

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

67th Legislative Day

July 1, 1985

Speaker McPike: "House will come to order. Members will be in their seats. Chaplain for today will be Father Charles Mulcrone, Pastor of Cathedral of the Immaculate Conception in Springfield. Father Mulcrone is a guest of Representative Mike Curran."

Father Mulcrone: "Let us pray. Our Heavenly Father, we take just a moment at the beginning of this day to place ourselves in Your presence, to acknowledge that You are our God and we are Your people. We begin on a note of peace because of the release of our hostages. We also continue our prayers for those who are still detained. Bless them, protect them, bring them home to us. In a very special way, bless these men and women, our Legislators, in the hectic closing hours of this Session. Be their inspiration. Help them to rededicate their talents to serve all the people of our sovereign state, to renew their wonderful sensitivity to the needs of our brothers and sisters and especially the powerless, to continue to broaden their vision of response to the entire state, all 102 counties of our sovereign State of Illinois. Inspire them to make of our state a model, a beacon for other states to emulate and may what has begun under Your inspiration be brought to a wonderful success under Your continued paternal guidance. We ask this in His name. Amen."

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

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

Speaker McPike: "Roll Call for Attendance. Take the record, Mr. Clerk. 117 Members answering the Roll Call, a quorum is

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present. Agreed Resolutions."

Clerk O'Brien: "House Resolution 644, offered by Representative Flowers; 645, by Wyvetter Younge; 646, Flowers; 647, Daniels and Republican Leadership; 648, Daniels and Republican Leadership; 649, Pullen and Williamson. Senate Joint Resolution 80, by Parke and Hensel; 81, by McCracken and Hastert; 82, by Ropp; oh, and 84, by Van Duyne and Davis."

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, Flowers' 644 lauds Lynette Pamphlet. 645, by Wyvetter Younge, eulogizes the Episcopal Church. 646, by Flowers, zings Janice Jenkins. 647, by Daniels, honors the Assistant Chief Clerk. 648, by Daniels, honors the Leadership staff. 649, by Pullen, congratulates Phil Raffe. Senate Joint 80, by Parke - Hensel, commends Wayne and Helen Fox on their outstanding service to the community of West Chicago. McCracken - Hastert, Senate Joint 81... excuse me, Boys State Program. Ropp, Senate Joint Resolution #82 lists all the winners of the tennis tournament conducted for House and for the state members. And Van Duyne's - Davis, Senate Joint #84 honors an exchange student. And I move for the adoption of the Agreed Resolutions."

Speaker McPike: "Gentleman has moved for the adoption of the Agreed Resolutions. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Agreed Resolutions are adopted. Representative Giorgi in the Chair."

Speaker Giorgi: "The House will be at ease."

Speaker McPike: "Representative Breslin in the Chair."

Speaker Breslin: "Ladies and Gentlemen, the Chair is prepared to go to the Order of Conference Committee Reports. You should be in your chair and ready to present the Conference

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Committee Report as soon as you are called. Check your legislation to find out what the effective date is so that you will know how many votes you are going to need in order to pass the Conference Committee Report. We will go to this Order of Business as soon as Sponsors get to the floor. I see that Representative Ropp is here and Representative Flinn is here. We are waiting for Representative Dunn and Representative Terzich. Message from the Senate."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their Amendments to the following Bills: Senate Bills #461, 478 and 481, adopted... action taken by the Senate June 30, 1985. Kenneth Wright, Secretary.'" "

Speaker Breslin: "Ladies and Gentlemen, you will note going through the Calendar that there are some Bills that you have Conference Committee Reports for that do not appear on your Calendar. The reason for that was because they came in after the Calendar had started to be printed. So keep those Conference Committee Reports. A Supplemental Calendar will be printed and they will appear on them. On the Order of Conference Committee Reports, page 7 on your Calendar, there appears House Bill 269, Representative Terzich. Out of the record. House Bill 275, Representative Terzich. Out of the record. House Bill 497, Representative Ropp."

Ropp: "Thank you, Madam Speaker. House Bill 497, on its first Conference Committee Report, clarifies the civil arrest warrant must contain the name and address of the person. We have inserted the words, 'if known,' and it cleans up language on the process server fees to match House Bill 474

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that we have passed already and it conforms to the language regarding detective process servers to match the changes contained in Senate Amendment #1. And I urge approval of Conference Committee Report #1."

Speaker Breslin: "The Gentleman moves to adopt Conference Committee Report #1 to House Bill 497, and on the question, the Gentleman from McDonough, Representative Slater."

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

Speaker Breslin: "He will."

Slater: "Representative Ropp, what does this do as far as the... the cost of private process is concerned, if anything?"

Ropp: "It reinserts the provisions of the Senate Amendment that allows the court to tax sheriffs and coroners process serving fees in the civil proceedings. It allows the court to establish the tax and fees of that private process server."

Slater: "Now neither the coroner nor the sheriff is a private process server. What about a private process server?"

Ropp: "Uh, let's see. It deletes that requirement that a licensed private detective who serves process must present an affidavit of training to the court and maintain liability insurance in order to be eligible to serve the process."

Slater: "So, the answer to my question is you really don't know whether that's covered. Is that... Would that be a fair statement, Representative Ropp."

Ropp: "Well, I thought I have tried to explain, to the best of my knowledge, according to the analysis, as had been presented to me."

Slater: "And your answer would be that it is covered then?"

Ropp: "It states that they have to have \$500,000 liability insurance as a private detective in order to be in the... to serve process."

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Slater: "Thank you very much."

Speaker Breslin: "The Gentleman from Kane, Representative Kirkland."

Kirkland: "Thank you. Lines 25 through 27 read, 'if process is served by a private person or entity, the court may establish a fee, therefore, and tax such fees as costs in the proceedings.' So that your understanding, Representative Ropp, that the legislative intent is that a private person or entity would include a detective or a detective's firm?"

Speaker Breslin: "Representative Ropp."

Ropp: "Yes."

Kirkland: "Thank you."

Speaker Breslin: "The Gentleman from Knox, Representative Hawkinson."

Hawkinson: "Thank you, Madam Speaker. Will the Sponsor yield for a question?"

Speaker Breslin: "He will."

Hawkinson: "Representative, going back to the questions that Representative Slater asked you, in my discussions with Representative Kirkland, he tells me that you may be in error and that the regulations on the detectives are not, in fact, in this Bill. Can you get us a clarifying answer on that as to whether the provisions requiring the detectives to register with the sheriff or to provide an affidavit of training are or are not in this Bill?"

Ropp: "Would you please restate your question?"

Hawkinson: "In your conversation and response to Representative Slater, I believe that you indicated that the restrictions on private process servers that were contained in House Bill 474, which would have required the private process server to register with the sheriff and to have other requirements were in this Bill. It's my understanding that

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they are not in this Bill and I'm trying to get a clarification on that."

Ropp: "Yeah, you are correct. They are not in the Bill and I was in error previously."

Hawkinson: "Thank you."

Speaker Breslin: "The Gentleman from Cook, Representative Preston."

Preston: "Thank you, Madam Speaker. Would the Gentleman yield for a question?"

Speaker Breslin: "He will."

Preston: "Representative Ropp, do you know what the position is of the various sheriffs of Cook County, specifically, the Sheriff of Cook County, on this Bill?"

Ropp: "The Cook County Sheriff is out of this Bill."

Preston: "It does not affect the Cook County Sheriff at all?"

Ropp: "You are correct."

Preston: "Thank you."

Speaker Breslin: "The Gentleman... There being no further discussion, the question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 497?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. And on this question there are 109 voting 'aye', 3 voting 'no' and none voting 'present'. And the House adopts the First Conference Committee Report to House Bill 497, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 571, Representative Flinn. Excuse me, Representative Flinn. We are going to have to take that out of the record for just one moment. We don't have it in the Clerk's well. We'll get right back to you as soon as we get it into the Clerk's well. On that last Bill, House Bill 497, the record should

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note that that Bill passed receiving the Extraordinary Majority necessary for passage. House Bill 605, Representative Ropp."

Ropp: "Thank you, Madam Speaker. Conference Committee Report #1 on House Bill 605 states that the Senate recedes from their Senate Amendment #2 and that we have approved Senate Amendment #1. Very briefly, the Bill was established to require the State Board of Education to disseminate information to school districts and superintendents relative to how they could set up tax exempt foundations and receive gifts to benefit the local school districts. Senate Amendment #1 actually established procedures for that dissemination of information and Senate Amendment 2, which we have... which the Senate receded dealt with petitionings and hearings dealing with annexation or taking away of property and that is now out of the Bill and I move to concur with Conference Committee #1."

Speaker Breslin: "The Gentleman moves to adopt the First Conference Committee Report on House Bill 605. Is there any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report on House Bill 605?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This Bill requires 60 votes for passage. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 108 voting 'aye', 1 voting 'no' and none voting 'present', and the House does adopt the First Conference Committee Report to House Bill 605. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dunn, on House Bill 627. Representative Dunn. Out of the record. House Bill 809, Representative Rea. Proceed, Representative Rea."

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Rea: "Madam Speaker, I would... I would move to not accept the First Conference Report on Senate Bill 809. We found out that after the Report was written up, that it was not written properly and that there needs to be some changes made on it and I would like to see that go back for the Second Conference Committee Report."

Speaker Breslin: "The Gentleman moves to refuse to adopt the First Conference Committee Report on House Bill 809. Is there any discussion? Hearing none, the question is, 'Shall the House refuse to adopt the First Conference Committee Report on House Bill 809?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House refuses to adopt the First Conference Committee Report on House Bill 809 and a Second Conference Committee will be appointed. House Bill 1037, Representative Didrickson. Out of the record. House Bill 1039, Representative Mulcahey. Out of the record. With leave of the Body, we will go back down to Representative Terzich's Bill. The first Bill is House Bill 269, Representative Terzich."

Terzich: "I'm ready when... Oh, alright. Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move that we adopt Conference Committee #1 to House Bill 269. The Conference Committee basically revises the Capital Development Board. Introduced legislation this Spring to extend the statute of limitations. The current statute... what it does is the period of cutting off all claims, whether known or not known, on the potential claimant is 12 years. This has been shortened to two years and also extend the time that they may make a claim to from two to four years. And I would move concurrence with the Amendment."

Speaker Breslin: "The Gentleman has moved to adopt the First

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Conference Committee Report to House Bill 269, and on the question, the Gentleman from Knox, Representative Hawkinson."

Hawkinson: "Thank you, Madam Speaker. Will the Sponsor yield for a question?"

Speaker Breslin: "He will."

Terzich: "I'll certainly try."

Hawkinson: "Representative, I believe on the second page of the Conference Committee Report in regard to the statute of repose, you stated that it had been shortened from 12 to two. That, in fact, is from 12 to 10?"

Terzich: "That's correct, 12 to 10. I mentioned that the other one was changed from two to four years on... on the claim."

Hawkinson: "Right, and on that same... that same Section, on the statute of repose, should that not read, 'No action may be brought'? I believe it reads simply, 'an action may be brought'. I think it ought to read, 'No action may be brought after ten years.' Is that not, in fact, correct?"

Terzich: "Just wait one on that. On what Section was that, Representative?"

Hawkinson: "That's on the statute of repose on page two, which shortens the statute of repose from 12 years to 10 years. Should it not read, No action may be brought after 10 years'?"

Terzich: "It says... On the first word on line 3, it says, 'no action based upon tort contracts', so I assume that that would be no action would be stated right up on top."

Hawkinson: "And that omission could be correct in Enrolling and Engrossing?"

Terzich: "Well, it says so right up on top on Section B. It says, 'no action based upon tort'."

Hawkinson: "Well, would you be willing to take this out of the record for sixty seconds so we can discuss that?"

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Terzich: "Sure."

Speaker Breslin: "Out of the record. House Bill 275, Representative Terzich."

Terzich: "Madam Speaker, I move that we concur with Conference Committee #1 to House Bill 275. This legislation was in the Bill originally and based upon agreement with all parties concerned, that this is the agreed language on the consolidation succession of transfer and I would move for its concurrence."

Speaker Breslin: "The Gentleman moves to adopt the First Conference Committee Report on House Bill 275. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report on House Bill 275?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? The Bill requires 71 votes for adoption. Representative Capparelli, do you seek recognition? The Gentleman indicates he does not. Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no' and none voting 'present'. And the House does adopt the First Conference Committee Report to House Bill 275, and this Bill, having received a Three-Fifths Constitutional Majority, is hereby declared passed. Representative Terzich."

Terzich: "We... We cleared that up. I'd like to hear..."

Speaker Breslin: "Okay, Representative Terzich wants to go forward with his Bill. With leave of the Body, we'll now go to House Bill 269, Representative Terzich."

Terzich: "Thank you, Madam Speaker. That's all been cleared up and therefore, I would move that we adopt Conference Committee 269... on House Bill 269."

Speaker Breslin: "The Gentleman has move that this House adopt

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the First Conference Committee Report on House Bill 269. Is there any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 269?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', 1 voting 'no'. Representative Williamson votes 'aye'. There are, therefore, 113 voting 'aye', 1 voting 'no' and none voting 'present'. And the House does adopt the First Conference Committee Report to House Bill 269, and this Bill, having received the Three-Fifths necessary Majority, is hereby declared passed. House Bill 1072, out of the record. House Bill 1249, Representative Keane."

Keane: "Thank you, Madam Speaker..."

Speaker Breslin: "Excuse me, Representative Keane. I took Representative Oblinger's Bill out of the record because I thought she was not here since she was not in her seat. She is here, so we will go back to Representative Oblinger's Bill. Representative Oblinger, on House Bill 1072."

Oblinger: "Thank you, Madam Speaker. I move not to adopt Conference Committee Report on 1072. The Senate seems to think we need a different title rather than calling it an academy and we want to correct that mistake."

Speaker Breslin: "The Lady moves not to adopt the First Conference Committee Report on House Bill 1072. Is there any discussion? Hearing none, the question is, 'Shall the House refuse to adopt the First Conference Committee Report on House Bill 1072?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House refuses to adopt the First

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Conference Committee Report to Senate Bill 1072. House Bill 1249, Representative Keane. Excuse me. Representative Oblinger, for what reason do you rise?"

Oblinger: "Do I have to ask that a Second Conference Committee Report be..."

Speaker Breslin: "You don't have to ask, but a Second Conference Committee will be appointed. I guess the proper language is that we accede to the Senate's request for a Second Conference Committee. Representative Keane, I'm sorry. Proceed."

Keane: "Thank you, Madam Speaker. I move to accept the First Conference Committee Report on House Bill 1249. This is the Illinois Private Activity Bond Allocation Act. I had talked to Representative McCracken on this before when we passed the other form of this Act. This is the... We agreed to put two Bills on the Governor's desk in regard to Executive Order #6. This is the second Bill. We have already sent the first version to the Governor and this is sending the second version to him. I'd ask for favorable passage of First Conference Committee Report on House Bill 1249."

Speaker Breslin: "The Gentleman has moved that we adopt the First Conference Committee Report to House Bill 1249. And on that question, is there any discussion? Hearing none, the question is, 'Shall this House adopt the First Conference Committee Report on House Bill 1249?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? 71 votes are required for passage. On this Bill, there are 100... Mr. Clerk, take the record. On this Bill, there are 100... Representative Kirkland, are you seeking recognition on this Bill? No. On this Bill there are 112 voting 'aye', none voting 'no' and none voting 'present'. And the House

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does adopt the First Conference Committee Report to House Bill 1249, and this Bill, having received a Three-Fifths Majority, is hereby declared passed. House Bill 1258, Representative Kirkland."

Kirkland: "Thank you, Madam Speaker. I move that the House adopt Conference Committee Report #1 to House Bill 1258. This Bill is from the Illinois Municipal League and amends the Tax Anticipation Note Act to make changes in relation to the amount of notes which may be issued, interest rates of such notes and the manner of refunding notes. The Committee Report recommends that the Senate... excuse me. The Committee Report has language agreed to by the Municipal League and Chapman and Cutler and basically states the following: That any unit of government is authorized to issue tax anticipation notes in an amount including principal interest and the cost of issuance, not to exceed 85 percent of the taxes levied. Similar language except for 75 percent applies to notes that are issued against personal property replacement taxes. Since the interest... The Bill sets the interest rate for such notes at a rate stated in the Public Corporation Interest Act, which brings the interest rate for such notes into conformity with the general interest statute. It grants specific authority for units of government to refund tax anticipation notes prior to maturity when the expected taxes do not... are not expected to come in. And it grants the option to establish an escrow account to be used exclusively for the payments of notes and interest when the notes are issued against personal property replacement taxes, yes."

Speaker Breslin: "The Gentleman has moved that this House adopt the First Conference Committee Report to House Bill 1258, and on that question, the Gentleman from Cook,

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Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "He will. Representative Kirkland."

Kirkland: "Yes, just became aware of a possible change. Like to take it out of the record."

Speaker Breslin: "Surely. Out of the record. House Bill 1412, Representative Homer. Representative Homer, on House Bill 1412. There is a First Conference Committee Report. Do you wish to adopt it? Representative Homer."

Homer: "Thank you, Madam Speaker. Ladies and Gentlemen, I move to adopt Conference Committee Report #1 which is the culmination of a compromise and negotiations between interested Legislators in this legislation. The Bill itself has to do with the illegal solicitation of advertisements for police and fire magazines and when the Bill was originally introduced, it was introduced that a violation of that provision was a Class 4 felony. And there was... When the Bill went through the House Jud Committee, an agreement was made that on the floor it would be reduced to a Class A misdemeanor, which we did. Then went to the Senate and they elevated again... reinstated it to a Class 4 felony. So, now we have a compromise whereby a... a first violation is a Class A misdemeanor and a second and subsequent violation is a Class 4 felony. And I know of no opposition in the amended form and I would move for the adoption of Conference Committee Report #1."

Speaker Breslin: "Mr. Clerk, there's an inquiry of the Chair as to whether or not this Conference Committee Report has been printed and distributed. It has been printed and distributed. Representative Homer has moved that the House adopt that First Conference Committee Report to House Bill 1412, and on the question, the Gentleman from Cook, Representative Cullerton."

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Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "Representative Homer, when can we feel safe from these firemen's magazine solicitors? When will this take effect?"

Homer: "What's the... You are asking what the effective date of the Act is? I don't know."

Cullerton: "I believe it's July 1, 1986. Is that... Is that okay with you? You know we have these... this problem of people going around and trying to sell advertisements to firemen's magazines that's pervasive and the reason why we want to pass this Bill is to increase the penalty from a Class C misdemeanor to a Class A misdemeanor which will probably stop it. But if we do have someone who is convicted a second time, which is going to take some time to convict someone a second time before it can be a felony, we'd probably want to have an effective date that would be sooner than July 1, 1986. I don't think the... the state can wait that long."

Homer: "Okay, well, I think that's... I think that's... I appreciate you bringing that to my attention. I wasn't aware that it had delayed effective date, but perhaps, Madam Chairman, with the indulgence of the Chair, I would then ask the House to reject the Conference Committee Report and I would ask for a Second Conference Committee Report in order to take care of that one minor matter."

