to realize something. Chicago Board of Education will be coming down here to Springfield looking for more dollars. They cannot spend properly what they have. What they are doing, they are having an average of 50% drop out in their classes in these schools. Some schools have as much as 70%

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drop out. They've got a great work load, these principals. I think they should be doing their job in education and not in custodial work. I ask for your support."

Speaker Braun: "Have all voted who wish? The Clerk will take the record. On this question, there are 62 voting 'aye', 45 voting 'no'. Representative Shaw. Representative Shaw votes 'no'. On this question, there are 62 voting 'aye', 46 voting 'no', and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #5, being offered by Representative Anthony Young."

Speaker Braun: "The Gentleman from Cook, Representative... For what reason does the Lady from Champaign, Representative Satterthwaite, rise?"

Satterthwaite: "To ask whether the Amendment has been printed and distributed?"

Speaker Braun: "Which one are you referring to?"

Satterthwaite: "Amendment 45."

Speaker Braun: "Mr. Clerk. No, it has not. Representative Young, the Amendment is neither printed nor distributed."

Young: "I'd ask the Sponsor to take it out of the record, please."

Satterthwaite: "Let's take the Bill out of the record."

Speaker Braun: "The Bill will be taken out of the record. On the Calendar, Order of House Bills Second Reading appears House Bill 685, Representative O'Connell. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 685, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Parcells and McCracken."

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Speaker Braun: "The Lady from Cook, Representative Parcells."

Parcells: "Thank you, Madam Speaker. I am presenting the Amendment which you may have heard me present previously, about the visitation rights and the offense of a custodial parent to not grant these rights to the non-custodial parent. I want to remind the 69 of you who voted for this last year, that you thought it was an excellent Bill, and it's just as good a Bill this year. It boggles my mind that the people sitting here can think it's a serious offense punishable by law to not pay to feed the body of the child when a non-custodial parent doesn't pay support, but it's not an offense to deprive the soul of the child by altering the custodial... by not allowing the custodial parent to see that child, the custodial parent hiding or detaining or in some other way avoiding a court ordered visitation. This is covering just court ordered visitations, which are just as important as the financial support of a child. I would encourage your support of this Amendment."

Speaker Braun: "The Lady has moved the Amendment.... adoption of Amendment 1. And on that, the Chair recognizes the Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Madam Speaker. I feel like this is a little bit of deja vu, here. We just had this same debate just moments ago, and this Amendment to Representative Stern's Bill, at that time, was resoundingly defeated, as it was defeated also, I understand, in the Judiciary I Committee earlier this year as a separate Bill. Now, here we are, back with this Sponsor trying to attach this Bill to Representative O'Connell's Bill, and in Conference with him, I find that he did not consent, nor is he in favor of this Amendment, which is totally alien to the purpose for which he introduced his Bill, House Bill 685. To be brief

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this time, let me just say that it's somewhat absurd for us to be thinking about pouring these domestic cases on the laps of our overworked and overburdened Criminal Court Judges. These cases don't belong there. There is a remedy provided for in the law with regard to the domestic courts in the utilization of the contempt powers of that court to enforce the court orders. These cases don't belong in the Criminal Courts. There are cases... they're never black and white issues. These are always for those attorneys who practice in domestic law know... they're always gray issues. They're issues where a father comes to pick up his children and the custodial wife won't let him have the children, perhaps because the last time he picked up the children, he brought them back and they were battered or they were abused, or he had taken them to an all night party, and so the wife, even though there's a court order saying the husband gets visitation, says, 'No, I'm not going to give visitation on this weekend, because you're abusing the children.' Now, if you want that husband, then, to be able to go to a state's attorney's office and to throw that case on his or her lap and get this matter in the Criminal Courts, then you ought to support this kind of Amendment. But, enough's enough. Let's vote it down and hopefully, the Sponsor will take mercy on us in not raising this issue any more during this Session."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from... there being none, the Chair recognizes the Lady from Cook, Representative Parcels, to close."

Parcells: "Thank you, Madam Speaker. I'll try to answer a few of the questions that were brought up. I do get awards here for perseverance, if nothing else. You talked about the courts being overburdened. I think in the matter of our

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children, that is not a matter to be discussed, here. The court must take care of things that are important, and visitation is just as important as the support of the children which nobody seems to mind taking up in the courts. The remedies that you speak of are very costly, and therefore, a father has to go to a great deal of time - or a mother - depending who the non-custodial parent is - a great deal of time. As far as the battered, the children coming back battered, there's a provision in this Bill that if the custodial parent thinks the children are being abused, there are remedies for her, and she does not have to... she can go to court and get that taken care of and have the visitation changed. I still think it's a good Bill. So did 69 of you last year, and I encourage your 'aye' vote."

Speaker Braun: "The Lady has moved the adoption of Amendment #1. On that, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed say 'no'."

Parcells: "I'd like a Roll Call."

Speaker Braun: "All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 46 voting 'aye', 67 voting 'no'. The Amendment fails. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. For what reason does the Lady from Champaign, seek recognition?"

Satterthwaite: "Madam Speaker, if we may go back briefly to House Bill 681, it would be my intent to table Amendment #5 and move the Bill to Third Reading, please."

Speaker Braun: "Mean withdraw?"

Satterthwaite: "Withdrawn, yes."

Speaker Braun: "Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 631, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendments 3 and 4 were adopted previously. Floor Amendment #5 is the next Amendment."

Speaker Braun: "The Lady withdraws Amendment... The Gentleman from Cook, Representative Young."

Young: "Withdraw Amendment #5."

Speaker Braun: "Amendment #5 is withdrawn. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "The Chair recognizes the Gentleman from DuPage, Representative McCracken."

McCracken: "Madam Speaker, as Amendments 3 and 4 were adopted, we filed a request for a Fiscal Note as amended."

Speaker Braun: "Representative Satterthwaite, a request for a Fiscal Note as amended has been filed."

Satterthwaite: "Madam Speaker, a Fiscal Note has been filed indicating that there is no cost to the Bill. I don't believe that the Amendments have changed that in any way, and I think it's dilatory to be asking for another Fiscal Amendment... Fiscal Note. I move to indicate that a Fiscal Note is inapplicable."

Speaker Braun: "The Lady has moved that the Fiscal Note Act be deemed inapplicable to House Bill 681 as amended. And on that, is there any discussion? The Chair recognizes the Gentleman from Winnebago, Representative Hallock."

Hallock: "Well, to that issue, Madam Speaker, it seems very clearly that if we, in fact, have amended this Bill so that principals may or may not be more involved in supervising their staff, whether they may or may not need more janitorial staff at these schools, it seems to me very obviously, there will be some fiscal impact, and I think this note is necessary, and this Motion's out of order."

Speaker Braun: "Is there further discussion? There being none,

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the question is, 'Shall the Fiscal Note Act be deemed inapplicable to House Bill 681 as amended?' All in favor say 'aye', opposed say 'no'. All in favor vote 'aye', opposed vote 'no'. Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, the Amendments have, in fact, reduced the responsibilities of the principals rather than increasing it. The original Bill as stated by the State Board of Education, said that there would be no fiscal impact. If we give them less responsibility than they had previously, then less than no fiscal impact is still no fiscal impact. And so there would be no fiscal impact, there would be no change in fiscal impact by the Amendments that have gone on the Bill this afternoon. And for that reason, I believe that it is simply dilatory for us to hold the Bill on Second Reading at this time."

Speaker Braun: "Have all voted who wish? The Clerk will take the record. On this question, there are 48 voting 'aye', 63 voting 'no', and the Motion fails. The Bill will remain on the Order of Second Reading. House Bill 687, Representative Black. Representative Black. Representative Black. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 687, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Braun: "Third Reading. House Bill 688, Representative Stange."

Clerk Leone: "House Bill 688, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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Clerk Leone: "There are none."

Speaker Braun: "Third Reading. House Bill 691, Representative Ropp. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 691, a Bill for an Act creating the Illinois Summer School of Agriculture. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Ropp."

Speaker Braun: "The Chair recognizes the Gentleman from McLean, Representative Ropp on Amendment 1."

Ropp: "Thank you, Madam Speaker and Members of the House. Amendment 1 allows the appointed board to determine the location of the summer school for agricultural students, and I welcome your support."

Speaker Braun: "The Gentleman moves the adoption of Amendment 1. On that, is there any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 692, Representative Countryman. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 692, a Bill for an Act to amend the Civil... to amend the Code of Civil Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Braun: "Third Reading. House Bill 694, Representative Hannig. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 694, a Bill for an Act to amend an Act in relationship to fire protection districts. Second

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Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Braun: "Third Reading. House Bill 696, Representative O'Connell. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 696, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Petka and Countryman."

Speaker Braun: "The Chair recognizes the Gentleman from Will, Representative Petka on Amendment 1."

Petka: "Madam Speaker, thank you very much. I'll withdraw that Amendment."

Speaker Braun: "Amendment 1 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #2, being offered by Representative Hasara."

Speaker Braun: "The Lady from Sangamon, Representative... "

Hasara: "Withdraw the Amendment, please."

Speaker Braun: "Withdraws Amendment 2. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 700, Representative Richmond. Out of the record. House Bill 703, Representative Curran. Out of the record. House Bill 705, Representative Brunsvold. Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker. Question of the Speaker."

Speaker Braun: "Proceed."

Brunsvold: "705 appears on a Special Call of Order tomorrow on Agriculture. Are we going to go through that Special Call of Order tomorrow on Second Reading? Because I have an Amendment that has not been finished drafting yet, and it's... "

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Speaker Braun: "You want to take the Bill out of the record?"

Brunsvold: "At your advice, yes, Madam Speaker."

Speaker Braun: "House Bill 706. Out of the record. House Bill 708, Representative Hannig. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 708, a Bill for an Act in relationship to the purchase or contract to purchase food by state agencies. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Out of the record. We're going to... For what reason does the Gentleman from Rock Island, Representative Brunsvold, rise?"