Speaker Breslin: "The Gentleman has changed his Motion. The Motion is that this House refuse to adopt the First Conference Committee Report to House Bill 1412. And on that Motion, is there any discussion? Hearing none, the question is 'Shall...' Yes, it's going back to a Second Conference Committee Report. The question is, 'Shall the House refuse to adopt the First Conference Committee Report

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to House Bill 1412?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House refuses to adopt the First Conference Committee Report on House Bill 1412. House Bill 1544, Representative Zwick."

Zwick: "Thank you, Madam Speaker. House Bill 1544... Well, the Conference Committee Report on House Bill 1544 amends the Environmental Protection Act to require new municipal waste incinerators to use best available control technology as it is determined by the Illinois Environmental Protection Agency in order to control the emissions of specified... certain specified pollutants. Under current law, there really are not strict enough guidelines for what can be emitted from municipal waste incinerators which we expect to have more and more of as time goes on. The builders of the new facilities would have to obtain a permit from the Illinois EPA which requires them to install whatever best available control technology is according to the Agency. Currently, they are only required to set standards for conventional pollutants. We expanded to other pollutants that everyone has agreed at this point must be regulated, from fine particulates, acid gases, heavy metals. The reason for the Conference Committee Report is that the Amendment which we needed to make the Bill do what it currently does was not adopted until it was in... until the Bill was in the Senate. The Amendment was adopted in the Senate. I nonconcurrent here because we intended to, perhaps, put some other legislation on this Bill, decided that was too controversial and this Bill was so important that we should go with it just as it is. And for that reason, we have kept it just to what the original House Bill 1544 is with the Senate Amendment 1. I would ask for the adoption."

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Speaker Breslin: "The Lady... The Lady has moved that we adopt the First Amendment... First Conference Committee Report to House Bill 14... 1544, rather, and on that question, the Gentleman from Macon, Representative Tate."

Tate: "Thank you, Madam Speaker. I have an inquiry to the Chair. Yes, Madam Speaker. Without trying to harass you or anything, we are, as all the Members are aware, into the time of the Session where it's... it's... we are all attempting to bring some sanity to the process. Would it be possible at all, because all these Conference Committee Reports are piling up, to give us a list of what order we are going to take those in?"

Speaker Breslin: "Representative Tate, we are proceeding, in order, on the Conference Committee Reports as filed on page 7 right on your Calendar."

Tate: "Okay, thank you."

Speaker Breslin: "And we have been proceeding on that Order all morning. Is there any further discussion? There being no further discussion, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 1544?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 60 votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', 2 voting 'no' and 3 voting 'present'. And the House does adopt the First Conference Committee Report to House Bill 1544, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2276, Representative McCracken."

McCracken: "Thank you... Thank you, Madam Speaker. I move that this House adopt Conference Committee Report #1 to House Bill 2276. It amends the Juvenile Court Act to revise the provisions relating to minors requiring authorized

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intervention and essentially holds that in the case of repeat offenders the time period involved therein is shortened except where the person has not been in trouble for a period of a year."

Speaker Breslin: "Excuse me. Excuse me, Representative McCracken. Representative Cullerton, for what reason do you rise?"

Cullerton: "Yes, I just want to make sure Representative McCracken doesn't violate the Constitution by passing this law."

Speaker Breslin: "Is... Mr. Clerk, is this Conference Committee Report printed and distributed? No, it is not. We'll take it out of the record. Representative Friedrich, for what reason do you rise?"

Friedrich: "I wanted to raise the same question. The last one wasn't either and, you know, I... in fairness, not only to the Constitution, I'd kind of like to take a look at some of these things we are voting on."

Speaker Breslin: "Are you... I'm sorry. Representative Friedrich has made a statement that the Conference Committee Report on House Bill 1544 was not printed and distributed. The Clerk's Office has informed me that it was printed and distributed and was... and all proper procedures were complied with. Ladies and Gentlemen, we are going to go now to page 2 on your Calendar, the Order of Concurrences, and those items dealing with the appropriation process. House Bill 418, out of the record. House Bill 569, out of the record. House Bill 651, Representative Barnes - Daniels. Representative Daniels."

Daniels: "Take that out of the record."

Speaker Breslin: "Out of the record. House Bill 652, Representative Daniels."

Daniels: "Madam Speaker, I'd move to nonconcur on House Bill 651

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to Senate Amendment #1... 652, I'm sorry, to Senate Amendment #1."

Speaker Breslin: "Can you briefly give us a reason?"

Daniels: "I don't like it."

Speaker Breslin: "The Gentleman has moved to nonconcur in Senate Amendment #1 to House Bill 652, and on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Breslin: "He indicates he will."

Cullerton: "I wonder if he could just indicate what Senate Amendment #1 does?"

Daniels: "Made some cuts."

Speaker Breslin: "The question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 652?' Representative Cullerton, did you get your answer question... you question answered? He did not. Representative Daniels, do you have answer?"

Daniels: "Why don't we take that out of the record?"

Speaker Breslin: "Out of the record. Representative Cullerton, for what reason do you rise?"

Cullerton: "Yes, I was informed by our staff what the Senate Amendment #1 does. So, I have an answer to my question so I have no objection to nonconcurring with it."

Speaker Breslin: "Okay. We'll call House Bill 652 again. Representative Daniels has made a Motion to nonconcur in Senate Amendment #1 to House Bill 652. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House does nonconcur in Senate Amendment #1 to House Bill 652. On page 3 on your Calendar appears House Bill 653. Representative Daniels."

Daniels: "Yes, I would move to nonconcur in Senate Amendments #1 and 2 to House Bill 653."

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Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendments #1 and 2 to House Bill 653. On that question, is there any discussion? Hearing none the question is, 'Shall the House nonconcur in Senate Amendment #1 and 2 to House Bill 653?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendment #1 and 2 to House Bill 653. House Bill 654, Representative Daniels."

Daniels: "Madam Speaker, I'd move to concur in Amendment #1, nonconcur in Amendments #2 and 5."

Speaker Breslin: "We will have to take separate Roll Calls. The first Roll Call is... the first question is, 'Shall the House concur in Senate Amendment #1 to House Bill 654?' On that question, is there any discussion? The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 654?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action, Ladies and Gentlemen. Have all voted who wish? Have all voted who wish? The Clerk will take the record. In this question... On this question there are 115 voting 'aye', none voting 'no' and 1 voting 'present'. Representative Daniels now moves to nonconcur in Senate Amendment #2 and 5 to House Bill 654. On that question, is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments #2 and 5 to House Bill 654?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House does nonconcur in Senate Amendments #2 and 5 to House Bill 654. House Bill 656, Representative Daniels."

Daniels: "Out of the record."

Speaker Breslin: "Out of the record. House Bill 657, Representative Daniels."

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Daniels: "Yes, Madam Speaker, on House Bill 657, I would move to nonconcur in Senate Amendments #1, 2 and 3."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendments #1, 2 and 3 to House Bill 657. On that question, is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments #1, 2 and 3 to House Bill 657?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendments #1, 2 and 3 to House Bill 657. House Bill 659, Representative Daniels."

Daniels: "Yes, Madam Speaker, I would move to nonconcur in Senate Amendments #1 and 2 to House Bill 659."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendments #1 and 2 to House Bill 659. On that question, is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments #1 and 2 to House Bill 659?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendments #1 and 2 to House Bill 659. House Bill 660, Representative Daniels."

Daniels: "I would move to nonconcur in Senate Amendments #1 and 2 to House Bill 660."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendments #1 and 2 to House Bill 660. On that question, is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments #1 and 2 to House Bill 660?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendment #1 and 2 to House Bill 660. House Bill 661, Representative Daniels."

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Daniels: "Madam Speaker, I would move to nonconcur in Senate Amendments #1 and 2 to House Bill 661."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendments #1... and 2?"

Daniels: "And 2, yes, Ma'am."

Speaker Breslin: "1 and 2 to House Bill 661. On that question is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments #1 and 2 to House Bill 661?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendments #1 and 2 to House Bill 661. House Bill 663, Representative Daniels."

Daniels: "I would move to nonconcur in Senate Amendments #1, 2, 3, 4, 5 and 6."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendments #1, 2, 3, 4, 5 and 6 to House Bill 663. On that question is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments #1, 2, 3, 4, 5 and 6 to House Bill 663?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendments #1, 2, 3, 4, 5 and 6 to House Bill 663. House Bill 664, Representative Daniels."

Daniels: "Move to nonconcur in Senate Amendments #1, 2, 3, 4 and 5; 664."

Speaker Breslin: "The question is... The Gentleman has moved that the House nonconcur in Senate Amendments #1, 2, 3, 4 and 5 to House Bill 664. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments #1, 2, 3, 4 and 5 to House Bill 664?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes'

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have it and the House nonconcur in Senate Amendment #1, 2, 3, 4 and 5 to House Bill 664. House Bill 665, Representative Daniels."

Daniels: "Out of the record."

Speaker Breslin: "Out of the record. House Bill 666, Representative Barnes."

Daniels: "I could move that if you would like me to."

Speaker Breslin: "Okay, does the Gentleman have leave? The Gentleman has leave. Mr. Daniels."

Daniels: "I would move to nonconcur in Senate Amendment #1 to 666."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendment #1 to House Bill 666. Is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 666?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendment #1 to House Bill 666. House Bill 667, Representative Daniels."

Daniels: "Out of the record."

Speaker Breslin: "Out of the record. House Bill 668, Representative Barnes."

Daniels: "I could move that if you'd like me to."

Speaker Breslin: "Representative Daniels asks leave to present this Bill. Does the Gentleman have leave? He has leave. Representative Daniels."

Daniels: "Yes, I would move to nonconcur in Senate Amendments #1, 2, 3 and 4."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendments #1, 2, 3 and 4 to House Bill 668. Is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments #1, 2, 3 and 4 to House Bill 668?' All those in favor say 'aye', all those

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opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendments #1, 2, 3 and 4 to House Bill 668. House Bill 669, Representative Daniels."

Daniels: "Yes, I would move to nonconcur in Senate Amendments #1, 2 and 3."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendments #1, 2 and 3 to House Bill 669. Is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments #1, 2 and 3 to House Bill 669?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendments #1, 2 and 3 to House Bill 669. On page 4 in your Calendar appears House Bill 670, Representative Daniels."

Daniels: "Move to nonconcur in Senate Amendment #1."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendment #1 to House Bill 670. Is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 670?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendment #1 to House Bill 670. House Bill 671, Representative Daniels."

Daniels: "Out of the record."

Speaker Breslin: "Out of the record. House Bill 66... 672, Representative Daniels."

Daniels: "Yes, Madam Speaker, I'd move to nonconcur in Senate Amendments #1, 2, 3, 4, 5, 6 and 7."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendments #1, 2, 3, 4, 5, 6 and 7 to House Bill 672. Is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments #1, 2, 3,

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4, 5, 6 and 7 to House Bill 672?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in the Senate Amendments to House Bill 672. House Bill 673, Representative Daniels."

Daniels: "Out of the record."

Speaker Breslin: "Out of the record. House Bill 674, Representative Daniels."

Daniels: "I would move to nonconcur in Senate Amendments #1 through 23."

Speaker Breslin: "The Gentleman has moved to nonconcur in Senate Amendments #1 through 23 to House Bill 674. Is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments #1 through 23 in House Bill 674?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House does nonconcur in Senate Amendments to House Bill 674. House Bill 676, Representative Daniels."

Daniels: "Out of the record."

Speaker Breslin: "Out of the record. House Bill 678, Representative Daniels."

Daniels: "Out of the record."

Speaker Breslin: "Out of the record. House Bill 679, Representative Daniels."

Daniels: "Yes, House Bill 679, I move to nonconcur in Senate Amendments #1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendments #1 through 12 to House Bill 679. Is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments #1 through 12 to House Bill 679?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in the Senate Amendments to House

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Bill 679. House Bill 683, Representative Daniels."

Daniels: "I would move to nonconcur in Senate Amendments #1, 2, 3, 4, 5, 6 and 9."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendments #1, 2, 3, 4, 5, 6 and 9 to House Bill 683. Is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments #1, 2, 3, 4, 5, 6 and 9 to House Bill 683?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendments #1, 2, 3, 4, 5, 6 and 9 to House Bill 683. On all of these Bills that the Gentleman has moved... Excuse me. There is one more Bill. That is House Bill 2240, Representative Daniels."

Daniels: "Yes, I'll take that out of the record and I'd just like to point out, Madam Speaker, the Senate didn't do very good work."

Speaker Breslin: "The Gentleman has moved to nonconcur in several appropriation Bills. In nonconcurring, he has also asked for a Conference Committee to be appointed and a Conference Committee will be appointed in all of those cases. Ladies and Gentlemen, we are now going to go back to the Order of Conference Committee Reports where we left off on page 7. I understand that Representative Kirkland is ready to go forward with his Bill. Is the Gentleman in the chamber? He is. With leave of the Body, we will then go back to Representative Kirkland's Bill, House Bill 1258. Representative Kirkland."

Kirkland: "Thank you, Madam Speaker. Third time here. Let's hope we can get it through this time. Again, this Bill is from the Illinois Municipal League. It amends the Tax Anticipation Note Act to make changes in relation to the amount of notes which may be issued, interest rates on such

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notes and the manner of refunding them. The Senate Amendment was receded from after there was agreement between the Municipal League and Chapman and Cutler because it was seen that a few more changes were needed just to clean up the language. That cleanup is made in the Conference Committee Report and now we think the Bill is in shape for passage. I have talked about it a couple of times so be glad to answer questions."

Speaker Breslin: "The Gentleman has moved to adopt the First Conference Committee Report to House Bill 1259. Representative Cullerton on the question."

Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "First of all, Representative Kirkland, I want to welcome you here this morning and it's nice to see you are at your desk. And I hope you are able to stick around."

Kirkland: "Thank you. It's tough to get information on that education package. I just..."

Cullerton: "Right, especially after you vote and then have to go to the washroom. Try to get your washroom visits before the... while the Bills are being debated rather than..."

Speaker Breslin: "Keep your remarks to the question, Representative."

Cullerton: "So, the question is..."

Kirkland: "Didn't go to the washroom anyway."

Cullerton: "The question is the effective date of the Bill then... you know, then will not be until next July 1st?"

Kirkland: "Yes, I do."

Cullerton: "Any why don't you want it to go into effect sooner than that?"

Kirkland: "Well, we... I just talked with people from the Municipal League. We think we may, you know, be able to get that changed in the Governor's Office if that's... if

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that's done and it's just a matter of wondering whether, you know, things could fall apart in other issues here and maybe wouldn't get back to it."

Cullerton: "Okay, now, could you tell me, just... just so I can be certain, there is a possibility that there could be an increase in taxes if the Bill passes, is that correct? Remote possibility, a possibility?"

Kirkland: "There may have been a possibility before. There is no possibility anymore. The language about levying... having a levy beyond what's allowed for principal is no longer in there and the 85 percent limit for real estate tax coverage and 75 percent for personal property entitlement, now within that limit is included the interest and the cost of issuance of the bond, of the notes."

Cullerton: "You mean it does not involve the raising of any levy?"

Kirkland: "It does... It does not... Yes, it does not involve the raising of any levy that would add new taxes. I think in the entitlement portion there would be credit back against the general limit that the local governments are allowed too."

Cullerton: "Well, what is the effect of allowing for the cost of issuance to be taken into account in computing the amount of the bonds or the warrants and the rate to be extended? Doesn't..."

Kirkland: "Direct me to the language, would you, please?"

Cullerton: "Yes. The Bill clarifies, if you will, that the cost of issuance of the bonds may be taken into account in determining the rate to be extended while they are outstanding. That's what the Bill does."

Kirkland: "Okay, but the limit is still within 85 percent of the taxes that... of the tax levy that would cover the notes. It can't be more than 85 percent of the taxes levied that

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would cover the notes."

Cullerton: "Well, then what is the theory behind taking into account the cost of issuance in computing the rate to be extended?"

Kirkland: "I just don't think the language is clear or was clear that you could do that. When the Bill started out, the cost of issuance and interest was worded to go beyond the 85 percent limit and it's... it no longer has that wording."

Cullerton: "Thank you."

Kirkland: "Okay."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 1258?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This Bill requires 60 votes for passage. This is final passage. Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no' and 1 voting 'present'. And the House does adopt the First Conference Committee Report to House Bill 1258, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2276. Mr. Clerk, has that been printed and distributed now? It has been. Representative McCracken, on House Bill 2276."

McCracken: "Has it been distributed?"

Speaker Breslin: "Excuse me. They originally said it was printed and now they say it is not printed and distributed. Excuse me, Representative McCracken. We'll go to the next Bill, House Bill 2426, Representative Mays. Representative Mays."

Mays: "Thank you very much, Madam Speaker. Ladies and Gentlemen of the House, House Bill 2426 does one simple thing. It responds to an Appellate Court case. It was... It came out

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in... earlier this... well, in early June, which basically had the effect of putting sail boards or wind surfers off the lakes and streams of Illinois. What this Bill does is classify them and define them under the term 'sailboats' so that they can go where swimming is prohibited and I move for its adoption. It also incorporates the other Amendments. It dealt with snowmobiles and boat licensure discretion. So, I would move the adoption of House Bill 2426."

Speaker Breslin: "The Gentleman moves to adopt the First Conference Committee Report to House Bill 2426. Is there any discussion? Hearing none, the question is, 'Shall this House adopt the First Conference Committee Report to House Bill 2426?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This Bill requires 71 votes for adoption and for passage. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', 1 voting 'no' and 1 voting 'present'. And the House adopts the First Conference Committee Report to House Bill 2426, and this Bill, having received the Three-Fifths necessary Majority, is hereby declared passed. Senate Bill 207, Representative Ronan. Representative Ronan. Out of the record. On page 8 on your Calendar, under Conference Committee Reports appears Senate Bill 320, Representative Ronan. Out of the record. Excuse me, Representative Ronan is now in the chamber. We will go back to page 7 on your Calendar and call Senate Bill 207, Representative Ronan."

Ronan: "Alright, yeah, Madam Speaker, on Conference Committee Report for Senate Bill 207, there was some typographical errors on it so that we are having the Report amended so that as soon as we get the Report done, I'd like to go back

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to back in the record. Are you listening to me, Madam Speaker?"

Speaker Breslin: "Representative Ronan, can you tell us what the typographical error is? Perhaps it can be corrected in Enrolling and Engrossing."

Ronan: "No, I think that... Well, that's what we are doing right now. We'll get right back to it, Madam Speaker. We are getting the Report... When I pass something on the Illinois General Assembly, I want it to be right and I don't want Enrolling and Engrossing to have to do my job so that we'll get right back to it. We just had the staff working all night long to clarify that."

Speaker Breslin: "Okay, we'll take the Bill out of the record, Representative Ronan. The next Bill is Senate Bill 320, Representative Ronan."