Brunsvold: "Madam Speaker, could I have leave to have 705 read a second time?"

Speaker Braun: "The Gentleman requests leave to have House Bill 705... have House Bill 705 read a second time. Is there leave? Leave is granted. Mr. Clerk."

Clerk Leone: "House Bill 705, a Bill for an Act in relationship to farm debt medication (sic - mediation). Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Out of the record. House Bill 709, Representative Richmond. Out of the record. House Bill 713, Representative Terzich. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 713, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "There are no Floor Amendments."

Speaker Braun: "Third Reading. House Bill 715, Representative Van Duyne. Representative Van Duyne. Representative Van Duyne. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 715, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

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Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representatives Ackerman and McCracken."

Speaker Braun: "The Chair recognizes the Gentleman from Tazewell on Amendment 1."

Ackerman: "Thank you, Madam Speaker. This Amendment provides requested audits shall be paid from monies appropriated for weatherization and conservation and from federal monies disbursed for conservation and weatherization, and I move for its passage."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1. And on that, is there any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, being offered by Representative Mulcahey."

Speaker Braun: "The Gentleman from Winnebago on Amendment 2."

Mulcahey: "Thank you, Madam Speaker and Members of the House. Amendment #2 simply provides for the... it amends the Election Code of the Public Utilities Act, and it provides for the election of a seven member... seven members to the Illinois Commerce Commission, three members elected from the First Judicial District, two from Chicago, one from Cook County outside of Chicago, and one from each of the remaining Judicial Districts in the general election in 1988. Petitions shall be... excuse me... petitions shall be signed by at least .5 percent of the primary electors. It provides for four year staggered terms, and the Commission members shall elect one of its members to serve as Chairman. And I would move for the adoption of Amendment #2 to House Bill 715."

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Speaker Braun: "The Gentleman has moved the adoption of Amendment 2. And on that, is there any discussion? The Chair recognizes the Gentleman from Winnebago, Representative Hallock."

Hallock: "Thank you. Will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Hallock: "Did you say this provides for the election of the Illinois Commerce Commission?"

Mulcahey: "That's correct, Sir."

Hallock: "I thought so. Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes Representative Mulcahey."

Mulcahey: "Madam Speaker, also, I'd like to point out that I would like an electronic recorded Roll Call on this, please - this Amendment."

Speaker Braun: "Yes, Sir. Is there further discussion? Representative Homer."

Homer: "Thank you, Madam Speaker. I would only say... I'm not speaking and taking a position on the Bill, but I hope all Members understand what Bill... what you're voting on is the... whether or not there should be an elected Commerce Commission. That's an issue about which many of you have strong opinions, and you need to be aware that's the vote here, that Amendment #2 would provide for an elected Commerce Commission."

Speaker Braun: "Is there further discussion? The Gentleman from Lake, Representative Churchill."

Churchill: "Will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Churchill: "Representative, a few years ago, we faced issues down here in regards to trying to help consumers back home on, you know, utility issues, and we formed the Citizens' Utility Board. Is it your feeling that the Citizens'

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Utility Board is not doing its job?"

Mulcahey: "I won't say that, Representative Churchill, at all, but what I will suggest is that this particular measure has been tried in other states. It has not been tried in Illinois. I do know the citizens throughout the State of Illinois have been clamoring, all parts of the state have been asking for an elected Commerce Commission to make the people who are elected to those positions more accountable to their constituencies as opposed to being accountable to one person who appoints them - namely, the Governor - and I think it's time that Illinois at least makes an attempt to go to this type of a Commission to make people responsible for the terribly high electric rates that the Commerce Commission has been advocating for the past few years."

Churchill: "Have you... Have you run this Amendment by the Citizens' Utility Board?"

Mulcahey: "As a matter of fact, I have not, Sir. I have done this on my own. This is something that we've talked about in Illinois for a number of years, and it's working in other states, and we are proceeding at this time."

Churchill: "Do you have any kind of feel as to whether the Citizens' Utility Board would be in favor of this or against this?"

Mulcahey: "I couldn't answer that, Sir."

Churchill: "I see. Have you provided in this for the election of the Illinois Commerce Commission? Have you made any provision for limitation on campaign contributions?"

Mulcahey: "In this particular Bill, there is no limitation on campaign contributions. However, I do intend, before it gets to final passage, to put a limitation of 3,000 dollars for.. per district per candidate on the... on the Bill itself. I think that's... "

Churchill: "So, it's your intention... So, it's your intention,

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then, that public utilities will be able to financially support candidates for the ICC?"

Mulcahey: "Well, that's been traditional all through the years. There's no reason it should change now, and... but when we put a 3,000 dollar, 4,000 dollar limitation on the campaign contributions they can accept and/or spend, for that matter, we are keeping it somewhat realistically... realistic so all people in the state are... at least have a shot at running for this particular office."

Churchill: "Okay, but a \$3,000 campaign limitation will apply across the board. That's not just limited to public utilities companies, then."

Mulcahey: "To the election of the Commerce Commission, it is limited to, yes."

Churchill: "Okay, but it's across the board, I guess is what I'm saying."

Mulcahey: "Yes."

Churchill: "Everybody is limited. Okay, thank you. No further questions."

Speaker Braun: "Ladies and Gentlemen, there are at least 12 people seeking recognition. We will ask that you keep your remarks as succinct as possible. The Chair recognizes the Gentleman from Lake, Representative Matijevich."

Matijevich: "Madam Speaker, this is a very emotional issue, and I'm going to vote for it, as what we often call on the floor of the House, a message vote. I'm going to give the message to the Illinois Commerce Commission that I, for one, and many of my constituents are not happy with the way the Commerce Commission is operating. The Chairman of the Commerce Commission, who, frankly, I think had done a much better job than Chairmen in the past, I indicated to her, for example, that I don't like the way, for many years, that the Commerce Commission has always decided on rate

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increase proposals the first week in July. The decision always comes the first week in July, and believe me, that's by design. That's because the Legislature goes home, usually, just before the first week of July. I've also believed that this present proposal that many call the five year freeze is one that has been a very strange type of proposal. And I don't like the way they're coming about that decision, and I think that the straw that breaks the camel's back is the fact that the public utilities are doing everything that they can in reducing the authority that we've put in the hands of the Citizens' Utility Board. I think we ought to put a lot of votes on this board to make notice to the public utilities and to make notice to the Illinois Commerce Commission that if they're going to thwart what we're trying to do for the Citizens' Utility Board when they took away the power of putting in the inserts where people can voluntarily become members of that Citizens' Utility Board, then this is going to be the next option. Do the public utilities want an elected Commerce Commission? No, they don't. But everybody better take notice that if they don't start doing things that the consumers and the ratepayers want, then this is going to be that next option. So I'm going to put a message vote and vote 'aye' on this Amendment."

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

Hoffman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. There are states in the Union which have elected Commerce Commissions and they make their decisions based on the same kind of evidence that an appointed board receives. The fact of the matter is, that it's not a question of whether the board is appointed or elected. It has to do

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with the circumstances in which they find themselves, regardless of where they are, and you can find high rates, where they have appointed Commissions, as well as high rates where they have elected Commissions, and the reverse can be true in both cases. It just depends on the circumstances. However, this particular piece of legislation leaves a lot to be desired, because it doesn't really provide for any election procedures, and it may very well be, as the previous speaker has indicated, we're talking about sending a message, not about adopting legislation that will work. And I, for one, the basis of the evidence that I've seen in comparisons, think that our Commerce Commission has, under the given circumstances, has done a good job, as good a job as we could reasonably expect under the circumstances. I don't think this is any time to slap them in the face, and for that reason, I rise in opposition to this Amendment."

Speaker Braun: "Is there further discussion? The Gentleman from Cook, Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of this Amendment. I think it's no secret that we have, in Illinois, the highest electric rates in the midwest. You look to all the surrounding states, and our rates are higher, and that doesn't allow us to be able to compete for jobs. It also hurts our consumers in terms of their ability to survive, particularly those on fixed incomes and senior citizens. It is the Illinois Commerce Commission that is the difference. The other surrounding states have very similar climates to ours, so it's not a difference in their conditions, it's the decision making process in the State of Illinois. We spent two years, in this Legislature, working to rewrite the Public Utilities Act of the State of

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Illinois for the first time since 1923. We went through a Joint Committee process, we went through bipartisan deliberations, put in hundreds of hours to bring that Act into the 1980's and out of the 1920's. And when we finally passed it with major changes, supported by overwhelming majorities in both Houses of this Body, what did the Commerce Commission do about three months ago when the so-called 'Commonwealth Edison Deal' was put forward, a deal that would, in effect, repeal many of those provisions that we fought long and hard to put into the Public Utility Act. They decided they weren't even going to spend 11 months looking at the complex issues. They were going to truncate their deliberations into four months. All of the work we did in this Legislature for two years, they were going to, in four months, give it a short shrift. I think Representative Matijevich is absolutely correct. We need to send a message to the Commission that that kind of lack of accountability, that lack of listening to what this Legislature does, we're not going to put up with. So, I think this is an excellent Amendment, and I strongly support it. As far as, finally, the issue about CUB that got raised, well, don't we have a CUB? We certainly do. The problem is when we set up CUB, we set it up so that the citizens of the state could pool their resources to hire experts and attorneys to go before the Commerce Commission, but if the Commerce Commission doesn't listen to those experts and those attorneys, we need something else, and I suggest that this Amendment gives us that positive alternative."

Speaker Braun: "Further discussion? The Chair recognizes the Gentleman from St. Clair, Representative Flinn."

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

Speaker Braun: "The Gentleman has moved the previous question."

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The question... The Chair recognizes the Gentleman from Winnebago, Representative Mulcahey, to close."

Mulcahey: "Madam Speaker, would you recognize Representative Rea to close, please?"