Ronan: "Thank you, Madam Speaker. Luckily, we don't have any mistakes on 320. I move that we concur in... or that we... let me... I move that we adopt Conference Committee #1 to Senate Bill 320. The Bill passed out of Conference Committee... passed out of the Senate last night with 44 affirmative votes. I feel it's a solid concept and I move that we concur with Conference Committee Report #1 to Senate Bill 320."

Speaker Breslin: "The Gentleman moves to adopt the First Conference Committee Report on Senate Bill 320, and on that question, the Gentleman from Peoria, Representative Tuerk."

Tuerk: "Well, Madam Speaker, Members of the House, he said there was no mistakes on this Conference Committee Report. The only mistake is the Conference Committee Report itself. Now, Senate Bill 320, everybody should be aware of what is in that Bill. If you recall a week or so ago, we did attach an Amendment in the House on that Bill which said, in effect, that all those manufacturers and businesses that

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have been with and in the State of Illinois for a number of years would get equal treatment with those that this Bill purports to help, that is, brand new businesses in the state. Now, what the Senate has done is taken that Amendment off or the Conferees has taken that Amendment off which, in effect, nullifies the intent of what we attempted to do a week or so ago. And that is to give those businesses who have stuck with the state and given all their support to the tax structure, the revenue stream in the State of Illinois for years and years and years the same opportunity that the new companies would get when and if they establish in the State of Illinois. I think it's a solid concept. I think what the Conferees are attempting to do in this particular Motion is to scuttle all businesses and industry in order to help just one. I think the incentives that have given... we've given to business over a period of the last couple of years have been sufficient to draw from different people who want to come into this state and establish a manufacturing or business organization, I would just hope that this House gives those people who have stuck with the state for over a number of years the same opportunity. I would request that you reject this Conference Committee Report, send them back for another one, see if we can't improve the Report. I ask for a 'no' vote."

Speaker Breslin: "The Gentleman from Macon, Representative Dunn, on the question. He indicates he does not wish to speak. The Gentleman from Adams, Representative Mays, on the question."

Mays: "Parliamentary inquiry. How many votes will this take to pass?"

Speaker Breslin: "It takes 60 votes to pass."

Mays: "Okay, would the Gentleman yield for a question?"

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Speaker Breslin: "He indicates he will."

Mays: "Mr. Ronan, what is the rationale behind taking off Senate... or House Amendment #2?"

Ronan: "It makes for a much better Conference Committee Report."

Mays: "Can you explain the content of House Amendment #2 and then the rationale behind seeking or asking us to vote to take it off."

Ronan: "Well, Representative Mays, I think we have discussed and debated this Bill extensively. Representative Tuerk added Amendment to Senate Bill 320 when I was not on the floor. I disagreed with that Amendment. I think it's bad public policy. What we are trying to do is generate new jobs in the State of Illinois. Everyone seems to be in agreement with that concept. That's what we are here for. That's why we are still working feverishly on July 1st. I..."

Mays: "Okay, to the Bill, Madam Speaker."

Ronan: "But with Representative Tuerk's Amendment, I feel that it's a smokescreen and it's a detriment to that concept. And I think that we should remove his Amendment, pass this Conference Committee on to the Governor so that he can sign it and we can really do something... one of the few times during this Session that we can really establish new jobs in Illinois."

Mays: "To the Bill, Madam Speaker."

Speaker Breslin: "Proceed."

Mays: "Well, to the Sponsor of this Bill, I've enjoyed working with him on transportation matters and working against him on many of the different labor issues that have come before us in this chamber this past year. This Bill totally... If this Conference Committee Report is adopted, what you are doing is failing to recognize the importance of the small businessmen to the State of Illinois because this only applies, if we pass this, to new businesses of over 100

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employers and you are also failing to recognize the importance of those businesses that have been with this state through good times and bad. I remember about a month ago or so we had centennial businesses recognized in our area for their... for having been around for over a century and contributed to the welfare and the well-being of the constituents in my communities. What this Bill does, if this Amendment is... or if this Conference Report is adopted will completely slap small businesses and existing businesses in the face and I don't think that's the kind of message we should be sending out to the number one job producers in this state. So, I would urge a 'no' vote on this Motion to adopt Conference Committee Report #1."

Speaker Breslin: "The Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Madam Speaker, Members of the House. I, too, oppose this Conference Committee Report. For those of us who represent areas that have been devastated by the continuing spiraling costs of business costs in the state, particularly manufacturing areas, which I happen to represent, south-southwest of the City of Chicago, this doesn't help those existing manufacturing firms that are trying to hang on. And in fact, I have sat in Labor and Commerce for the last three years and we aren't supposed to be able to touch the workers' comp or unemployment insurance because there was an agreement. I think this flies in the face of that. I think this is particularly onerous to the area that I represent and I vote... I suggest an 'aye' vote and you look at your districts also."

Speaker Breslin: "The Gentleman from Will, Representative Regan."

Regan: "Thank you, Madam Speaker, Members of the House. I think the Bill in itself is just an end run around the root cause of the problem and that's the cost of unemployment insurance and workmen's comp in the state. What this Bill

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does, it simply allows the taxpayer to pay for the fault of the Legislature increasing the cost of doing business in the State of Illinois. Everybody in the state that pays taxes now will make up for this deficit by these grants. The second thing that it does to hurt business is a manufacturer on one side of the street could have been here for fifty years, a new manufacturer moves in the street the next day and has an unfair competitive edge because of this Bill. I urge a 'no' vote."

Speaker Breslin: "The Gentleman from Peoria, Representative Saltsman."

Saltsman: "Yes, thank you, Madam Speaker. I think this is an excellent piece of legislation. It would really help a county in which I represent which is Tazewell County and parts of it. As we bid for the Mitsubishi plant in the nearby area of my district with us still sitting with about a twenty percent unemployment rate, this is going to be a very effective piece of legislation to help us in central Illinois who need these jobs. I ask for a favorable vote and your help."

Speaker Breslin: "The Gentleman from Lake, Representative Churchill, on the question."

Churchill: "Thank you, Madam Speaker. I rise in opposition to this Conference Committee Report and I would request that there be a verification of the Roll Call should this receive the requisite amount of votes that is necessary for it to pass. I rise in opposition because I feel that in the State of Illinois a business is a business, a job is a job, whether it be a business or a job that you are trying to obtain or a business or a job that you are trying to retain, it's the same thing. The effect of the Amendment that was placed on was to retain jobs and it helps to go along with the rest of the intent of this Bill which is to

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obtain jobs. And, therefore, I feel that this should be a part of the Conference Committee Report. I feel we should reject this at this point, throw it into another Conference Committee and come back with this Amendment still on it."

Speaker Breslin: "The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Madam Speaker. It's no secret to anyone in this Assembly that we are in the midst of a... of some tough competition in trying to win to our state the facility of... Saturn, a General Motors project which would employ several thousand employees as well as being close to winning that competition with regard to Chrysler - Mitsubishi. Now, I would hope that everyone in this Body would recognize the significance of this type of legislation in that competitive contest. And this is a piece of legislation that could push us over the top and land one of these two or both projects. If we were able to do that, unlike some of the previous speakers who mentioned that there would be a deficit to be suffered by the other taxpayers of the State of Illinois, in fact, the amount of additional revenue that would come into the state coffers would alleviate the overall tax burden that is imposed on each of our residents and each of our businesses. In addition, as has been pointed out before, this legislation would not only attract new business to Illinois, but would help existing business by lowering the unemployment insurance payroll tax that those companies now pay as a result of their unemployed workers being reemployed by other industries. So, for a variety of reasons, this legislation should be passed and I would urge your support."

Speaker Breslin: "There being no further discussion, Representative Ronan, to close."

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Bonan: "Thank you, Madam Speaker. Let's set the record straight because there's going to be a Roll Call on this one. Number one, if you want to bring a Chrysler plant into central Illinois you better vote green if that's what your goal is. Number two, if you want to do something about unemployment insurance and workers' comp costs, you better vote green. If not, you are going to go back to your district and say you didn't care about unemployment insurance costs and workers' comp costs. And number three, if you want to stand with Governor Jim Thompson and the officials at DCCA, you better vote green. But if the Republicans want to run and hide, if the Republicans don't care about the business climate in this state and if the Republicans don't care about new jobs, I urge them to vote red. Let's put 67 green votes on this side of the aisle and let's do something about our job environment. I urge an 'aye' vote on First Conference Committee Report to Senate Bill 320."

Speaker Breslin: "The question is, 'Shall the House adopt First Conference Committee Report to Senate Bill 320?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This Bill requires 60 votes for passage. There will be a verification requested should this Bill receive the requisite number of votes. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Churchill, for what reason do you rise? The Clerk will take the record. On this question there are 62 voting 'aye', 54 voting 'no' and none voting 'present'. And Representative Churchill has requested a verification of the Affirmative Roll. Representative Bonan has requested a Poll of the Absentees. Poll the absentees, Mr. Clerk."

Clerk Leone: "Poll of the Absentees. Bullock and Nash. No

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further."

Speaker Breslin: "Poll of the Affirmative."

Clerk Leone: "Poll of the Affirmative. Alexander. Berrios. Braun. Breslin. Brookins. Brunsvold. Capparelli. Christensen. Cullerton. Curran. DeLeo. Farley. Flinn. Flowers. Giglio. Giorgi. Hannig. Hartke. Hawkinson. Hicks. Homer. Huff. Keane. Koehler. Krska. Kulas. Laurino. LeFlore. Leverenz. Levin. Matijevich. Mautino. McGann. McNamara. McPike. Mulcahey. O'Connell. Panayotovich. Pangle. Phelps. Preston. Rea. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Soliz. Steczo. Stern. Sutker. Terzich. Turner. Van Dwyne. Vitek. Washington. White. Wolf. Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker Breslin: "Do you have any questions of the Affirmative Roll, Representative Churchill?"

Churchill: "Madam Speaker, Representative Leverenz."

Speaker Breslin: "Representative Leverenz. Representative Ronan, for what reason do you rise?"

Ronan: "Madam Speaker, Representative Leverenz is in the ongoing Appropriations Committee's negotiations. I'll verify every Roll Call for the rest of the day on Republican Members of the Appropriations Committee if they knock off either Leverenz... they could knock Bowman off if they want to because he's a 'no'. But my attitude is that we know where he's at. He's in the building. He's negotiating the budget. If they want to knock him off, I'm going to knock off Hastert and Janie Barnes off every Roll Call."

Speaker Breslin: "Representative Churchill, do you still wish to question the vote of Representative Leverenz?"

Churchill: "We'll continue to have Representative Leverenz's name."

Speaker Breslin: "Okay, the Gentleman does not wish to question

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Representative Leverenz at this time. Representative Koehler, for what reason do you rise? The Lady changes her vote from 'aye' to 'no'. Representative Dunn, for what reason do you rise? Representative Dunn changes his vote from 'no' to 'aye'. Do you have any further questions, Representative Churchill?"

Churchill: "Representative Berrios."

Speaker Breslin: "Representative Berrios. I cannot see Representative Berrios. He is in the chamber. Any further questions?"

Churchill: "Representative Brookins."

Speaker Breslin: "Representative Brookins. Representative Brookins. Is the Gentleman in the chamber? How is he recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Breslin: "The Gentleman is not in the chamber. Remove him from the Roll Call."

Churchill: "Madam Speaker, was Representative Berrios here?
I..."

Speaker Breslin: "He was and he still is."

Churchill: "Okay, alright. I just heard you say that you couldn't see him and I didn't know whether that he was here or not. Representative Capparelli."

Speaker Breslin: "Representative Capparelli is in his chair."

Churchill: "Representative Farley."

Speaker Breslin: "Representative Farley is in the back of the chamber."

Churchill: "Representative Giorgi."

Speaker Breslin: "Representative Giorgi. Representative Giorgi is in the chamber."

Churchill: "Representative Huff."

Speaker Breslin: "Representative Huff is in the back of the chamber."

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Churchill: "Representative Shaw."

Speaker Breslin: "Representative Shaw. Representative Shaw. Is the Gentleman in the chamber? How is he recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Breslin: "Remove Representative Shaw. Representative Brookins has returned to the chamber. Add him to the Roll Call. Do you have any further questions, Mr. Churchill?"

Churchill: "Madam Speaker, I realize that there have been some requests not to call for Representative Leverenz and Bowman, but at this point, I believe we are at 61 votes, is that not correct?"

Speaker Breslin: "Are you finished with your request for a verification, Sir?"

Churchill: "I would... I would call on Representative Leverenz."

Speaker Breslin: "Representative Leverenz. Representative Leverenz. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Breslin: "The Gentleman is not in the chamber. Remove him from the Roll Call. Do you have any further questions, Representative Churchill?"

Churchill: "Representative Bowman."

Speaker Breslin: "Representative Bowman. Representative Bowman voted 'no', Mr. Churchill."

Churchill: "I have no further questions, Madam Speaker."

Speaker Breslin: "On this question there are 60 voting 'aye'... there are 60 voting 'aye', there are 54 voting 'no' and there are none voting 'present'. And this Bill, having received... and the House does adopt the First Conference Committee Report to Senate Bill 320 and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 416, Representative Giorgi. Representative Giorgi. Representative Piel, for what reason do you rise?"

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Piel: "Question of the Chair, Madam Speaker. Has this been printed and distributed?"

Speaker Breslin: "Mr. Clerk, can you advise us? This Bill has... This Conference Committee Report has been printed and distributed, Mr. Piel. Proceed, Representative Giorgi."

Giorgi: "Madam Speaker, this is Senate Bill 516... 416, Senate Bill 416. It deletes everything and becomes the Bill. What it does is provides the mechanism whereby maintenance or child support payments can be collected by the clerk of the court and then forwarded to the party entitled to the payment. The clerk... court clerk in counties other than Cook is allowed to deduct only the cost of postage from the payment amounts. Cook County already does that. The Amendment allows court clerks in counties of population of one million or less to charge the person making payment an annual fee of \$36 for administrating the collection and distribution of maintenance child support payments. That's the extent of the Bill."

Speaker Breslin: "The Gentleman has moved that we adopt the First Conference Committee Report to Senate Bill 416, and on that question, the Gentleman from Macon, Representative Dunn."

Dunn: "It's difficult to hear the explanation, but can we have an explanation about the impact of this legislation upon fees allowable by... fees which the circuit clerk can charge those who pay child support?"

Giorgi: "36 dollars a year. 36 dollars a year, three dollars a month."

Dunn: "What if there is a... Oh, okay, I'm thinking about something else. So, let me ask this. Who pays this three dollars?"

Giorgi: "The person that pays the support."

Dunn: "And what if the support money is taken from his or her paycheck at work? Do you know anything about that?"

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Giorgi: "Uh, let's see. They'd take it... when they got their hands on the money, they'd take three bucks a month for the processing of this... these payments."

Dunn: "The reason I ask, this probably is going to pass, but there is legislation floating around here which would authorize a deduction from the employee's check in the amount of two dollars per check, so if you are paid weekly, that would be eight dollars a month, roughly, by the employer for the expense of processing the paperwork to send a check to the clerk of the court. Then the clerk of the court is going to charge the same person three dollars a month. Do you think..."

Giorgi: "I have no control over the part you are talking about. This Bill doesn't address the part where an attorney goes in and gets a garnishment (sic - garnishment) or whatever he does. I have no control over that part."

Dunn: "I know, but that won't make any difference to the employee who has to pay this. So there could be as much as eight dollars a month plus three dollars a month, eleven dollars a month that the payer must bear to pay child support. Do you think that's a possibility?"

Giorgi: "I'm not... You know, it's not my purview to answer..."

Dunn: "Okay, well, another question is, explain the provisions in the Conference Committee Report about special fund for circuit clerks. What's that about."

Giorgi: "In the event... I... This provision is similar to the provisions applicable to county coroners, treasurers and clerks, it allows expenses to be paid as incurred, rather than only at county board meetings. In other words, if I guess the clerk has to do some traveling for this type work, he is to be reimbursed."

Dunn: "And what is... How is this monitored? How are expenditures authorized and approved? Does the clerk then

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have..."

Giorgi: "The county board controls the payment of the vouchers."

Dunn: "Well, if the clerk goes someplace, can the county board then refuse to pay the voucher if it's within the..."

Giorgi: "That's correct. The county board has the final authority to honor vouchers or not honor vouchers."

Dunn: "And what's the present practice?"

Giorgi: "That's the way they do it now."

Dunn: "Well, no county... no circuit clerk in his right mind should travel then. Isn't there some way to find out ahead of time whether there's a likelihood that the..."

Giorgi: "I suppose if he gets burned once he won't try it again."

Dunn: "Well, alright. Thank you."

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

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

Speaker Breslin: "He will."

McCracken: "That silly Amendment I put in in the House allowing the circuit clerk to hire an attorney to help him enforce this is out of this, right?"

Giorgi: "Yes, the Senate was adamant."

McCracken: "Yes, that's what I heard. Well, I think we should send a message to the Senate that they've got the wrong idea and send this into a second Conference. And we should be adamant. Representative Cullerton's Amendment was taken off as well. And Representative Cullerton wanted a 20 dollar fee. Now, it's raised to a 36 dollar fee. I wanted the authority given to the Clerk to enforce these orders because statutory authorization is meaningless in the absence of an attorney going into court to enforce these orders. And all of you who think that this is just a lawyer Bill, or think that this is something unimportant..."

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Giorgi: "John, I'm sorry..."

McCracken: "This maintenance is done for the purpose of supporting the children and the spouses who do not have the ability to support themselves, and that was a very important provision. I was told it was going to be left in the Conference Committee. I know it's not Representative Giorgi's fault. I've been told it's the Senate that has refused to agree to those Amendments. But I would recommend that we send a message to the Senate and tell them they're wrong. And tell them that this is what we need to help support these persons, and it's going... all it is is permissive authority to allow the clerk to hire a part-time attorney so that they can get these matters into court and get delinquent payments paid for. So, let's send this back for a second Conference and send the Senate... send a message to the Senate that we don't agree."

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

Hicks: "Yes, Madam Speaker, Ladies and Gentlemen of the House, Senate Bill 416, as it originally was, was a 20 dollar fee, as we've heard, and I spoke against it as a 20 dollar fee and now it's been raised to a 36 dollar fee. I think we're going the wrong way. If we're going to talk about a fee, let's leastwise make it something reasonable. Let's take it down to 5 dollars, maybe. I have a little conflict of interest, but certainly I do. I pay it every month. But I would suggest we send this back to the Senate. See if we can't go the other way. Instead of going up, let's go down."

Speaker Breslin: "The Gentleman from Dekalb, Representative Countryman."

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I spoke on this the other day. I still have

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the same concern that I had the other day. This is maintenance and child support going through the court, and that's a good system. It gives a good record of payments, and people will know it. But maintenance is for the benefit of one spouse paid by the other. And the burden for the fee, the 36 dollars, is solely upon the respondent. And I just don't think that's fair. Whatever the fee will be, it ought to be paid equally by both parties. And for that reason, I'd urge a 'no' vote on this Conference Committee Report."