Speaker Braun: "Recognize the Gentleman from Franklin, Representative Rea, to close."

Rea: "Thank you, Madam Chairman and Ladies and Gentlemen of the House, Speaker. On House... on this Amendment, this is an excellent Amendment. It covers many areas. It provides for its seven members, it provides for geographic representation, which is very important to all parts of the state, it provides the opportunity for the Chairman to be elected by its members. At the present time, the Commerce Commission is not really accessible and responsive to anybody, once the appointments are made. But with this, the elective process, they would be accessible throughout the state, and they would, hopefully then, be responsive to the people of the state and would take into consideration all aspects in their decision making process. The... There are states that have an elected Commerce Commission, and in those states, they have an 11 percent lower electrical rates than what we have in those that are appointed. This is an opportunity to vote for a Bill that can have significant impact upon the economy of the State of Illinois. This vote, if you vote 'aye' in favor of this Amendment, this will give us the type of good government and consideration as it comes forth and relates to rate making here in the State of Illinois. I would strongly urge you to cast an 'aye' vote."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #2. All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted? The Chair recognizes the Gentleman from Cook, Representative Piel."

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Piel: "Thank you, Madam Speaker. Unfortunately, I wanted to speak in debate. Not looking at the merits of the issue, but let's look at what the Bill does. Unfortunately, the way that this Amendment is drafted, it's horrendous. Just to give you a couple of ideas on the way this thing is drafted, one of the districts has 37 counties. A person would have to run in 37 counties, and no... not in any of the Judicial Districts does it say where the person files their petitions. The Amendment states nowhere where a person files their petitions. There are no provisions in the Amendment for objections to the petitions. In suburban Cook County, it says... basically gives part of the Judicial District, but it says five percent. Does that five percent have to be in suburban, or does it have to be in suburban and Chicago itself? According to the Federal Voting Rights Act, you have to have equal access to the ballot, and if you look at the situation in Chicago, five percent in Chicago would be a heck of a lot more than five percent in suburban areas. And Ladies and Gentlemen, you know we just went through a heck of an election contest, and there is no provision in the Amendment for an election contest. I would ask either a 'no' or a 'present' vote until they can clear up the language in this and get it so it would be understandable to the people who have to administer the law. Thank you."

Speaker Braun: "Further discussion? The Gentleman from Livingston, Representative Ewing."

Ewing: "Madam Speaker, Ladies and Gentlemen of the House, probably a half a dozen years ago or more, when this issue first was raised in Illinois, we had a Commission called the Economic Development Commission, and we did rather thorough hearings on this subject of an elected Commerce Commission. We had people from Florida, from, I think,

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California, Kansas, all around the nation that came in, some of whom had either considered it or had implemented elected Commerce Commissions. And I want to tell you that their evidence and their comments to us, overwhelmingly, was that an elected Commerce Commission would not solve our problems. No one says we don't have problems with the Commerce Commission in Illinois. We certainly know we have problems with high utility rates. But this is not the answer. I'm afraid, Ladies and Gentlemen, that we're just casting a political vote, here, and that we should have some more 'no' votes up there."

Speaker Braun: "Have all voted who wish? The Clerk will take the record. On this question, there are 65 voting 'aye', 46 voting 'no'. For what reason does the Gentleman from Cook, Representative Piel, rise?"

Piel: "I'd like to verify the 'aye' votes, please."

Speaker Braun: "The Gentleman has asked for a verification of the 'yes' votes. Mr. Clark, proceed with the verification."

Clerk Leone: "Poll of the Affirmative. Berrios. Black. Braun. Breslin. Brunsvold. Bugielski. Capparelli. Christensen."

Speaker Braun: "Excuse me, Mr. Clerk. Representative Leverenz, for what reason do you seek recognition?"

Leverenz: "Record me 'aye' so it makes it more difficult for the Gentleman."

Speaker Braun: "Representative Leverenz asks that his vote be changed from 'no' to 'aye'. Proceed."

Clerk Leone: "Continuing: Christensen. Churchill. Curran."

Speaker Braun: "Mr... Mr. Clerk, one second. Representative Terzich changes his vote from 'no' to 'aye'. Representative Daley votes 'aye'. Proceed, Mr. Clerk."

Clerk Leone: "Daley. Davis. DeJaegher. DeLeo."

Speaker Braun: "One second, Mr. Clerk. Mr. Piel."

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Piel: "Withdraw my request."

Speaker Braun: "The Gentleman withdraws his request for a verification. Have all voted? The Clerk will take the record. On this question, there are 68 voting 'aye', 43 voting 'no'. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 717, Representative Van Duyne. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 717, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Floor Amendments? I mean, any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative McCracken."

McCracken: "Please withdraw that, Madam Speaker."

Speaker Braun: "Amendment 2 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 718, Representative Hicks. Representative Hicks. Representative Hicks, do you want to proceed with 718? Forgive me. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 718, a Bill for an Act in relation to the Interstate Compact on Agricultural Grain marketing. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 727, Representative Steczo. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 727, a Bill for an Act to amend the

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Liquor Control Act. Second Reading of the Bill. No
Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative
McGann - Keane and Anthony Young."