Speaker Breslin: "The Gentleman from Knox, Representative Hawkinson."

Hawkinson: "Thank you, Madam Speaker. Will the Sponsor yield for a question?"

Speaker Breslin: "He will."

Hawkinson: "Representative, this authorizes a 36 dollar annual fee for a maintenance order, and a 36 dollar fee for a support order. My question is, if you have both a maintenance order and a support order, will there be one or two 36 dollar annual fees?"

Giorgi: "One 36 dollars or 3 bucks a month, and the circuit clerks need this money to administer this function."

Hawkinson: "Thank you."

Speaker Breslin: "Representative Giorgi to close."

Giorgi: "I just said it. The circuit clerks have been harrassed. Last night we fought for legislation for the county boards to get some money to maintain our offices. And we're talking about a 3 dollar a month service fee to take care of child support, maintenance support. And in many instances, this shouldn't be a function of the clerk to begin with, but we're stuck with it."

Speaker Breslin: "The question is, 'Shall the House adopt the first Conference Committee Report to Senate Bill 416?' All

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those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 71 votes are required for adoption. This is final passage. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 48 voting 'aye', 61 voting 'no', and 3 voting 'present'. And the Motion fails. Representative Giorgi for another Motion."

Giorgi: "Madam Speaker, I think we better refuse to accept Conference Committee Report 1, but I suggest that maybe there be 10 attorneys on this Conference Committee, five representing the plaintiffs and five representing the defendants. In other words, five specialists in divorce law and five that are specialists in keeping the family together, so we don't have these problems in the circuit clerk's office."

Speaker Breslin: "The question is, 'Shall the House refuse to adopt the first Conference Committee Report to Senate Bill 416?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to adopt the first Conference Committee Report to Senate Bill 416 and requests a second Conference Committee. Senate Bill 447, Representative Giorgi."

Giorgi: "447 is the Conference Committee Report that has to do... originally started with the... it amended the workmen's comp that limits the assessment which may be levied against an individual employer, a member of a self-insurer group, and it had to be limited to 25 percent of the increase of the average three years previous. Then we also replenished the... requires that the... when the second... fund has been reduced 300,000 the employer contribution to replenish the fund shall be triggered. This is the same as House Bill 1262 which passed."

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Speaker Breslin: "The Gentleman moves to adopt the First Conference Committee Report to Senate Bill 447. Is there any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 447?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This Motion requires 71 votes for adoption. This is final passage. Have all voted who wish? The Clerk will take the record. On this question, there are 110 voting 'aye', 2 voting 'no', and 3 voting 'present'. And the House does adopt the First Conference Committee Report to Senate Bill 447. And this Bill, having received the Three-Fifths Constitutional Majority, is hereby declared passed. Senate Bill 623, Representative Peterson."

Peterson: "Thank you, Madam Speaker, Members of the House. This Conference Committee Report provides that in downstate counties a county may bill a township for expenses incurred by the supervisor of assessments for uncompleted assessment work of township or multi-township assessors. It also provides townships or multi-townships the provision to enter into a contract with a qualified individual to perform assessment work when a vacancy in the assessor's office occurs. In addition, it also deletes the provision requiring the county clerk to reduce the tax rate of a taxing district to offset the interest received. I know of no opposition to the report, and I move for approval of the First Conference Committee Report, Senate Bill 623."

Speaker Breslin: "The Gentleman has moved to adopt the First Conference Committee Report to Senate Bill 623. Is there any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 623?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 71 votes are required

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for passage. This is final passage. Have all voted who wish? The Clerk will take the record. On this question, there are 117 voting 'aye', none voting 'no', and none voting 'present'. And the House does adopt the First Conference Committee Report to Senate Bill 623. And this Bill, having received a Three-Fifths Majority vote, is hereby declared passed. Senate Bill 796, Representative Slater. Out of the record. Senate Bill 834, Representative Zwick."

Zwick: "Thank you, Madam Speaker, Members of the House. The Conference Committee Report on Senate Bill 834 contains really the provisions of two earlier Bills that you've heard before you. The original Bill, House Bill 1556, which is a consolidation of the Consumer Finance Act and the Consumer Installment Loan Act, so that the commissioner could more easily regulate all of those people who are in the business of giving consumer loans. It takes those provisions which passed out of this House almost unanimously, but was narrowly defeated in the Senate because of some concerns that they raised. We dealt with the Senators' objections and put some more consumer protection language in the original Bill, so that now, I think if you read - it's a rather lengthy report - you would find it quite agreeable and something that really streamlines the system. It also contains some of the provisions of the original House Bill 419 which was a Cullerton - Zwick Bill and dealt with some of the commissioners' recommendations on trust companies for cleaning up the language, emergency takeovers, allowing foreign banks to purchase banks in an emergency situation, Illinois banks, and dealing with electronic fund transfers. It allows for the statewide sharing of automatic teller machines between proprietary networks."

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Speaker Breslin: "The Lady moves to adopt the First Conference Committee Report to Senate Bill 834. And on the question, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Breslin: "She will."

Cullerton: "Representative Zwick, I believe there was some confusion with regard to this Conference Committee Report in that there may have been more than one being distributed. And for that reason, I want to be very clear as to what is included in this particular Conference Committee. Now, could you characterize the contents of the Conference Committee in terms of other Bills, or Amendments to other Bills that we have voted on in the General Assembly?"

Zwick: "Certainly."

Cullerton: "Okay."

Zwick: "Our original Bill, John, House Bill 419, dealt with the foreign banking zones and dealt with federal insurance for banks, mandatory FDIC insurance for all banks in Illinois, and dealt with automatic teller machines being shared on a statewide basis."

Cullerton: "Right."

Zwick: "That language is in this Conference Committee Report."

Cullerton: "What language is?"

Zwick: "The electronic fund transfer language."

Cullerton: "And that... that was the only thing that was in 419 that's on this."

Zwick: "No, there were so many provisions, John, on 419."

Cullerton: "That's why I want to make sure I know."

Zwick: "Okay. Okay. We allow... the provisions from 419 that are in the Bill are allowing the commissioner of banks and trusts to set organization, capital requirements and removes the current requirements, requires all state banks

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to carry federal insurance as I had mentioned, allows the directors of a bank to satisfy share ownership requirements through ownership of shares in the parent bank holding company, provides that the commissioner shall revoke the approval of change in a bank's charter if the change is not implemented within one year, allows a bank which purchases a failing bank to operate all of the existing facilities at the time of the takeover even if that would exceed the legal limit."

Cullerton: "I know. Okay, I know what that one does. The only one that I'm concerned about, then, is the federal insurance."

Zwick: "Okay. There is nothing in there on federal insurance for savings and loans or for credit unions, which was in the original House Bill 419. That has been removed."

Cullerton: "It's only federal insurance for the banks."

Zwick: "For banks."

Cullerton: "Okay. And then electronic fund transfer."

Zwick: "The language from... I think it's House Amendment... House Amendment 1. I'm sorry. It's language from House Amendment #2."

Cullerton: "To 419?"

Zwick: "Right."

Cullerton: "Okay, and that was a... requested by the... the Commissioner of Banks."

Zwick: "Right."

Cullerton: "That was also House Bill 1964 and 65."

Zwick: "Correct."

Cullerton: "And then... besides 419, that's included in this Conference Committee Report, what else is in there?"

Zwick: "The original contents of House Bill 1556, but with numerous changes that will... were made because of inquiries by the Democratic staff and the Senate, in fact,

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in regard to consumer protection language. It's the consolidation of the two Consumer Loan Acts."

Cullerton: "Okay. Thank you very much."

Speaker Breslin: "There being no further discussion, the question is... Excuse me. The Lady from Cook, Representative Parcels, on the question."

Parcels: "Thank you, Madam Speaker. Going through this as quickly as possible, on page 40, I noticed that there's a provision, and I don't know if this had been in the original Bill or not, for the Foreign Banking Corporation may establish and maintain a banking office outside the central business district. Did we discuss this before? Maybe I don't have the final copy."

Zwick: "Yes, Margie, this was in 419 as it passed out of the House. It was part of the Commissioner's requested cleanup language."

Parcels: "Okay. This is not something new, then."

Zwick: "It deals with a particular bank in the... neighborhood which he was trying to deal with an emergency takeover and needed that language in the statutes in order to deal with that as best he could."

Parcels: "And this doesn't open up the door to a whole lot of other banks?"

Zwick: "No. Absolutely not. I know that there was talk at one time about a provision being in this Bill about foreign banks, changing the boundaries, and allowing for home office protection to no longer exist. But that is not in the Bill, Margie."

Parcels: "Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 834?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This Bill

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requires 71 votes for adoption. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 96 voting 'aye', 7 voting 'no', and 10 voting 'present'. And the House adopts the First Conference Committee Report to Senate Bill 834. And this Bill, having received a Three-Fifths Vote, is hereby declared passed. Representative Farley, for what reason do you rise?"

Farley: "Thank you, Madam Speaker. I pushed the wrong voting button on Senate Bill 447, and would the Journal reflect that I wanted to vote 'aye' on that Bill?"

Speaker Breslin: "The Journal will so reflect, Representative Farley. The next Bill is Senate Bill 882, Representative Terzich."

Terzich: "Yes, Madam Speaker, Ladies and Gentlemen of the House, I move that we concur with Conference Committee #1 to Senate Bill 882. The Conference Committee recommends that the House recede from House Amendment #1, and that the Bill be further amended to provide that the financial institutions make funds deposited by checks available for withdrawal within five business days rather than three business days, as in the Bill, when a check is drawn on a financial institution within the... with an office in Illinois. The Bill is the Expedited Check Clearing Act. It requires financial institutions to make funds deposit available into an account by check available for withdrawal within one, five, or eight financial institution business days depending upon the source, and the amount of the check. The Bill requires that financial institutions make funds deposited by check available for withdrawal within a specified number of business days. One day for... if the check is drawn on that financial institution as a Federal Government, or Illinois Government check, or is an amount

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less than 50 dollars; five days when the check is drawn on the financial institution with the office in Illinois; and eight days when the check is drawn elsewhere. And the reason the Bill gives the eight days to clear a check from outside Illinois is because their Uniform Code gives a limit of seven days. The provisions of the Bill are extremely liberal, and I would move that we concur with Conference Committee #1 to Senate Bill 882."

Speaker Breslin: "The Gentleman moves that the House concur in the First Conference Committee Report to Senate Bill 882. And on that question, the Gentleman from Will, Representative Davis."

Davis: "Maybe the provisions are too liberal, Bob. It is rare I even vote against a Terzich Bill. It is almost never that I can remember I ever spoke against one, and maybe I won't if you could explain to me. Isn't this the original language now that was in the Bill as came over from the Senate?"

Speaker Breslin: "Representative Terzich."

Terzich: "Yes, except there's one change in the Bill where it changed the days for checks drawn which was from the Banking Association, requested a change from 3 to 5 days."

Davis: "Okay. But it's basically saying... I guess I got a couple of problems in that the Federal Reserve clearing houses are really the problem here. It is not state law that can supersede the federal clearing houses, and they have an average seven day turn around in the federal clearing houses. So, you would automatically make every bank, and I don't know what the offense is if they don't do this, every bank, and savings and loan, and credit union institution in this state, guilty of a violation of whatever your violative or punitive provisions are in the Bill if they don't comply with this. The other problem

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that I have is check forgery and bad checks are endemic to the State of Illinois. And if you shorten the time that a... that a bank has to make available funds shorter than the clearing house turn around time, it means that whoever is writing bad checks at that point in time, has more access to the process without being detected. It seems to me that we ought take a look at this. I don't think it's a very good idea, Bob, and I don't know why the agreement that was made with the institutions wasn't... I mean I don't know why we're going back to the way it was before. So, I'm going to oppose it."

Speaker Breslin: "The Gentleman from Cook, Representative Piel, on the question."

Piel: "Will the Gentleman yield for a question, please?"

Terzich: "Yes."

Piel: "Bob, what was the reason that the Senate refused to recede from House Amendment #1? That was the Amendment that was put in to clear up any problems that different institutions saw in the Bill."

Terzich: "Well, it was a defective Amendment. It basically gutted the Bill, and it didn't do anything. That was the only reason. I mean..."

Piel: "Well, defective... I won't argue on whether it was a defective Amendment. It was an Amendment that I felt cleared up problems that the banks, savings and loans, and credit unions in the State of Illinois had. Let me ask you this. Does this Bill, the way it is structured right now, apply to federal and state credit unions?"

Terzich: "Yes, it does because there is no federal law. The federal law is silent on the matter."

Piel: "I'm sorry, I would have to disagree with you on that point, Bob. This is the... see if we have a situation where we presently do, where federal law supersedes state

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law on this matter, you're running into establishing a dual system and a very good example would be Caterpillar. Caterpillar has gone to a federally chartered credit union for the reason of, you know, the two system with the state and federal situation. If we start setting up state laws dealing with clearing, we are trying to, which we cannot, supersede federal law. Federal law states what the clearing system will be for credit unions, and I'm just speaking on this moment for credit unions. Different people have asked me why I did not sign the report. First of all, the report was not brought to me till something like five hours after the fact that they started, you know, they felt that they could get the signatures without me, fine. If they can get the signatures without me, that's great. But this is a situation to where you're sitting here trying to supersede federal law which you cannot do in the federal credit union area. And I would ask the Members of the House, I think this should go back into a Second Conference Committee be cleared up - because there are definite problems with it - be cleared up, and I would ask the Members of the House to either vote 'present' or 'no' on the First Conference Committee Report."

Speaker Breslin: "The Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Breslin: "He will."

Friedrich: "Who wanted this Bill? I don't see any crying need for it, and I'd like to know what the genesis is."

Terzich: "Well, there's... Number one, there's been numerous constituent complaints with regard to the cash flow of... and also current studies show that there's an abuse on the cash flow on check deposits and you probably have heard about E. F. Hutton who was fined quite substantially on

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keeping cash flows, and these are some of the things that's been happening. At the present time, the federal law is silent on this. There are some legislations pending, and if that is the case, then certainly the federal law would supersede and be applicable to federal... federally controlled institutions. So, therefore, the Bill is not in any conflict with any federal law at the present time. And then... and it's certainly needed."

Friedrich: "Well, to the Bill. Just let me say that I think we have more than one kind of Illinois, and I live in the rural part where mail is slow, sometimes messenger service is long and the federal clearing house doesn't get the stuff back to you. Now, you're going to make criminals out of banks, and savings and loans, and credit unions in my area for no reason that I can figure out that's any responsibility of theirs. So, I hope again that... let this go back to Second Conference Committee."

Speaker Breslin: "The Gentleman from St. Clair, Representative Flinn, on the question."

Flinn: "Madam Speaker, I was one of those who signed the Conference Committee Report and because the Bill is so thick I did not get a full explanation. But this has already been brought out that this Bill would be very unfair to state chartered credit unions as opposed to federally chartered. And I'm going to have to change my vote - I was going to vote 'aye' - and vote 'no', because of that I was not aware that it was a very unfair Bill for state chartered credit unions."

Speaker Breslin: "The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I, too, unfortunately have to rise in opposition to this Conference Committee Report. As previous speakers have indicated, this legislation would attempt to apply to

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both state and federally chartered institutions. And I can't do that. The Credit Union League is opposed to this. I don't think the legislation will work, and I think we need to send this, back and clean this Bill up. So, I oppose the Conference Committee Report #1 to Senate Bill 832."

Speaker Breslin: "Representative Terzich to close."

Terzich: "I don't know what the other speakers were talking about the federal law. But after all the research, the federal law is silent on the issue. There is no federal law with regard to this, and all of this is simply pending. And so therefore, with the federal law being silent it doesn't apply. And you know, what we're looking for in this particular legislation is consumer protection, not bank protection, or credit union protection, but also consumer protection. It has been reviewed. If you want to see the float go, there's nothing unreasonable about the legislation. It provides for civil penalties for noncompliance. It doesn't give them the death penalty, but does give them some remedy under the Bill. There are times that 99 percent of the checks clear are federally funded. So, this is really no problem. There's no problem with 90 percent of the institutions in the State of Illinois, and those people that are operating in a good, sound manner. It certainly doesn't affect them. It only affects the ones that are actually holding this here float; that they keep checks up to three weeks, mind you; three weeks that they withhold the checks. The Bill does provide reasonable limitations within it. With today's modern electronics and computers, there's certainly no reason for this. This is a consumer piece of legislation, extremely liberal in its enforcement, and it certainly can be applied with rather than having these institutions hold onto this money, and I

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would urge that we support Senate Bill 882 and adopt Conference Committee 1."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 882?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 60 votes are required for adoption. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 30 voting 'aye', 71 voting 'no', and 12 voting 'present'. Representative Terzich, do you wish to make a substitute Motion?"

Terzich: "Yes, Madam Speaker, I now move that we nonconcur with Conference Committee #1 and ask that a Second Conference..."

Speaker Breslin: "The Gentleman moves that we nonconcur in the First... rather, the Gentleman moves that we not adopt the First Conference Committee and ask for a Second Conference Committee. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and a Second Conference Committee will be appointed. Senate Bill 1091, Representative Panayotovitch. Out of the record. Senate Bill 1165, Representative Currie. Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. The provisions of Senate Bill 1165 now incorporate what was the provisions in... what were the provisions in Senate Bill 112, an Act to create the Environmental Toxicology Act, establishing a program in the Department of Public Health to investigate threats to public health that might be connected to environmental and occupational exposure to toxic substances. Additionally, the Bill that you see before you, the Conference Committee Report that you see before you contains updating of the state's statutes with

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respect to manufactured housing. It does not make any substantive change in any of those provisions but merely makes sure that the statutes generally speaking do reflect the state of the substantive law. I'm happy to answer your questions, and I would appreciate your support for Conference Committee Report 1 to Senate Bill 1165."

Speaker Breslin: "Calendar announcement."

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

Speaker Breslin: "The Lady has moved on Senate Bill 1165 to adopt the First Conference Committee Report. On that question, the Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in opposition to this Conference Committee Report. As Representative Currie stated this to... this Conference Committee Report contains two very divergent issues. Number one, the Pesticide Act was stripped from the Conference Committee Report. And I originally favored the Pesticide Act, but it is no longer in this Conference Committee Report. What this now contains is a vast new responsibility for the Department of Public Health which is already burdening under their current responsibilities and having to request new money to take care of the new responsibilities they have been given since the salmonella outbreak, and now they are being asked to assume massive new responsibilities under this Toxicology Act. There is no money in the budget for something this enormous, and I think because of the ambiguous nature in this Toxicology Act that it isn't clear what their... perfectly clear what their responsibilities are. And besides, the Department of Public Health has been able to do some of this type of thing on an informal basis, but by putting it into what is a somewhat ambiguous state in the statutes, it would make it much more difficult for

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them to follow. So, because of the toxicology portion of this, I am opposing it, but somewhat ludicrously, this also is going... this Conference Committee Report also contains issues dealing with mobil and manufactured homes, and I really cannot speak to that issue. Perhaps someone else could speak to that, but I do oppose the portion that deals with the toxicology responsibilities for the Department of Public Health."

Speaker Breslin: "The Gentleman from Knox, Representative Hawkinson."

Hawkinson: "Thank you, Madam Speaker. Will the Sponsor yield for a question?"

Speaker Breslin: "She will."

Hawkinson: "Representative, some questions about the manufactured housing unit portion of this Bill. I'm looking at page 11 of the Report, Section 2-2-1.1, and it gives a definition of immobile dwelling as including any recreational vehicle or manufactured housing unit, whether or not that is placed on a foundation or otherwise permanently affixed to the realty. What is the purpose of putting... including, within this definition, units that are not placed on a foundation or otherwise permanently affixed to the realty?"

Currie: "My understanding, Representative Hawkinson, is that this is a present state of the substantive law with respect to opportunities of taxation at the local level. This is a clarification in this part of the statute for what is already provided in other substantive Bills."

Hawkinson: "So, at this point, these are taxed as real estate?"

Currie: "Pardon me, Representative?"

Hawkinson: "These are currently... These are currently being taxed as real estate, whether or not they're placed on a foundation or otherwise permanently affixed to the realty?"

Currie: "Yes, let me... let me yield to Representative Pangle. I

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believe he was the original Sponsor of the... this Section of the Conference Committee Report."

Speaker Breslin: "Okay, the Lady yields to Representative Pangle. Representative Pangle to answer Representative Hawkinson's question."

Pangle: "Yes, the language is to clarify the taxation as far as a privilege tax or a real estate tax, and as to what is a permanent foundation."

Hawkinson: "Well, is the clarification designed to ensure that they are taxed as real estate tax?"

Pangle: "If, in fact, there is a foundation, which is part of the language, so deep and it goes into the ground and so forth, yes, it does. It will tax it as real estate tax."

Hawkinson: "Well, I understand what you're saying. But my question is on page 11 Section 2-2-1.1 it says, 'whether or not the manufactured housing unit or the recreational vehicle is placed on a foundation or otherwise permanently affixed to the realty'. I thought I understood you to say that it would be taxed as realty only when there's a foundation going into the ground, but this... Does this Section say something else? It appears to."

Pangle: "To be very honest with you, I haven't seen the Report as to the change in the... It could have something to do with clarifications of rods that are also placed permanently in the ground as to it being a permanent fixture."

Hawkinson: "Well, let me ask you this. If it's a recreational vehicle on wheels, will it be taxed as real property?"

Pangle: "No, it won't. It'll... In fact, that would be a privilege tax, if it is permanently inhabited."

Hawkinson: "Well, why then do we define a recreational vehicle on wheels as an immobile dwelling?"

Pangle: "It makes it consistent with the federal definition."

Currie: "I don't think, Representative Hawkinson, that this

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makes..."

Speaker Breslin: "Excuse me, Representative Currie, you were not recognized. Proceed, Representative Pangle."

Pangle: "I'm done."

Hawkinson: "Well, maybe..."

Speaker Breslin: "Representative Hawkinson, do you have any further questions, or would you like to speak to the question?"

Hawkinson: "Could I ask that question of Representative Currie, the Sponsor?"

Speaker Breslin: "Okay. A question of Representative Currie. Representative Currie for the question."

Currie: "My understanding, Representative Hawkinson, is that what this... what this part of the Conference Committee Report does is to make sure that our definitions of manufactured housing are consistent with those in the Federal Code. It has nothing, as I understand it, to do with the way in which manufactured housing units, mobile homes and so forth, presently are, or will be, or can be taxed at the local level. It has nothing to do with the way in which county or local zoning ordinances would affect the development of mobile home parks and other kinds of activities. My understanding is that the only thing that this part of the Report does is to bring our definitions into consistency with the way the local decisions presently are made and with federal definitions of these kinds of structures."

Hawkinson: "I'm sorry, Representative Currie, I didn't catch all of that. There's a lot of noise in this area. As I understand it, there's no intention in this Bill to change the status of mobile homes in regard to real estate taxation or zoning laws, but I didn't catch other than to make it consistent with federal definitions what the

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practical affect of this Act is."

Currie: "I think it's just a bringing into conformance of our state statutes with the definitions that are in some parts of the statutes and not in some other parts of the statute, and that are consistent with federal definition. This proposal makes absolutely no difference in the way local governments will or will not tax, in the way local governments will or will not zone. It is definitional only."

Hawkinson: "Thank you."

Speaker Breslin: "The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Madam Speaker, who is the Sponsor of this?"

Speaker Breslin: "Representative Currie."

Vinson: "Inquiry of the Chair to begin with."

Speaker Breslin: "State your inquiry."

Vinson: "Madam Speaker, this Conference Committee Report is styled as an Amendment to the Bill. You'll note on line 16 page one that they recommend that Senate Bill 1165 be amended as follows and then proceed to write the Bill. So, it is an Amendment to the Bill. Now, I would like to raise two points of order in regard to it. First of all, the language deals with manufactured housing. On page 21, for instance, the Bill was a Bill that dealt with the Department of..."

Speaker Breslin: "Excuse me, Representative Vinson, could you wait just one moment while we get a copy of the Conference Committee Report?"

Vinson: "Sure. Sure."

Speaker Breslin: "Representative Mautino, for what reason do you rise?"

Mautino: "To ask a question of the Sponsor."

Speaker Breslin: "I'm sorry, Representative Mautino, we are in

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the middle of an inquiry of the Chair from Representative Vinson. We'll get back to you when Representative Vinson finishes. Unless, it... unless you have a similar inquiry."

Mautino: "My... my question for reference is, I would like to know which prior Bill the Environmental Technology Act, which is on page one of the Conference Committee, was. That's all."

Speaker Breslin: "Representative Vinson, if it's okay with you, we'll get an answer to that question and get back to you. Is that acceptable? Representative Vinson?"

Vinson: "Well, Madam Speaker, I haven't... I haven't raised the full range of questions I have yet."

Speaker Breslin: "Yes, we know. We know."

Vinson: "How are you going to get an answer, if I haven't raised the question?"

Speaker Breslin: "Well, we just wanted to get a copy of the Conference Committee Report in front of us before you proceeded. Representative Mautino has a simple question to have answered so that the Membership can perhaps refer to their... their books during the discussion. So, Representative Currie to answer Representative Mautino's question."

Currie: "Thank you, Madam Speaker and Representative Mautino. The Bill that is the original Environmental Toxicology Act was Senate Bill 112. It came out of the Senate handily. Came out of the House Energy and Environment Committee. I believe that the problem is that it never was considered by this full House on Third Reading."

Mautino: "It was Senate Bill 112."

Currie: "Senate Bill 112."

Speaker Breslin: "Okay. Representative Vinson, to state your inquiry."

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Vinson: "Yes, Madam Speaker, first of all I would direct the... your attention, and the Parliamentarian's attention, and Mr. Greiman, his learned counsel's, attention, to line 16 of the Conference Committee Report. Line 16 styles the Conference Committee Report as an Amendment. For that reason, the Conference Committee Report is subject to all of the limitations on Amendments under the rules of this House. Now, what the Conference Committee Report does is two totally different things. Number one, it creates an Environmental Toxicology Act that creates a new reporting system on hazardous or toxic chemicals. Alright? Then what the Conference Committee Report goes and does - if you go look a little further into it - it amends the Illinois Savings and Loan Act, a very different thing. And what it does for that is, it establishes all kinds of standards on loans and construction and so forth for manufactured housing. Now, I have two questions. Number one, can such a creature conceivably be germane? And number two, is it even vaguely conceivable that that is a single subject? I would submit that the Chair can't rule that manufactured housing and environmental toxicology are ever a single subject, and certainly not in this particular case. And secondly, I would argue that the Conference Committee Report which is styled as an Amendment is not germane to a Bill that deals with study of urban pesticide use."

Speaker Breslin: "Representative Currie, are you rising on Representative Vinson's point?"

Currie: "Yes, I am, Madam Speaker."

Speaker Breslin: "State your point."

Currie: "I think it's quite appropriate for this House to rule on germaneness of Amendments, but this is a Conference Committee Report. And Conference Committee Reports are not... are not... not as we had yesterday's activity an

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attempt to look at the question whether the germaneness of an Amendment adopted to one of our Bills was... would have been appropriately adopted in this chamber. What we have is a Conference Committee Report. I think the only real question the Gentleman raises is whether there is a violation of the single subject rule. I would argue that there is not a violation of that rule in this particular Conference Committee Report. The issue is one of environmental issues broadly defined. The question, how we define structures in the environment, how we let the Department of Public Health respond to issues involving other structures in the environment, certainly seems to me to be the same general subject matter, not different from any of the other Conference Committee Reports we saw yesterday and will see today. And I would hope that the Chair will so rule."

Speaker Breslin: "Representative Vinson, for what reason do you rise?"

Vinson: "Next you're going to tell us that the interest rate is an environmental issue."

Speaker Breslin: "Representative Vinson, for what reason do you rise?"

Vinson: "We've even got an exemption from the Use Tax Act in this thing. It's got more legs than a centipede."

Speaker Breslin: "Representative McCracken, for what reason do you rise?"

McCracken: "To the Motion, and..."

Speaker Breslin: "There is no Motion pending. There... We're right now working on a parliamentary inquiry. Representative Currie, for what reason do you rise?"

Currie: "Thank you, Madam Speaker, Members of the House. While discussing the questions that the... that Representative Vinson raised about the germaneness and the single subject

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issues in respect to Conference Committee Report 1 on Senate Bill 1165, I discovered a technical error, and I would move that the House not adopt Conference Committee Report 1 to Senate Bill 1165."

Speaker Breslin: "The Lady moves that the House has a substitute... has changed her Motion that the House not concur in the First Conference Committee Report to Senate Bill 1165. And on... There being no discussion the question is, 'Shall the House nonconcur in the First Conference Committee Report to Senate Bill 1165?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur... or does not adopt, should say, the First Conference Committee Report to Senate Bill 1165, and a Second Conference Committee will be appointed. Senate Bill 1350, Representative Flinn."

Flinn: "Thank you, Madam Speaker. I move that the Conference Committee, Report #1 be adopted to Senate Bill 1350. The only reason we had to go to a Conference Committee we discovered, at a late hour, that an Amendment we put on Senate Bill 1350 to correct a deficiency was deficient itself, and all we did was correct some language. It did not change the Bill at all. It's a Bill that was on the Consent Calendar in the Senate and the Consent Calendar in the House. And I move for the adoption."

Speaker Breslin: "The Gentleman moves to adopt the First Conference Committee Report on Senate Bill 1350. Is there any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1350?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This Bill requires 71 votes for adoption. This is final passage. Have all voted who wish? Have all voted who wish? Representative

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DeJaegher, do you seek recognition? He does not. The Clerk will take the record. On this question, there are 114 voting 'aye', none voting 'no', and 1 voting 'present'. And the House adopts the First Conference Committee Report to Senate Bill 1350. And this Bill, having received a Three-Fifths Majority, is hereby declared passed. Senate Bill 1437, Representative Terzich. Representative Terzich."

Terzich: "Yes, I'm waiting for the board to clear. Alright, Madam Speaker, Ladies and Gentlemen of the House, Senate Bill 1437, I move that we concur with Conference... or adopt Conference Committee #1 to 1437. What the Conference Committee did was strike everything after the enacting clause. Primarily the Bill covered... which is also in the Conference Committee Report that prohibits any person, firm, corporation, partnership, or association engaged in home improvement or repair business from operating under a name other than its real name of individuals conducting the business. It does not include the Section with regard to building permits. That has been taken out of the Bill, and it was similar to the legislation that was passed. Also it contains... the Report describes what acts and omissions constitute an intent of a defendant's part to provide the owners permanently of his property and a prosecution for offenses of theft by deception. A jury would be instructed that prosecution has established if a prima facie case of theft by deception if the prosecution proves that all of the following took place: The victim and the defendant entered into a contract either oral or written, the terms of which were that that the defendant was to perform services for the victim and be compensated by receiving more than 3,000 dollars cash from the victim payable by a down payment of 10 percent. This... I would move that we

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adopt Conference Committee #1."

Speaker Breslin: "The Gentleman moves to adopt the First Conference Committee Report to Senate Bill 1437. And on that question, the Gentleman from Macon, Representative Dunn. Do you wish to discuss this issue?"

Dunn: "Yes, if I can find it in this mess on my desk."

Speaker Breslin: "Proceed."

Dunn: "The analysis that I have of this Conference Committee Report appears to describe a new criminal offense. Is that correct?"

Terzich: "Yes, I believe this is similar to legislation that came out of, I believe, your Judiciary Committee 14 to 0, or something, and it was principally Senator Topinka's Bill. I believe it was 697 or whatever it was."

Dunn: "I don't... I certainly don't have a perfect memory. The analysis says that... in order for there to be a crime committed, prosecution must prove that all these things take place, that there was a contract for services for more than 2,999 dollars cash payable with a down payment of 10 percent or more. The victim gave the down payment. The victim believed the defendant failed to substantially perform the services. There was no fault of the victim. The victim sent the defendant a registered letter demanding the down payment be returned. The victim has not received response within 45 days since the letter was sent. Is that..."

Terzich: "I read the same thing."

Dunn: "And this is all in the definition of this Criminal Act? Is that correct?"

Terzich: "Well, that's basically what it says also in the... in the Conference Committee in Section 16 - 1.2, 'knowingly obtains, by deception, control over property of an owner when he fails to return within 45 days after written demand

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from the owner the down payment and any additional payments accepted under the promise oral or in writing to perform services for the owner for consideration of 3,000 dollars or more. And the promiser willfully, without good cause, fail to substantially perform pursuant to agreement after taking the down payment. The provisions shall not apply where the owner initiated the suspension of performance under the agreement or the promiser responds to the notice within 45 days of the notice period. A notice in writing addressed and mailed by registered mail to the promiser at the last known address of the promiser shall constitute proper demand."

Dunn: "Well, thank you. Madam Speaker and Ladies and Gentlemen of the House, we sure do enact into law a lot of new definitions of crimes and step up a lot of penalties. But if we begin cluttering the statute books like this, it really is going to come home to roost. Surely we can define whatever the criminal act is here more concisely, and with all the criminal penalties we have on the books now, there ought to be a way to prosecute people who take advantage of victims in home repair concerns. And I would urge that we defeat this Conference Committee Report and either rewrite this definition or... or just kill the Bill."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1437?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 71 votes are required for adoption of this Conference Committee Report. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 89 voting 'aye', 23 voting 'no', and 4 voting 'present'. And the House does

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adopt the First Conference Committee Report to Senate Bill 1437. And this Bill, having received a Three-Fifths Majority, is hereby declared passed. Ladies and Gentlemen, with leave of the Body we'll go back to page 7, Senate Bill 207, Representative Ronan."

Ronan: "Thank you, Madam Speaker and Members of the House. We now have corrected the First Conference Committee Report on Senate Bill 207 - a very simple concept. What we're trying to do is make the schools safer in the State of Illinois. There was a few technical problems which we've worked out in this Conference Committee Report. I know of no opposition. I feel it's important that we go on record that we don't want guns or drugs sold in the schools of the State of Illinois. And I move for the passage of... the adoption of the First Conference Committee Report on Senate Bill 207."

Speaker Breslin: "The Gentleman moves to adopt the First Conference Committee Report to Senate Bill 207. And on that question, the Gentleman from Cook, Representative Anthony Young."

Young: "Yes, would the Sponsor yield?"

Speaker Breslin: "He will."

Young: "Representative, does this Bill contain provisions for automatic transfer?"

Ronan: "Yes, it does, Representative."

Young: "Okay. And under what... what circumstances will someone be automatically transferred under this Act?"

Ronan: "My... my legal counsel, Representative McCracken, will explain what those circumstances are."

Speaker Breslin: "The Gentleman yields to Representative McCracken. Representative McCracken."

McCracken: "He yielded prematurely, but let me try to catch up. On page eight of the Bill, the automatic transfer will

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apply to the person carrying or possessing a firearm while in school or on the real property comprising the school and is limited to that situation."

Speaker Breslin: "Representative Anthony Young."

Young: "Is there automatic transfer provisions provided in the drug portions of this Bill?"

McCracken: "I don't know."

Speaker Breslin: "Representative Countryman, for what reason do you rise?"

Countryman: "Parliamentary inquiry."

Speaker Breslin: "State your inquiry."

Countryman: "Yesterday, distributed on my desk, was a Conference Committee Report on this Bill which was signed by less than all the Members of the Conference Committee. Today is another Conference Committee Report which was just distributed signed by, I believe, all the Members of the Conference Committee Report. Is that within the rules?"

Speaker Breslin: "I believe it is in the rules, and Representative Ronan indicated that it was a corrected Conference Committee Report when he began his presentation. It is definitely within the rules, Sir."

Countryman: "Thank you."

Speaker Breslin: "Representative Young to continue."

Young: "Okay. Representative McCracken, I have the Bill in front of me. It would... appears that on page nine and 10 provides for automatic transfers on drug related charges for anyone 15 years of age and over. Is that your understanding of this Bill?"

McCracken: "What's the question? Whether they're automatically transferred?"

Young: "Yes, that's the question. Or I guess the question is, was that the intent of the Sponsors of this Report? Because the Bill definitely provides for automatic transfer

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on page 10. It's clear that anyone prosecuted under this Act will be prosecuted pursuant to the Illinois Controlled Substances Act."

McCracken: "Well, I guess you're right then."

Young: "Okay. And am I also correct in this... this Act will apply to any drug related activity one not only on school grounds, but 1,000 feet from school grounds?"

McCracken: "Yes."

Young: "Okay. To the Report, Madam Speaker and Ladies and Gentlemen of the House. It's clear that the Sponsors of this Conference Committee Report are well intentioned. They are trying to address a very serious problem throughout the state, particularly in my community. They are trying to make the schools safe, and I applaud their efforts and the work they have put into this Bill. But at the same time, I think it's important that this Body understands what this Bill does. I think it's wrong in all situations for us to provide for the automatic transfers of juveniles to the criminal courts. As the law stands today in these situations, it would be up to the discretion of the court whether to treat an individual as a 15 year old, or whether to treat an individual as an adult. I would be quick to agree that there are some situations where 15 year olds should be tried as an adult, but at the same time there are definitely some situations where 15 year olds, even in drug related situations, should be tried as 15 year olds and not as an adult. This Bill would provide for the automatic transfer on drug related charges of anyone 15 years old or older not only on school grounds but 1,000 feet from school grounds. The average block in the City of Chicago is approximately 600 feet long. So, someone could be almost 2 blocks away from a school situation, 15 years old, drug related activity, and the courts will not have

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the discretion to decide whether this individual should be tried in criminal court, or tried as a juvenile. The intent of the Sponsors, I'm sure, is well intended, but I would suggest that we send this Report back for a Second Conference Committee to give the Judges in this state a little discretion as to when to try 15 year olds as an adult and when to send them through the criminal justice system. And I ask that we not concur in this Report."

Speaker Breslin: "The Gentleman from Cook, Representative McAuliffe, on the question."