Speaker Braun: "Representative McGann on Amendment 1."

McGann: "Thank you, Madam Speaker and Members of the Assembly.
About a month or so ago, we held hearings for the Revenue
Committee, the Subcommittee on Sales Tax, in the City of
Chicago. The Better Government Association and also the
Crime Commission testified in regards to delinquents as far
as sales tax is concerned. And believe it or not, it's
running quite rampant throughout the state and those that
are delinquent are failing to pay the sales tax that they
have collected from the consumers that they are not
forwarding to the Department of Revenue. One item that's
very, very important is that they issue a liquor license in
the State of Illinois without consulting with the
Department of Revenue as to whether or not this individual
firm or firms may be delinquent. I contacted
Representative Steczo and asked his help in bringing about
this Amendment, which he stated he would support and allow
me to put on his Bill, which I am most grateful. So, what
the Amendment does, if I could have your attention for just
a moment. Madam Speaker... a little bit... The Amendment
actually is requiring the Liquor Control Board to check
with the Department of Revenue before they renew or issue
an applicant its license for liquor in the State of
Illinois. What it will be doing is, it will put that check
in balance and bringing in some more dollars to the State
of Illinois where it belongs, that the retailers have
collected from the consumers are not forwarding. So, I ask
your support for this Amendment."

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Speaker Braun: "The Gentleman has moved the adoption of Amendment 1. On that, is there any discussion? There being none, the question is, 'Shall Amendment 1 be... The Chair recognizes the Gentleman from Cook, Representative Shaw."

Shaw: "Yeah, thank you, Madam Chairman... Speaker. To the Sponsor. Will the Sponsor yield?"

Speaker Braun: "He indicates he'll yield."

Shaw: "Yes, Representative McGann, what exactly does this Amendment do, again?"

McGann: "Representative Shaw, what it will do is, the retailer applies to the State Liquor Control board for renewal of its license. What we're asking in the Amendment is, before the license is issued, they get a verification from the Department of Revenue that there are... they are not delinquent in their sales tax which they have collected from the consumers."

Shaw: "Do you... Are you familiar with the State Liquor Control Commission?"

McGann: "In what way?"

Shaw: "What they're doing in reference to the taxes?"

McGann: "In what way, Representative Shaw?"

Shaw: "Beg your pardon?"

McGann: "In what way am I familiar?"

Shaw: "Do you know that that's being done today?"

McGann: "No, it is not being done. It was brought out in the hearings that we had in the Subcommittee on Sales Tax for the Committee on Revenue, in Chicago, and it was very clear that it's not being done, and therefore, we want to legislate it to make sure that it is mandated and complied with, in order to bring those sales tax dollars into the Department of Revenue."

Shaw: "Alright, I... It sounds like a good Amendment, and I'm going to urge an 'aye' vote for the Amendment."

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McGann: "And I thank you, Representative Shaw."

Speaker Braun: "Is there further discussion? The Gentleman has moved the adoption of Amendment 1. All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 728, Representative Countryman. For what reason does the Gentleman... okay. Representative Countryman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 728, a Bill for an Act to amend the Regency Universities Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Weaver."

Speaker Braun: "The Chair recognizes the Gentleman from Coles on Amendment 2."

Weaver: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, this Amendment is an identical one to one that we passed out last year which awarded a vote to the student members of the Board of Governors' Board. In the event of a tie, the student vote will not count, and student members will not vote on collective bargaining matters, personnel matters or tenure decisions. All the student members are given, collectively, one vote, and I ask for your approval on this Amendment."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 2. And on that, is there any discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted."

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Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Hasara and Capparelli."

Speaker Braun: "The Chair recognizes the Lady from Sangamon on Amendment 3."

Hasara: "Madam Speaker, we wish to withdraw the Amendment."

Speaker Braun: "Amendment 3 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. 733, out of the record. 736, Representative Levin. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 736, a Bill for an Act creating the Illinois AIDS Registry. Second Reading of the Bill. Amendment #2 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #... Floor Amendment #3, offered by Representative Stephens."

Speaker Braun: "The Chair recognizes the Gentleman from St. Clair, Representative Stephens on Amendment 3."

Stephens: "Thank you, Madam Speaker. Amendment #3 to House Bill 736 would require hospitals to establish a blood trust program as a condition of licensure. The Department would be required by rule that each hospital which operates a blood bank would establish a blood trust program under which a blood donor may specify that the donated blood be reserved for use of a designated person or group of persons which may include the blood donor himself, for a period of seven days from the date of donation. After that date, it's assumed that the hospital would be allowed to put that in their regular supply. The Department will promulgate rules. It's important in the current state of the AIDS dilemma that we allow persons entering the hospital to have

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the self-assurance of donating their own blood for their own use for elective surgery or to a family member who may be in need of elective surgery or even emergency surgery. I think this Bill (sic - Amendment) makes good sense. It would be an addition to House Bill 736, and I would be glad to answer any questions."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 3. And on that, the Gentleman from Cook, Representative Levin."