McAuliffe: "Madam Speaker and Ladies and Gentlemen of the Assembly, I would rise in support of Representative Motion... Representative Ronan's Motion to concur. Fifteen year old children, it may sound as if they're little kids, but I've seen 15 year old kids that were 6 foot 5 inches tall. And when they hit you over the head with a baseball bat, it hurts just as bad as if a guy is 50 years old when he hits you over the head with a baseball bat. Many 15 year old... so called 15 year old children in Chicago carry guns and do the shooting for the older gang members because they know they'll get treated leniently by the Judges. Judges, in Cook County especially, have too much discretion as it is, and we should take this discretion away from... Representative Ronan is absolutely right."

Speaker Breslin: "The Lady from Cook, Representative Pullen."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. It's time that we get serious about education reform in this state, and one of the things we most need to do if we're really going to have education reform is to restore discipline to the schools where an increasing problem is occurring... creeping across many communities in this state, not just limited to the City of Chicago, but certainly epidemic there, of gangs in schools. It's time

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to get tough with the gangs. It's time to get tough with the drug pushers, and with those who use drugs. It's time to restore discipline and to let the schools be what they are supposed to be instead of gathering places for victims to be victimized. I support this Conference Committee Report, and I urge its adoption. Thank you."

Speaker Breslin: "The Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Madam Speaker. I'm willing to get tough on gang crime, but I have a problem with this Bill, and I have a problem with this Conference Committee Report. And I guess it deals primarily in two Sections. In many instances or many parts of the Section it talks about the offense occurring on any real property comprising any school or on any public way within 1,000 feet of the real property comprising any school. And I just think that that's an impossible definition. It's impossible for a person to realize when, in fact, they are within a 1,000 feet of a school on a public way. It could be a street quite a distance away from a school. I think it has to be definitive, and I think it should be on the school property. The second problem I have is, I think a Class X Felony is reserved to those... should be reserved to those instances where physical bodily harm is threatened, attempted, or inflicted upon another person and not the delivery of some item. In those two respects, I cannot agree with the Conference Committee Report. And I would ask the Members to vote 'no' so that they can take it to a Second Conference Committee and work out those difficulties. Thank you."

Speaker Breslin: "The Gentleman from Madison, Representative Wolf."

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

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Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Ronan to close."

Ronan: "Thank you, Madam Speaker. I understand the concerns of a few Members. But what we're going to do now is we're going to set the record straight. This was the Session for education reform, and I applaud the Members of the General Assembly last night who voted for a decent education reform package and the taxes necessary to fund it. This Bill fits exactly in that concept. If someone is going to sell heroin or cocaine in a school, they should be treated as an adult. If someone is going to sell a gun in a school, they should be treated as an adult. It was less than a month ago that a federal task force came into the west side of the City of Chicago led by Congresswoman Cardiss Collins. And it's very evident that the 'El Rookins', and the Latin Kings, and the Disciples run major areas of the City of Chicago. And they run those areas in Chicago, and then they run the prisons downstate. This legislation is not going to allow them to use 15 and 16 year olds to sell heroine, to sell cocaine, and to sell guns in school. That's the message that we have to deliver to the gangs and the punks in the City of Chicago. I urge an 'aye' vote on this concept. I think we've got to get tough with gang leaders, and we should put the Illinois General Assembly on record that 15 year olds who are being used obviously have to be treated as adults. We're talking about the sale of heroin, cocaine, and guns, and that should not go on in a school environment in the State of Illinois. I urge an 'aye' vote on Senate Bill 207."

Speaker Breslin: "The question is, 'Shall the House... Shall the

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House adopt the First Conference Committee Report to Senate Bill 207? All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 71 votes are required for adoption. This is final passage. Have all voted who wish? Have all... Representative Ropp, do you wish to explain your vote? No, he does not. The Clerk will take the record. On this question, there are 95 voting 'aye', 12 voting 'no', and 10 voting 'present'. And the House does adopt the First Conference Committee Report to Senate Bill 207. And this Bill, having received a Three-Fifths Majority, is hereby declared passed. Representative Cullerton is recognized for a Motion."

Cullerton: "Madam Speaker, it's not really a Motion. I wanted to inquire of the Chair. Last night we passed House Bill 1517, and I wanted to inquire of the Chair whether or not the constitutional requirements were fulfilled with regard to that Bill being distributed and on the desks of the Members of the House."

Speaker Breslin: "Representative Cullerton, with regard to that Bill, the consti... all of the constitutional requirements were fulfilled. The Bill... The Conference Committee Report was printed and distributed and all procedural requirements were fulfilled. The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. For the record, I'm the one who raised that issue and I voted in favor of that Bill because, immediately prior thereto, the copies had, in fact, been distributed and were on the Members' desks."

Speaker Breslin: "On this issue, Gentlemen? Representative Davis."

Davis: "Well, I wish to associate myself with Representative McCracken's remarks. I echoed his objection on the constitutional question raised by both Representative

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McCracken and Representative Vinson. Just prior to the vote being taken, the Conference Committee Report was on my desk."

Speaker Breslin: "The Gentleman from Cook, Representative Giglio."

Giglio: "Madam Speaker, I request that the Democrats have a Caucus in Room 114 immediately."

Speaker Breslin: "The Gentleman has requested a Democratic Caucus in Room 114 immediately. It is the intention of the Chair to grant a Democratic Caucus. We are to return to the floor at 3:00, 3:00. There will be a Caucus and then we will be in recess until 3:00. Representative Friedrich, for what reason do you rise?"

Friedrich: "The Republicans will have lunch. Thank you."

Speaker Breslin: "Representative Hawkinson, for what reason do you rise?"

Hawkinson: "To address the issue just addressed by Representative McCracken, Cullerton and Davis, Madam Speaker."

Speaker Breslin: "I'm sorry, Representative. We are in recess at this time. You can be recognized later if you wish."

Speaker Greiman: "Mr. Leverenz? Mr. Leverenz."

Leverenz: "Thank you, Mr. Speaker. Now?"

Speaker Greiman: "Not yet. Stay tuned. Yes, Mr. Harris. Mr. Harris."

Harris: "Thank you, Mr. Speaker. I'd like the record to reflect, prior to our recess we were talking about House Bill 1517, and I'd like to indicate that that Bill was not on my desk, at least that I'm not aware of it, when we voted on that Bill last night. I just wanted to say that for the record."

Speaker Greiman: "Mr. Hawkinson."

Hawkinson: "Thank you, Mr. Speaker. Also in regard to House Bill 1517 and the vote yesterday, the Report on House Bill 1517

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was not on my desk until after the Roll Call."

Speaker Greiman: "Mr. Countryman."

Countryman: "Thank you, Mr. Speaker. I'd like also to indicate that last night on House Bill 1517, at the time the Roll Call commenced, the Conference Committee Report was not at my desk. Thank you."

Speaker Greiman: "On Supplemental Calendar #1, Nonconcurrency, appears Senate Bill 461, Ms. Barnes. Mr. Leverenz, I've just called 461 on Supplemental Calendar #1. Mr. Clerk, while Mr. Leverenz is looking at it, could you check and see whether the... whether the Conference Committee Report on... on House Bill 1517 was distributed prior to the time that a vote was taken?"

Clerk O'Brien: "The printed Conference Committee was distributed prior to the recording of the vote."

Speaker Greiman: "Thank you, Mr. Clerk. Mr. Leverenz? Alright, out of the record on 461. Supplemental Calendar #1, on Nonconcurrency, appears Senate Bill 478, Mr. Hastert. Mr. Friedrich, you are a Sponsor of that. 478. Out of the record. Mr. Clerk, has the Conference Committee Report on House Bill 571 been distributed?"

Clerk O'Brien: "Yes, Conference Committee Report is distributed."

Speaker Greiman: "Alright. Accordingly, on the Order of Conference Committee Reports on page seven, appears House Bill 571. Mr. Steczo or Mr. Flinn. Out of the record. Mr. McCracken. Mr. McCracken, the Gentleman from DuPage."

McCracken: "Thank you, Mr. Speaker. If you're looking for distributed Committee Reports, I have one on the Calendar which we passed for that purpose. I'm ready to go with it."

Speaker Greiman: "Alright, Mr. Hastert has returned. So, that would be on Supplemental Calendar #1, Mr. Hastert, appears Senate Bill 478. Mr. Hastert."

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Hastert: "Thank you, Mr. Speaker. I would ask the House to recede from Amendments 1... 1, 4, and 7."

Speaker Greiman: "Okay. Alright. The Gentleman from Kendall, Mr. Hastert, moves that the House recede from House Amendments 1, 4, and 7 to Senate Bill 478. And on that, is there any discussion? This will be final action. The Gentleman from Macon, Mr. Dunn."

Dunn: "Yes, what are we doing?"

Speaker Greiman: "Mr. Dunn, did you wish to question the Sponsor?"

Dunn: "Yes, since this is final action, what are we doing?"

Hastert: "Amendment #1 is a reduction of 78,000 dollars which takes out three positions. Senate... by receding, it takes out three positions. Amendment #4 was... it was an addition. By taking that Amendment out, we reduced 45,000 for a grant, and Amendment #7 was a reduction of 150,000 dollars to the Department. With the final reductions, by retracting those Amendments, there's a new total of 59,853,600 dollars."

Speaker Greiman: "Mr. Dunn, have you concluded your questioning? Alright. Mr.... There being no further discussion, the question is, 'Shall...' I'm sorry, Ms. Currie. Ms. Currie."

Currie: "I have a question about the... this is a Motion to recede from, among other Amendments, Amendment 7. Is that right?"

Speaker Greiman: "This is a Motion to recede from all of the three Amendments, yes."

Currie: "Alright. Thank you very much."

Speaker Greiman: "Mr. Leverenz."

Leverenz: "I... I just didn't hear his Motion at the outset. There are three Amendments of which 4, 7, and the other one is?"

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Speaker Greiman: "1, 4, and 7."

Leverenz: "Thank you, and we agree."

Speaker Greiman: "Alright. The question is, 'Shall the House recede from House Amendments 1, 4, and 7 to Senate Bill 478?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. 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 115 voting 'aye', none voting 'no', none voting 'present'. And the House recedes from House Amendments 1, 4, and 7 to Senate Bill 478. And this Bill, having received a Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1 and on Concurrence, appears Senate Bill 461, Ms. Barnes."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, I move to recede from Amendments 1, 2, 3, and 4 for Senate Bill 461."

Speaker Greiman: "The Lady from Cook, Ms. Barnes, moves that the House recede from House Amendments 1, 2, 3, and 4 to Senate Bill 461. And on that, is there any discussion? The Gentleman from Cook, Mr. Leverenz."

Leverenz: "We agree."

Speaker Greiman: "Alright. The question is, 'Shall the House recede from House Amendments 1, 2, 3, and 4 to Senate Bill 461?' All in favor signify by... Mr. Leverenz."

Leverenz: "Refuse to recede in 1, 2, 3, and recede in 4. Is that correct? Now, I'm an 'aye' vote. She did... to correct the record, I believe the Lady wrongly said to recede in all."

Speaker Greiman: "I thought you wanted to recede from all of the four Amendments. Is that correct?"

Barnes: "I'm going to take it out of the record. I just walked on the House floor."

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Leverenz: "I'll... I'll... Do you want me to handle it, Jane? Sure?"

Speaker Greiman: "Yes, Ms. Barnes, on 461."

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In Senate Bill 461, I move to recede in Amendment #4 and..."

Speaker Greiman: "Alright. So, Ms... Okay. The Lady from Cook moves to recede from Senate... House Amendment 4 to Senate Bill 461. All those in favor signify by voting 'aye'. We are receding from Amendment #4 only. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'aye', none voting 'no', none voting 'present'. And the House does recede from House Amendment 4 to Senate Bill 461. Now, on Senate Bill 461, do you have any additional Motions?"

Barnes: "I refuse to recede from Amendment 1, 2, and 3, Mr. Speaker."

Speaker Greiman: "Alright. The Lady from Cook, Ms. Barnes, moves that the House refuse to recede from Senate... from House Amendments 1, 2, and 3 to Senate Bill 461. And on that, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendments 1, 2, and 3?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House... from House Amendments 1, 2, and 3 to Senate Bill 461, and requests a Conference Committee. Alright. On Senate Bill 481, Mr. Leverenz. I mean Ms. Barnes."

Barnes: "Thank you, Mr. Chairman (sic - Speaker). Senate Bill 481, I refuse to recede in Amendments #3, 4, 5, and 7."

Speaker Greiman: "The Lady from Cook moves that the House refuse to recede from House Amendments 3, 4, 5, and 7 to Senate Bill 481. There being no discussion, the question is,

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'Shall the House refuse to recede from Amendments 3, 4, 5, and 7?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does refuse to recede from House Amendments 3, 4, 5, and 7 to Senate Bill 481 and requests a Conference Committee. On the Order of Concurrence appears House Bill 481, Mr. Nash. Alright. Out of the record. On page 7 of the Calendar, we'll go back over Conference Committee Reports that were not available when they were first called earlier today. And on that, appears House Bill 571, Mr. Flinn... Mr. Steczo. Mr. Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I move for the adoption of Conference Committee Report #1 to House Bill 571. The Conference Report submitted to the House provides that the original language of House Bill 571 has been deleted at the request of Representative Flinn because that language was no longer necessary. The remainder of the language in the Conference Committee Report is language that was provided as per an agreement by all parties involved. What the report does, it provides the language on the scheduled phase-out of the ethanol subsidy, as provided in House Bill 753, which passed this House 115 to 3. It also provides that the subsidy will be... will no longer be given to ethanol made from anything other than cereal grain. This addresses the whole question of Brazilian ethanol. The product that we have as Conference Committee Report #1 was a product of discussions that were held over the last few weeks by the Governor's Office, by the Farm Bureau, by the corn growers, by the ethanol producers, by the oil industry. Everybody has agreed that House Bill 571 is in good shape, should be sent to the Governor and as part of that agreement, we have also agreed to send to the Governor, Senate Bill 254. I would answer

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any questions and move for the adoption of the Report."

Speaker Greiman: "Gentleman from Cook, Mr. Steczo, moves that the House do adopt Committee Conference #1 to House Bill 571. And on that, is there any discussion? The Gentleman from Edgar, Mr. Woodyard."

Woodyard: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Greiman: "Indicates he will yield for questions."

Woodyard: "Representative, do you still have the reciprocity in here as 753 did or... do you still have the reciprocity?"

Steczko: "Representative Woodyard, 753 did not have the reciprocity. However, the reciprocity will be in Senate Bill 254."

Woodyard: "Okay."

Steczko: "And we have... All parties have agreed that House Bill 571 and Senate Bill 274 will be sent to the Governor."

Woodyard: "Fine, thank you."

Speaker Greiman: "Further discussion? Gentleman from Cook, Mr. Ronan."

Ronan: "Thank you, Mr. Speaker. I, too, rise in support of this Conference Committee Report. A tremendous time and effort has been put into this. We have finally gotten an agreement from all interested parties in the State of Illinois. I think it's a good compromise, the passage of the two pieces of legislation. Let the Governor make the decision and I look forward to a positive Conference Committee Report on House Bill 571."

Speaker Greiman: "Lady from Marshall, Ms. Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Would the Sponsor please yield?"

Speaker Greiman: "Indicates he will."

Koehler: "Representative Steczo, when you say all parties have agreed, does that include those that are particularly from my district and my area such as Mid-west Solvents and

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the... the people who produce the alcohol?"

Steczo: "Representative Koehler, yes, that is true. The ethanol producers have all agreed. The corn growers..."

Koehler: "And what about the corn growers?"

Steczo: "They have all agreed. The Farm Bureau is in support. Everybody that took part in these discussions has signed off on these two Bills and have agreed that both should go to the Governor."

Koehler: "Well, thank you. Then I shall support your Motion."

Speaker Greiman: "There being no further discussion, the question is, 'Shall the House adopt First Conference Committee Report to House Bill 571?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'aye', 3 voting 'no', none voting 'present', and the House does adopt the First Conference Report... Conference Committee Report to House Bill 571, and this Bill, having received the Constitutional Majority, is hereby declared passed. Conference Committee Reports... This Bill, having received the Constitutional Majority... Extraordinary Constitutional Majority, is hereby declared passed. On the Order of Conference Committee Reports appears House Bill 605. Mr. Clerk, has that Report... I'm sorry, 627. Has that Report been distributed? Alright. Mr. Dunn. Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. When this Bill was passed by the House and sent to the Senate, a line was left out of the Bill, so it was taken to Conference Committee to correct this deficiency and there was an early draft of the Conference Committee that did not have an effective date. The First Corrected

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Conference Committee provides for the correction in the Bill and provides for an effective date, provides for the Bill to become law, upon its becoming a law, and I would ask for adoption of the First Corrected Conference Committee Report to House Bill 627."

Speaker Greiman: "The Gentleman from... I'm sorry."

Dunn: "No, wait... Mr. Speaker, I think we are getting a signal that the First Corrected Conference Committee Report may not be distributed. Is that... If it's so, we'll take it... If we haven't got it, we'll take it out of the record."

Speaker Greiman: "Alright, well, let's take it out of the record."

Dunn: "Let's take it out of the record."

Speaker Greiman: "Yeah, we'll get there. Ms. Didrickson, on House Bill 1037. Out of the record. Mr. Mulcahey, on House Bill 1039. Out of the record. Mr. McCracken, on 2276. Mr. Clerk, has that Report been distributed?"

McCracken: "Yes, Sir, I believe it's been printed and distributed. Ready to proceed? I move that the House..."

Speaker Greiman: "Alright, proceed, Mr. McCracken."

McCracken: "I move that the House adopt Conference Committee #1 to House Bill 2276. 2276 amends the Juvenile Court Act and existing law relative to minors who can... who require authoritative intervention. It amends that Section as originally written to hold that after 21 days from the date the minor is taken into limited custody for the first time and who after 5 days from the date is taken into limited custody for the second, third or fourth times and who immediately after the minor is taken into limited custody for the fifth or more time. Essentially what this does, under these circumstances, is allow authoritative intervention. House Amendment... or Senate Amendments 1

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and 2 were adopted in another part of the Juvenile Court Act relative to the circumstances under which a petition for transfer can be made to try a juvenile in adult court and changes the law to require that that be an original petition. I have no objection to that. Candidly, I thought that was a defense Bill, but the proponent of the Bill tells me that's a prosecution oriented Bill. So, I agreed with that. The youth services providers suggested the text which you see in the First Conference Committee Report which would be added to the Section relative to intervention holding that notwithstanding any other provision of this Section for the first instance in which a minor is taken into this limited custody where one year has elapsed from the last instance of his having been so taken, the minor may not be adjudicated a minor requiring authoritative intervention until 21 days have passed. And that has been agreed to by the youth services providers - as a matter of fact, was made at their request and is agreed to by DCFS. And I move the adoption of the First Conference Committee Report."

Speaker Greinan: "Gentleman from DuPage, Mr. McCracken, moves that the House do adopt First Conference Committee Report to House Bill 2276, and on that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Greiman: "Indicates he will."

Cullerton: "What is the effective date of the Bill?"

McCracken: "I believe it's immediate."

Cullerton: "Better double check... Will you please double check it so we know how many votes?"

McCracken: "Well, there's no effective date stated."

Cullerton: "Well, then it would be... I think it would be July 1, 1986."

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McCracken: "If it didn't receive 71 votes?"

Cullerton: "Makes no difference. I'm almost positive, no matter how many votes it gets, if it doesn't have an immediate effective date, it's July 1, 1986, and so..."

McCracken: "Okay, it's alright with me. Frankly, I don't care."

Cullerton: "Well, it must be an important Bill. Well, maybe I should ask you some questions about the Bill if it doesn't do anything. I thought it was pretty good. What does it do again, the Conference Committee?"

McCracken: "Under current law, any time a minor is taken into supervision... taken into custody, he may be adjudicated a minor requiring authoritative intervention after 21 days. On subsequent custodial situations, the time period between taken... being taken into custody and adjudication is less, except where he has not been adjudicated within the preceding year, in which case it's 21 days. And also, the Amendments adopted in the Senate require that a petition to transfer be an original... or that a transfer Motion to adult court be the... be pursuant to an original petition in the Juvenile Court."

Speaker Greiman: "Have you concluded, Mr. Cullerton? Mr. Vinson."

Vinson: "Yes, Mr. Speaker. First, an inquiry of the Chair. Is Mr. Cullerton indeed accurate in his assessment of the law?"

Speaker Greiman: "60 votes."

Vinson: "60 votes. And when does it become effective?"

Speaker Greiman: "It has no immediate effective date."

Vinson: "So when does it become effective?"

Speaker Greiman: "July 1, 1986, but it has... for purposes of my ruling, it has no immediate effective date."

Vinson: "Now, if it got 71 votes, when would it become effective?"

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Speaker Greiman: "What... What Mr. Vinson?"

Vinson: "If it got 71 votes, when would it become effective?"

Speaker Greiman: "July 1, 1986."

Vinson: "Even if it got 36 votes in the Senate?"

Speaker Greiman: "If it gets 118 votes, Mr. Vinson, it doesn't provide for immediate effective date."

Vinson: "Alright, then, will the Sponsor yield for a question?"

Speaker Greiman: "Indicates he'll yield for a question."

Vinson: "Representative, the original Bill related to the waiting period for filing petitions, is that correct?"

McCracken: "Yes, Sir."

Vinson: "And would you tell me what these petitions do?"

McCracken: "These petitions are essentially charging documents, alleging that the minor is a minor requiring authoritative intervention as defined in the Juvenile Court Act."

Vinson: "Okay, now there is an effort in the Bill or in the Amendments to reduce the length of time in which the authorities have to file the petition?"

McCracken: "Yes, both in the Bill and the Amendment to that Section except where there has not been a prior adjudication in the preceding year."

Vinson: "Okay, now I don't quite understand the philosophy behind that. Could you explain that to me?"

McCracken: "Well, apparently, the idea is that if the person has been out of trouble for a year that he should have the benefit of the waiting period of 21 days rather than the reduced waiting period."

Vinson: "What is the person... what is the minor doing during the 21 day period?"

McCracken: "I don't know."

Vinson: "Is he in detention?"

McCracken: "He's under authoritative... or strike that. He is... Frankly, I don't know. Let me see."

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Vinson: "So if the minor were in detention, then delaying the period for longer, if he'd been a good guy, would be a punitive philosophy."

McCracken: "Okay, I am told that during the interim period, he is placed in the authority of a social service agency and an attempt at reconciliation with the family is made."

Vinson: "So, in effect, he is in detention during that 21 day period?"

McCracken: "He's under supervision. I hesitate to use the word 'detention', though."

Vinson: "Okay, now why would... If he's been a good guy, why would we want to wait longer to deal with him... to give him the benefit of constitutional guarantees."

McCracken: "Well, apparently, with a year under his belt, there is hope or reason to believe that there is hope for reconciliation and reason to give more time for that process to occur."

Vinson: "What does reconciliation mean?"

McCracken: "Reconciliation between the child and the family or parent."

Vinson: "But this might be a situation where the problem did not relate to the child and the family. Isn't that correct?"

McCracken: "Essentially, it is a runaway. I don't know if it's possible to read it out of that context. I am looking at (a) and (b) of Subsection 1 of the Bill and it relates to absent from home or beyond the control of parent, guardian or custody... or custodian."

Vinson: "Now, what does these... what is the obligation of the social service agency during the waiting period?"

McCracken: "Other than to provide supervised living arrangements, I don't know."

Vinson: "Do they... What if we determine that, in effect, the minor should have run away because of the nature of the

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family setting?"

McCracken: "Then it might be appropriate to transfer it to a civil court for custody or adoption proceedings."

Vinson: "Does... Can the petition permit that? Does the petition process encompass that?"

McCracken: "I don't believe it does."

Vinson: "Okay, what kind of legal action is taken in that... in that event?"

McCracken: "I believe that a guardian ad litem would be appointed for the minor and that guardian ad litem would be empowered to, on behalf of the minor, to institute other types of proceedings."

Vinson: "Okay, now, in the Conference Committee Report, would you explain the new language that's being added?"

McCracken: "Yes, Sir. The new language, as I say, the new language is an exception to the rule adopted by the Bill. In the Bill, there is a distinction made between the first, second and subsequent times a person is taken into this limited custody and the waiting period is reduced at each subsequent time. However, where there has been a year between the last intervention or adjudication and the subsequent taking into custody, the 21 waiting day period applies again."

Vinson: "Okay, now what is the waiting period on the first offense in the Bill?"

McCracken: "21 days."

Vinson: "21 days, so the passage of a year without a problem, in effect, makes... makes it a totally new case and creates the first offense?"

McCracken: "A first offense only for purposes of the 21 day rule. To the extent the existence of a prior record is relevant, that is not beyond the consideration of the court."

Vinson: "What's the second offense in the Bill? What's the

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waiting period for the second offense?"

McCracken: "Five days."

Vinson: "Okay, now, let's assume that we have a third offense one year after the second offense, one year and one day after the second offense. Then there would be a 21 day waiting period. Is that correct?"

McCracken: "Yes, Sir."

Vinson: "And then we have a fourth offense a month later. What would the waiting period be?"

McCracken: "Five days, because it would be the second time within the new period, is the way I read the Bill."

Vinson: "Okay. Now, what... during this time period when the social service agency has control of the minor, is the minor afforded any legal representation?"

McCracken: "I don't see it in the Bill and I don't recall the Act generally. I don't know."

Vinson: "Now, in a typical downstate county, the petition would be handled through the normal Circuit Court process?"

McCracken: "Yes, Sir."

Vinson: "Is that correct... How would it be handled in Cook County?"

McCracken: "Well, I don't have experience in Cook County, but there is a Juvenile Court Division of Cook County. I assume that these would be handled there."

Vinson: "And these limitations, would they be in violation of the constitutional authority giving... the constitutional provisions giving authority over control of the courts to the Supreme Court?"

McCracken: "I hadn't thought of that. I don't... I don't see why it would. This is a cooling off period which has some precedent in... strike that. I don't... I don't know the answer to that question."

Vinson: "I would have some concern about that just from the

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perspective that it sticks in my mind that there are numerous cases that say that when... that statutes that limit the court's ability to act on procedural matters are within the province of the court. Are you familiar with those?"

McCracken: "Yes, Sir."

Vinson: "Well, Mr. Speaker, to the Bill. I think the Gentleman has brought us a Conference Committee Report which does improve the Bill that was passed because it would seem to me that a minor who has gone straight for a year and then fallen astray might reasonably be considered to be a first case again. I'm a little bit concerned about the... whether or not we are violating the separation of powers concept in the Constitution, but I suppose the courts will figure out whether we have or not and I suppose that that's the only authoritative determination that can be made in that regard. So, given that fact, I won't express any position on the Bill."

Speaker Greiman: "Mr. Churchill."

Churchill: "Yes, thank you, Mr. Speaker."

Speaker Greiman: "Yes, excuse me, Mr. Churchill... Calendar announcement."

Clerk O'Brien: "Supplemental Calendar #2 has been distributed."

Speaker Greiman: "Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Greiman: "Mr. McCracken, will you yield?"

McCracken: "I'm open-minded."

Speaker Greiman: "Mr. McCracken says he will yield. Yes, the Gentleman..."

Churchill: "Thank you, Mr. McCracken. This is essentially a Bill about runaways, as I understand it, and I'm just kind of wondering what sanctions can a court use to attempt to get a minor to cooperate in his therapy or perhaps get him to

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reconcile with his parents?"

McCracken: "Well, I don't remember the Act. When I was working with this Act, we used to call these minors in need of supervision. And as they were adjudicated, the court had essentially discretionary authority relative to the terms of probation or supervision. That discretion was very broad ranging and could include counselling, visitation, things of that nature."

Churchill: "Does it... Does it really work better with court intervention?"

McCracken: "Well, we have to return the children to somebody and if it requires a court to do that, then to that extent, yes."

Churchill: "Well, are there... Could you give me, perhaps, some pros and cons of court intervention in these cases?"

McCracken: "The pros and cons?"

Churchill: "Yeah."

McCracken: "Well, the pros is, there is no alternative. If there is a runaway, the police have to be authorized to pick up the runaway and there has to be some arrangement made for his return. Since police are the only viable authority for assisting in this, that necessarily implies court activity. Under the Juvenile Court Act, this is an adjudication within the meaning of the Act. Court activity is necessary for that. The con is, I suppose, if a child chooses not to get along with his parents or homelife, you can't force them to enjoy that. So to the extent you try to ram it down his throat, there is a... there is a down side to this."

Churchill: "Did this particular problem which resulted in a Conference Committee Report, did that stem from a particular problem or situation in..."

McCracken: "No, the Conference Committee Report was the request

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of the youth services providers and DCFS generally. It didn't relate to any particular problem."

Churchill: "Well, this doesn't make it easier to take a minor into adult court than does it? I mean it just..."

McCracken: "Oh, no, this... this has nothing to do with transfer to adult court."

Churchill: "Okay, and it's protective of the rights of minors as far as..."

McCracken: "Right, other... other provisions of the Act provide for representation of the minor by counsel."

Churchill: "Is there... You are not... This is not going to be extended to bring the... this back into the truancy provisions, then?"

McCracken: "No, it's... this is the final form if we adopt the Conference Committee Report."

Churchill: "No further questions."

Speaker Greiman: "Mr. McCracken, did you wish to say something? There are some lights blinking, but... if you... yeah, Mr. McCracken, what did you want?"

McCracken: "I'd like to move the previous question."

Speaker Greiman: "No, you can't do that. We got to get somebody else to do that. You got another friend out there? I don't think you do."

McCracken: "Apparently not."

Speaker Greiman: "You don't have anybody there that will help you do that. Yes, not even on our side, do you have a friend. Monroe Flinn refuses to do it. You don't have any friends. Sam, no. Mr. McNamara."

McNamara: "I'll move the previous question."

Speaker Greiman: "Oh, Mr. McNamara. Yes, Mr. Vinson, surely you want a Roll Call on that, of course."

Vinson: "That's precisely what I want."

Speaker Greiman: "Of course. Mr. McNamara moves that the

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previous question be put. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Mr. Clerk, take the record. On this question there are 65 voting 'aye', 39 voting 'no', 4 voting 'present' and the Motion fails. Mr. McCracken, I just feel this is more humane. The Chair believes this is a more humane way of doing it. You know, it's apparent that the Republicans wish to stall. And rather than hear the droning on of those questions, for the mental health of the Body, we're just going to relax for a while. Mr. Hawkinson... oh, not at his seat. Mr. McCracken to close."

McCracken: "You caught me off guard."

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

McCracken: "That's the most debated Bill I have ever had and I ask for an 'aye' vote."

Speaker Greiman: "The question is... The question is, 'Shall the House adopt Conference Committee #1 to House Bill 2276?' And on that, all those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Mr. McCracken, one minute to explain your vote. I'm sorry, Mr... I'm sorry. Mr. Hawkinson, one minute to explain your vote."

Hawkinson: "Thank you, Mr. Speaker. I'm concerned in Senate Amendment 2 that we are adding a new provision here before we can have a transfer and since I haven't been allowed to answer my question, maybe Mr. McCracken can nod his head. What is an original petition in Senate Amendment 2 that's now being required before this can be a transfer of a juvenile matter to adult court. Well, without an answer, I would urge a 'present' vote on this because I think we may be putting in a new onerous provision here regarding transfers to adult court."

Speaker Greiman: "Have all voted who wish? Mr. Clerk, take the

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record. On this question there are 102 voting 'aye', 8 voting 'no', 5 voting 'present', and the House does adopt the First Conference Committee Report to House Bill 2276. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Conference Committee Reports appears Senate Bill 796. Mr. Slater."

Slater: "Thank you, Mr. Speaker. I move the House refuse to accept the First Conference Committee Report on Senate Bill 796."

Speaker Greiman: "The Gentleman from McDonough, Mr. Slater, moves that the House refuse to adopt Conference Committee #... Report #1 to Senate Bill 796. Is there any discussion? There being none, all in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to accept... yes, Mr. Mautino."

Mautino: "I was going to ask the Sponsor a question as far as the intent on the Second Conference Committee."

Speaker Greiman: "Proceed, Sir. I had not declared it. Proceed."

Mautino: "Thank you. Representative Slater, since the legislation... currently embodied in the Conference Committee Report, I believe on page 11, addresses what could possibly be construed as a revitalization of the World's Fair provisions, is it your intention to remove that provision or is it your intention to expand upon that?"

Slater: "It is my intention to keep that same provision in there, however, state explicitly that it is not the vehicle for the World's Fair."

Mautino: "Thank you."

Speaker Greiman: "This is Senate Bill, Senate Bill 796. Alright, Mr. Dunn."

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

I yield my time to Representative Rea."

Speaker Greiman: "Mr. Leverenz."

Leverenz: "Well, I don't have a hat like that. Would the Sponsor yield?"

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

Leverenz: "Would you say explicitly what the language will allow the Department to do in this Conference Committee Report?"

Slater: "I have been informed by the Department of Commerce and Community Affairs that there will be a statement in the language on page 11, or page 14, actually, which will state explicitly that it will not be a vehicle for the World's Fair in whatever language, Representative Leverenz, they may come up with."

Leverenz: "Well then, how much money would be available in the pot that this operation could make grants to other fair type operations?"

Slater: "It's my understanding that there would be a limit of \$2,000,000 as the appropriations are presently set up."

Leverenz: "Two million dollars?"

Slater: "Correct."

Leverenz: "And you are stating that none of it will go to the World's Fair or any of its predecessor agencies or authorities?"

Slater: "That's my understanding."

Leverenz: "Successor agencies."

Slater: "That's my understanding."

Leverenz: "Where is that language?"

Slater: "It is not there at the present time. We do not have a Second Conference Report."

Leverenz: "Because an individual from DCCA was specifically told to rewrite it. Now, you are going back for a Second Conference Committee Report?"

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Slater: "That's correct."

Leverenz: "But if, in fact... what would happen if we accepted this one on you?"

Slater: "The problems, I think, really, are with the City of Chicago, as it relates to the language about the port authorities, Representative Leverenz."

Leverenz: "Okay, well, Speaker, to the Conference Committee Report. We will be eagerly looking for the new language in the next one."

Speaker Greiman: "Mr. Hallock."

Hallock: "The Sponsor yield for a question?"

Speaker Greiman: "Indicates he will."

Hallock: "Regarding page 14 and local tourism convention bureaus, is that language which you intend to keep in the Bill when you come back from the Second Conference Committee?"

Slater: "Representative Hallock, I can't give you a specific answer to that. This was language which has been represented to me by representatives of DCCA, had been suggested to them by JCAR."

Hallock: "So is this language the Department of Commerce Community Affairs would like to have in here so we can best serve our local tourism and convention bureaus statewide?"

Slater: "That's what they have represented to me."

Hallock: "Thank you."

Speaker Greiman: "The question is, 'Shall the House refuse to adopt Conference Committee Report #1 to Senate Bill 796?' All in favor signify by voting 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to adopt Conference Committee Report #1 to Senate Bill 796 and a Second Conference Committee is requested. Are we... Are we now prepared with... to proceed on House Bill 627, Mr. Dunn? Alright. The Gentleman from Macon, Mr. Dunn."

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Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Corrected First Conference Committee Report on House Bill 627 has now been distributed and the Corrected Conference Committee Report corrects an error in the printing of the original Bill and adds an effective date. And I would ask for the adoption of the First... of the Corrected First Conference Committee Report on House Bill 627."

Speaker Greiman: "The Gentleman from Macon moves that the House do adopt First... the Corrected First Conference Committee Report to House Bill 627. On that, is there any discussion? The Gentleman from Winnebago, Mr. Hallock."

Hallock: "Thank you. Will the Sponsor yield for a question?"

Speaker Greiman: "Indicates he will."

Hallock: "On the Conference Committee Report, Section 10-6, harboring a runaway, how do we change the statute in this regard?"

Dunn: "The... In the Conference Committee Report?"

Hallock: "Yes."

Dunn: "The Conference Committee... Well, first of all, this is a new Section in the statute. The Conference Committee Report is identical to the language in the original Bill. What happened when the... when the Bill went from the House to the Senate, a line was left out in the printed copy that arrived in the Senate, so when it came back here, we had a difference in the two copies. I sent it to Conference Committee to restore the line. Nothing new has been added since it came back from the Senate. There was one Amendment in the Senate which it... I think in line 23 adds that... that without the knowledge and consent of the minor's parent or guardian. That was added in the Senate. There have been no other changes except to add an effective date."

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Hallock: "Now, the provision which regards the agency or association providing the crisis intervention, what does that really mean? Who does that cover?"

Dunn: "I can't tell you all the agencies it does cover, but I believe that, if I recall correctly, that was added in Committee and I think it was added, I believe, at the request of the Department of Children and Family Services. And there are what are called crisis intervention agencies. In the community in which I serve, there is one called Youth Advocate. They are entitled to take the children in and then would not be subject to a criminal penalty under the provisions of this legislation."

Hallock: "So, in other words, to fall within the scope of this provision, you have to be a certified or verified state association of some type on this list?"

Dunn: "Yes, yes."

Hallock: "And that list is prepared by..."

Dunn: "It would either be a... I'm sure it's either a state agency or an agency which receives grants from the state and then to do that, you would have to be checked out and certified, yes."

Hallock: "Now, with regard to the penalty, Class A misdemeanor, what if, for example, you have the board of this agency, not just one person but the board of the agency, may, in fact, hold that minor for more than 48 hours without notifying, do they, collectively, violate this offense?"

Dunn: "I don't think so because an agency or association can only act through individuals and so, if someone is a properly authorized agent of the association, then there could be no problem."

Hallock: "So if, for example, the 12 members on the board which runs an agency which is certified by DCFS, if they collectively decide to take this kind of action, all 12 of

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them might be guilty of this offense?"