Levin: "Would the Gentleman yield?"

Speaker Braun: "He indicates he will."

Levin: "Representative, I believe that a similar subject to what is Amendment 3 is included in House Bill 337, which was reported favorably out of the Human Services Committee?"

Stephens: "Well, after the Amendments to 337, I'll be honest with you. I'm not sure of what... where it's at."

Levin: "Okay. Okay."

Stephens: "Whether this is in that Bill or not. I really don't know."

Levin: "It is the case, and you know, we would like to support this Amendment. There was, however, one commitment that was made by the Sponsor of 337 in Committee, and we just was wondering if your intention would be to follow suit. His commitment was to... his intention was to limit the Bill to family members. And would that be your intention as well?"

Stephens: "Well, I don't know why that would be necessary. What... What purpose would that serve? And after seven days, it would go into the general supply anyway."

Levin: "Yeah. I think the feeling was in Committee that, you know, if you're dealing with family members, you've got some assurance that the blood is safe, and if you're just dealing with the general population, you don't."

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Stephens: "I guess... What do you mean, safe?"

Levin: "Yeah. I think... "

Speaker Braun: "Mr... Representative Levin, before you respond, to the Members. We had hoped to get out of here at 8:00. There are... or about 8:00. There are 12 Amendments to this Bill. We are now on 3. As such, I intend to use the timer so that the debate may be kept moving along as quickly and expeditiously as it can be, under the circumstances. I understand this is an important issue, and we intend to recognize everyone who seeks to speak. However, you should be mindful of the plans and the intentions and the accommodation of the other Members in so doing. Representative McCracken."

McCracken: "Madam Speaker, I think you make a good point. This is very controversial. There are numerous Amendments, and I wonder if we couldn't just call it in the morning, first thing?"

Speaker Braun: "No, Sir. We cannot. We're going to continue and finish this Bill tonight."

McCracken: "Do you think we'll finish it in 20 minutes?"

Speaker Braun: "I sure hope so. Representative Levin may continue."

McCracken: "Well, we aren't going to try to finish it in 20 minutes to meet some artificial deadline. If you're trying to get us to limit ourselves to 20 minutes, then let's do it tomorrow."

Speaker Braun: "I understand that, so we'll continue... we'll continue until it's finished. We will continue until it's finished."

McCracken: "Then, let's do it tomorrow."

Speaker Braun: "No, we'll do it now, Representative McCracken. Mr. Levin, continue."

Levin: "Okay, yes. I think, you know, the intention of the

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Amendment is so that, you know, people could be sure that they are getting blood from a safe source, a source that does not have AIDS, and I think the discussion in Committee and also some of the... what some of the experts have suggested is, where you're dealing with family members, you could have some confidence that they are AIDS free, and that's, of course, what the purpose, I think, behind your Amendment is. And, you know... And I believe that Representative Stange, when he presented House Bill 337, concurred that that made sense."

Stephens: "Well, I... I hope that... that I wasn't characterized as a Sponsor of this Amendment, as having made an agreement through Representative Stange. I would like to defer to his judgment as best as my ability. However, I... when we're just talking about specifying the blood supply to a designated person or group of persons, I don't quite understand your point about restricting it to family members. If you're controlling the designation of the group, I don't... I don't see why that's a necessity."

Speaker Braun: "Representative White."

White: "Madam Speaker and Ladies and Gentlemen of the House, Representative Stange did commit himself to me by saying that he would limit the provisions of this Bill to family members only. I indicated to him the problems that would occur in the blood supply if organizations such as fraternal organizations, police groups, firemen, set aside blood just for their particular group, and if he would limit the Bill and the Amendment to family members only, then I would be in support of the Amendment, in support of his Amendment. You know, if I may... "

Speaker Braun: "The question is... Is there further discussion? The Lady from Cook, Representative Pullen."

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

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House. This issue is, indeed, very important. It's much more important than the... than the treatment that the Medical Advisory Panel on AIDS gave this particular aspect of it because in not understanding what this Bill was all about when it was in Committee, they are attempting to limit the designation of dedicated donors to mere family members. I think Representative.. I think the Gentleman has a very important Amendment here because the only other option we have available to us is a Bill that is limited to family members and reserves the blood for 20 days. Quite frankly, the blood banks can't live with a reservation for 20 days, because it will end up shelf-dying, and it will really cripple the blood supply in this state. But this Representative's Amendment reserves the blood for a period of seven days from the date of donation, a reasonable period... "

Speaker Braun: "Representative Pullen, Representative Pullen, a point of order. Representative Levin... I think they've accepted the Amendment. Representative Levin."

Pullen: "Not from what I heard."

Levin: "Yes, I think, Madam Speaker, you're absolutely correct. We accept this Amendment."

Speaker Braun: "The question is, 'Shall Amendment 3 be adopted?' All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment 4, offered by Representative Capparelli and Barger."

Speaker Braun: "Representative Capparelli on Amendment 4. Representative Levin, for what reason do you rise?"

Levin: "Point of order. We believe this Amendment is out of order."

Speaker Braun: "We will review the Amendment. For what reason

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does the Gentleman from Macon, Representative Tate, rise?"

Tate: "Well, thank you, Madam Speaker. I rise on a point of information. This Bill - House Bill 736 - is probably one of the major issues that this General Assembly will face this year. Every major newspaper in the State of Illinois has editorialized on this position, every Member in this chamber has some very, very strong feelings about this issue. We have 13 different Amendments that are filed to this Bill. You have given an arbitrary time frame of 13 minutes to hold, conduct hearings..." "

Speaker Braun: "State your point, Representative Tate."

Tate: "... On one of the most significant issues..." "

Speaker Braun: "Representative Tate."

Tate: "And my point is... is that we should not railroad an issue like this. You should give the Members of both sides and... of both sides of the issue a fair opportunity of open debate, no time constraints on this, and allow this issue to be fairly heard in this chamber."

Speaker Braun: "Representative Tate."

Tate: "It's probably an issue that would be better attended to tomorrow."

Speaker Braun: "Representative Tate, it is the intention of this Chair that we will adjourn by the hour of 8:00. Period. Now, we will consider as many Amendments as we can get to by then, but we will adjourn by 8:00, and I will not be harangued on the issue. Representative Capparelli, there's a point of order raised regarding your Amendment. Parliamentarian? The Parliamentarian advises that the Amendment 24 is out of order because there's... there's already... it seeks to put in a Section 10.1 in the Bill, and there already is a Section 10.1 that was put in by virtue of the adoption of Amendment 3, so the Amendment is out of order. Further Amendments?"

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Clerk O'Brien: "Floor Amendment #4, offered by Ms. Frederick and Goforth. That's Floor Amendment #5."

Speaker Braun: "The Chair recognizes the Lady from Lake, Representative Frederick."

Frederick: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House."

Speaker Braun: "Speaker Madigan in the Chair."

Speaker Madigan: "Okay, the Speaker plans to take you all out of your misery, and to thank you for your hard work today. So, we made great progress on the Calendar because of the cooperation of all Members, Democrats and Republicans alike. We plan to return at 9 a.m. in the morning. The Clerk shall take this Bill from the record. Are there any announcements prior to adjournment? Representative Mulcahey."

Mulcahey: "Thank you, Mr. Speaker. Tomorrow morning... at 8:00 tomorrow morning in Room C-1, the Elementary and Secondary Education Committee will meet, and Dave Carey from the Board of Education will be there to present the new proposals on the Gifted Education Program. I urge all Members to be there. 8:00."

Speaker Madigan: "Mr. Giglio."

Giglio: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, inadvertently, the Committees got mixed up with four Bills, and I would ask leave of the House to take the four Bills from Interim Study and put them in a Working Study Committee. I checked with the other side of the aisle. Two Bills in Pensions, 2294 and 2296; Financial Institutions, 2293 and 2623."

Speaker Madigan: "Mr. Giglio, my understanding of the rules would be that if the Bills were taken from the Interim Study Calendar and put into a Working Subcommittee, they would be tabled."

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Giglio: "Excuse me, Mr. Speaker. They were tabled. Sorry. They were tabled inadvertently, and I would like to take from the table and put them in Interim Study in those Committees."

Speaker Madigan: "Okay, is there leave? Leave is granted for Mr. Giglio to continue to study those Bills. Are there any further announcements? Mr. Clerk, are there any Agreed Resolutions?"

Clerk O'Brien: "House Resolution 368, offered by Representative Matijevich; 369, Speaker Madigan and Daniels; 370, Keane; 371, Keane; 372, Rea; 373, Keane; and 374, DeJaegher."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, we have examined the Resolutions. They are agreed to, and I move the adoption of the Agreed Resolutions."

Speaker Madigan: "The question is, 'Shall the Resolutions be adopted?' Those in favor signify by saying 'aye', those opposed by saying 'no'. The 'ayes' have it. The Resolutions are adopted. Mr. Clerk, anything further? Providing a few minutes for Perfunctory Session, Mr. McPike moves that the House stands adjourned until 9 a.m. tomorrow morning. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until 9:00 a.m. tomorrow morning."

Clerk O'Brien: "Committee Report correction. On May 7, 1987, House Bill 2027 was reported out of the Committee on Elementary and Secondary Education as 'do pass'. The Bill should have been reported as 'do pass Consent Calendar'. Representative Hyvetter Younge, Chairwoman of the Committee on Urban Redevelopment, to which the following Bills were referred, action taken April 30, 1987, reported the same back with the following recommendation: Interim Study Calendar - House Bill 1127, 1128 and 2474. Representative

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Preston, Chairman of the Committee on Consumer Protection, to which the following Bills were referred, action taken May 5, 1987, reported the same back with the following recommendation: Interim Study Calendar - House Bills 183, 314, 315, 369 and 1890. No further business. The House now stands adjourned."

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