Dunn: "No, I don't think so. They are excepted from the coverage of the Act. That is an exception."

Hallock: "Well, then, to reverse that around then, if they are going to be let off the hook for that situation when it seems like they probably would be covered, who is going to be covered?"

Dunn: "Individuals. If the groups that you are talking about are groups whose very reason for existence is to help youngsters, this... the thrust of this legislation is to get at people who provide illegal safe houses for runaway children and then get them into bigger trouble. And this will provide that if a runaway shows up in one of those places that if the parents or the guardians are not notified within 48 hours and they are keeping them without the knowledge and consent of the guardian, then can be charged with a misdemeanor."

Hallock: "Thank you."

Speaker Greiman: "The Gentleman from Will, Mr. Davis."

Davis: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Greiman: "Indicates he will."

Davis: "Mr. Dunn, was this Bill brought to you originally or is this your idea?"

Dunn: "Brought to me by the Chief of Police of the City of Decatur."

Davis: "Let me ask you a question regarding, say, myself. If I have a niece or a nephew that lives in Missouri and that niece or nephew is say 13 or 14 years old and has been in their... in his or her opinion, shall I say, treated malevolently by their parent or their guardian in Missouri, and I am a blood relative, and they wish to come to me because they have no place else to turn, and they run away

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and hitchhike to New Lennox, Illinois, and I have great fondness for these blood relatives, since it's my only niece or nephew, and I really don't like my brother or my sister, who is the parent or guardian very much and choose not to call them, and I see evidence that the child has been physically mistreated or mentally mistreated, and I don't call my brother or my sister in Missouri to tell them I have their child in my custody, and I keep that child for over 48 hours, am I going to go to jail for a year because I knowingly have done it?"

Dunn: "I don't know."

Davis: "Well, but I think that's fair. Do you have a Roll Call on this in the House vote? Did I vote for this?"

Dunn: "I think everybody did. It voted... I don't have the Roll Call in front of me, but it was essentially unanimous here, unanimous in the Senate and would be on the Governor's desk but for the printing error in the Bill."

Davis: "Well, I'm sympathetic to the notion of people that harbor runaway shelters and then exploit the runaways for sexual or pornographic or whatever purposes. I'm sympathetic to that, but as always, when you get into these kinds of areas... Well, to the Bill, Mr. Speaker. When you get into these areas of trying to understand or trying to deal with the emotions of children and the emotions of blood relatives or close friends, for that matter, and try to get at a problem where those who would exploit younger minors and children up to the age of 18 who are not emancipated, you get into a whole host of problems. I would do what I just described in my question to Mr. Dunn when he says he doesn't know the answer and I would be guilty of a Class A misdemeanor because I personally could not tolerate the thought that one of my blood relative's children was... might have been or could be mistreated, and I might not

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call that blood relative and tell them I have the child. I might just keep that child and keep them in my home for as long as they felt safe and secure in my home. Now, I suppose, from what Representative Dunn has said, I might have voted for this Bill on Third Reading in the House and I'm beginning to wish, if I had, that I should get a Roll Call now and vote against it because I think it's a very bad idea and I intend to vote 'present' on this particular measure until I check the Roll Call. And I hope it would be defeated for all of you who might have that same sympathy for a child and might then be guilty of a Class A misdemeanor with a year in jail and a \$10,000 fine as the result of your sympathetic and of your compassionate actions."

Speaker Greiman: "Gentleman from Will, Mr. Regan."

Regan: "Thank you, Mr. Speaker and Members of the House. Would the Sponsor waive for a question, please?"

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

Regan: "Representative, I have a similar concern in regards to this because my wife and I have been continually helping children in our area. It could be friends of our children. There is a part in the law though that does state that if you can't locate the parents or you don't wish to locate the parents, you can call the police and that's just as well, is that correct?"

Dunn: "Yes, the... that's a good point and that solves the previous speaker's problem as well. The Bill clearly says that all you have to do, if you feel that a child is in your home and you feel that the parents should not be notified, all you have to do is notify local law enforcement authorities and the purpose of this is to... is to trigger in those who, under the policy and laws of the

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State of Illinois, are charged with expertise in these matters. Most of us who run into this kind of situation have it happen to us infrequently at best, perhaps only once in our lifetime, and we ought to have the advice and guidance of those who are expert in this area. So all this Bill says is keep the child in your home, but notify the proper authorities."

Regan: "And if there was indications of child abuse and the parents would be notified by the law officers, wouldn't the law officers also have to report it to DCFS?"

Dunn: "Yes, Sir, and in the example to which you have put and the reason... the example you put, there is nothing in the statute which says the child will have to be removed from your home. All you have to do is notify the law enforcement authorities."

Regan: "Just one further question. What is the... the definition of an emancipated mature minor?"

Dunn: "Well, I think that's taken from the Juvenile Court Act, which I don't happen to have in front of me, but I think an emancipated or mature minor is defined in the... Well, it's an Act it's defined. I can't quote you the exact language, but there are certain statutory tests which must be met before a minor is emancipated. I'd have to refer you to that Act for the specifics of those details."

Regan: "And it's possible that these type of children would have a certificate that said they are an emancipated mature minor?"

Dunn: "No, I don't think so."

Regan: "Thank you."

Speaker Greiman: "Ms. Didrickson."

Didrickson: "Yes, would the Sponsor yield for a question, please? Representative Dunn, if I have one of these emancipated minors in my home and I do call the local police chief in

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my village, is it the responsibility, then, of that police chief to notify, let's say, DCFS or any other such agency and could..."

Dunn: "Yes, they... those mechanisms, at least in my community, are in place and yes, they... in our community, the law enforcement officials have a juvenile division which is well-equipped to trigger in whatever service they feel is appropriate under the circumstances of a particular case."

Didrickson: "So then if I do notify the police chief, they, in turn, would notify DCFS or other such agencies?"

Dunn: "I think that's correct."

Didrickson: "Could they, then, come into my home and take that minor?"

Dunn: "There could be... then you get into all the things that can happen to a minor in juvenile court and that ranges from, yes, taking the minor from you and no, leaving the minor with you."

Didrickson: "Okay, one further question and I just have kind of scanned this and just don't have a complete total understanding. With regards to, what if a friend of one of my children is having problems at home and they come stay with me over night or for, let's say, even an extended stay, three, five days - this kind of tracks what Representative Davis was saying - but that I call the parents and I say that child is here. They say they have given their consent and then they retract upon that and I haven't called the police chief. What kind of a mechanism is set up there? What is my responsibility?"

Dunn: "Well, I think all the... all the examples which have been raised indicate a set of circumstances in which a minor child is having difficulty and without the benefit of this law, I would encourage you to call the proper authorities to seek guidance. And what this law says is with the law,

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call the proper authorities for guidance if you don't feel comfortable calling the child's guardian."

Didrickson: "No further questions."

Speaker Greiman: "Lady from Cook, Ms. Pullen."

Pullen: "I'd like to ask the Sponsor a question, please. May I ask the Sponsor a question, Mr. Speaker?"

Speaker Greiman: "Ms. Pullen."

Pullen: "I would like to ask the Sponsor a question, please."

Speaker Greiman: "Yes, Sponsor will yield for a question."

Pullen: "I noticed that when your Bill was on Second Reading in the House, an Amendment was adopted that exempts from its provisions crisis intervention agencies or associations. Is that Amendment still on the Bill?"

Dunn: "That was actually a Committee Amendment and yes, that Amendment is in the Bill."

Pullen: "Could you please explain to me why such agencies should be exempt from having to inform the minor's parent or guardian of their whereabouts?"

Dunn: "Well, I think Representative Davis attempted to set an example in which he feared that it would not be in the best interests of the child to notify its parents and I presume there are circumstances of that kind and nature which exist. And we have provided, under our current statutes, for certain situations in which crisis intervention is triggered and when that is appropriate the actions which we, in this General Assembly, and the Governor of Illinois have authorized can and should take place."

Pullen: "Mr. Speaker, I would like to address the Bill, please. I'd like to speak to the Bill."

Speaker Greiman: "Yes, proceed, Ms. Pullen."

Pullen: "I have, I guess, opposite concerns from Representative... from the Gentleman from Will's, as he expressed earlier. My... I think that the original intent

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of this Bill is quite good, to be sure that those who knowingly give shelter to a runaway would have to notify the parent or guardian so that those people would have peace of mind about their missing child. But then, the House Committee exempted crisis intervention agencies from this requirement. We have had a great deal of concern in this House in the last year or two about missing children and we have seen the anguish that parents go through when their children are missing. I ask you, Ladies and Gentlemen, to think about the recent incident in Illinois when a little girl was missing. Now, in that case, it was clear that she had been abducted because it was witnessed, but each and every day there are children who run away who are reported missing by their anguished parents. In some cases, they don't report them missing right away, but spend anxious hours phoning relatives and friends, wracking their brains for where the child might be and if this child has run away, it is possible that the child has sought shelter in a crisis intervention agency and under the provisions of this Bill, that agency would be able to leave those parents in anguish and anxiety for days. The parents could be combing the landscape, putting out posses in the forest preserves or whatever, trying to find their child, not knowing that the child has run away and is safe and being real concerned. You know some of the people who run and staff agencies that are... that concerned with children view the child - parent relationship in a little bit different way from the way the parents might. They view it, some of these people, as almost an adversarial relationship. And if the child feels that mommy and daddy haven't been paying enough attention to them lately, after all, the child has some kind of complaint or wouldn't have run away, the people at the shelter might very well take

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the child's point of view and decide that it's really best for the child not to have contact with the parents. Now, in a few rare instances, that might be true, but in the vast majority of instances, I submit parents are actually caring. The adolescent, perhaps, does not understand the way that the parents express that caring and it's none of the business of these agencies to make the decision of whether it's good for that child for the parents to know where he or she is. Now, if the child is seeking shelter in such a place and there is a real danger to the child and the parents being able to take the child, I'm sure that agency would fight, if there is a real danger, to keep anything from happening to the child. But not even having to notify the parents puts the parents in the situation where the agency has misunderstood the relationship, where the parent is a caring parent, into a very difficult, traumatic situation. I think when it's 11:00 parents should know where their kids are and I think when someone is harboring their kids, whether for good or for evil, they ought to inform the parents where their kids are. And I think this Bill should be returned to a Conference Committee to delete that exemption for intervention services because I think it's absolutely wrong that anyone should be exempt from having to notify parents when there is a child missing and that person knows where the child is, in fact, in that person's own custody, that person should have to notify the parents. This is one more instance where we create a much larger problem than we seek to solve. Or at least in trying to solve one problem, we create an entirely different problem. I don't want it on my conscience if a parent is aggrieved and anxious about a missing child, only to find out days later that that child has been safe all along, but the agency holding the child

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doesn't have to tell the parents where he or she is and I urge a 'no' vote on this to send it back to take that exemption out so that the parents will know where their kids are. Thank you."

Speaker Greiman: "Yes, Mr. Davis. For what purpose do you seek recognition? You spoke on this."

Davis: "I know I spoke in debate, Sir. This is a point of personal privilege. I would like the record and the Journal to note that on the 24th of May, I did vote for House Bill 627, and I erred and I will declare for the record that I voted..."

Speaker Greiman: "Well, Mr. Davis, that is enough. That is enough. That is abusing the privilege. That abuses the privilege... the records of our... of this House and it is abusing the privilege, I believe, Sir. Mr. Preston."

Preston: "Thank you, Mr. Speaker. I am very moved by the very eloquent remarks of Representative Pullen on this subject and I agree with everything that she said, but I question the conclusion. I'm not certain that Representative Pullen is right and I'm not certain that she is wrong in the conclusion. I'm very sensitive to that anguished parent whose child is missing and the outrage that parent would ultimately feel when their child is missing and they find out later that their child was at some facility and the people there knew it and were receiving benefits from the State of Illinois, but did not call those terribly anguished and tormented parents. I would be extremely angry if... if, God forbid, I was that parent. On the other hand, not now being in that situation and having that emotional anguish but looking forward to the possibility that a child may some day run away, wouldn't I, as a parent, want it... if it were my child, to have my child know that that son or daughter could go to a facility and

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would go to a facility, knowing that their secret would be preserved and yet, knowing that they can get food and shelter and care that would be made available to him or to her, I think I might want that as well. I just felt, I'm afraid, compelled to say something on this because it's such a serious and problematic situation and I don't know what the answer is. I, to some extent, envy Representative Pullen that she is so sure of her conclusion. I'd like to hear what some other of our colleagues might have to say so that my vote may be swayed on it and I'm sorry for taking up the time of this House."

Speaker Greiman: "Mr. Barger, the Gentleman from DuPage."

Barger: "Thank you, Mr. Speaker. The Gentleman from Chicago just came up with some very valid points. In any case where we have doubt, I think it's incumbent upon us to take into account the feelings of everyone involved. If... If it is necessary, if the agency does feel that the child is in danger, they can... they can inform the proper authorities prior to giving custody of the children back to the parents. In Wheaton some very few years ago, we had a major problem where a man's wife disappeared. You probably know him. He's one of the famous baseball players from the Chicago Cubs. That lady had previously had reason to associate with the mental health agency out in Elgin. Well, the Wheaton Police Department contacted the mental health agency in Elgin to find out if she might have gone back there for some reason. The mental health agency at that time would not release the information to the city police as to whether she was there or not. This interfered with the police investigation and the problem eventually turned out that she has disappeared completely and no one knows where she is. But it did stop a police investigation and caused a great deal of anguish for a

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family. People need information about their loved ones as quickly as possible. If there is any need for intervention by the state, that is secondary. That can be handled at a later time, but for goodness sakes, ensure that the loved ones have an opportunity to know what is going on and why. Thank you very much."

Speaker Greiman: "Mr. Dunn, to close."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Just a little reminder. This Bill originally passed the House with 102 votes. It passed the Senate overwhelmingly with an Amendment on it. Came back here and it was concurred in overwhelmingly. Within about a half an hour after the Concurrence, it was called to my attention - in fact by a newspaper reporter - in an interview with him, I discovered that a line was left out of the Bill. So to correct the Bill, which really has already been 90 percent of the way to the Governor's desk, I brought it to Conference Committee to add the line back in the Bill which was in it originally. This is a good Bill. It was approved previously overwhelmingly in both chambers and it has been scrutinized in Committee and scrutinized carefully by the authorities in this state charged with looking after the best interests of young children. And they saw nothing wrong with the Bill so I would ask for your 'aye' vote to adopt the Corrected First Conference Committee Report to House Bill 627."

Speaker Greiman: "The question is, 'Shall the House adopt Corrected Conference Committee Report #1 to House Bill 627?' And on that, all those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 92 voting 'aye', 19 voting 'no', 1 voting

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'present' and the House... I'm sorry, Mr. Parke, one minute to explain your vote. And the House does adopt Corrected Conference Committee Report #1 to House Bill 627, and this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Davis, the Gentleman from Will, on a point of personal privilege."

Davis: "I did not seek recognition, Mr. Speaker."

Speaker Greiman: "I thought you wanted to have your change of heart or vote journalized. Appropriate now, but not appropriate during debate, Mr. Davis. If you don't really care to, it's alright."

Davis: "Well, I would like that change to occur, but it was ancient as you said, but I would like to reflect that I would not have voted for House Bill 627 on Third Reading on May 24th."

Speaker Greiman: "Fine, the transcript can... it's... appropriate now to say that."

Davis: "Thank you."

Speaker Greiman: "Ms. Satterthwaite, the Lady from Champaign, for what purpose do you rise?"

Satterthwaite: "I would like to have it journalized that I would like to be recorded in support of House Bill 627 although I failed to get recorded in time."

Speaker Greiman: "Let the... The transcript will so reflect your present intention. The Supplemental Calendar #2, on Conference Committee Reports appears House Bill 883, Mr. Peterson."

Peterson: "Thank you, Mr. Speaker and Members of the House. Conference Committee Report #1 on House Bill 883 provides that township boards of trustees of townships in a county with a population between 400,000 and 3,000,000 may provide for the construction, or installation or repair of sidewalks or street lighting or traffic control devices by

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special taxation. Before this special tax may be levied, the township board shall, by resolution, set a day and hour for a public hearing upon the proposed improvement for which the tax is to be levied which shall not be less than ten days after the resolution proposing the improvement. In addition, the owners... if the owners of 50 percent or more of the lots, tracts or parcels of real estate, which are subject to said taxation, file written objection with the recording officer of the township, the board of trustees shall proceed no further with the improvement and the same improvement shall not be again initiated for a period of one year. This is identical language that currently exists in the Municipal Code. In addition, it would bring the County of Cook into the Township Open Space Act by eliminating the top population of one million. I move for approval of Conference Committee Report #1 to House Bill 883."

Speaker Greiman: "Mr. Peterson, Gentleman from Cook, moves that the House do adopt Conference Committee Report #1 to House Bill 883, and on that, the Gentleman from Bureau, Mr. Mautino."

Mautino: "Will the Gentleman yield?"

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

Mautino: "Representative Peterson, I think what you are attempting to adopt is the provisions for a special service tax area adopted by resolution of township board or county board, correct?"

Peterson: "By the township board and then they would have to notify the affected landowners and those landowners, if more than 50 percent object, the township could go... could go no further with that proposal."

Mautino: "And the process of objection is by notification or by meeting in person and being able to vote or cast their

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position on that service area tax?"

Peterson: "No, it's not a special town meeting or a... What the provision provides for, that written notice has to be mailed to the last known owner of the parcel when the last tax bills were sent out. Then those people, by written objection, it's not a town meeting, by written objection, if more than 50 percent object, and this is identical to the Municipal Code, the township ward could not go ahead with this special tax."

Mautino: "One more final question. If, in fact, the property in question could... is conceivably owned by four or five individuals, as the majority properties in that area, let's say there were ten individual properties in the area, five or six properties owned by one individual, what is the weighted provision on that question?"

Peterson: "There is no weight at all that I can see."

Mautino: "In other words, that individual would be voting as one for the service tax..."

Peterson: "For each parcel that he owns individually."

Mautino: "For each parcels that he owns, okay."

Peterson: "That's correct."

Mautino: "To the legislation. As long as everyone understands what we are doing, it's another service area tax, provisions provided by resolution that has caused some concern in some of the downstate areas for the implementation of not only lights, but other items as well, sidewalks, curb and gutter and in some cases water and sewer extension by this same resolution provisions. As long as everyone realizes what they are voting on here, it's fine. It's basically a tax without referendum."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen, I know that Representative Peterson is a respected township official

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and I know he's worked hard on this legislation. And I think it can benefit many areas. I would wholeheartedly support him in this Bill."

Speaker Greiman: "Ms. Parcells."

Parcells: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Greiman: "Indicates he will."

Parcells: "Is this... Can this be anyplace outside of a village within a township?"

Peterson: "It has to be in an unincorporated area."

Parcells: "Well, for instance, if you wanted to run a sidewalk down in front of a farm, maybe unlikely, but..."

Peterson: "If that was the only owner and he objected, they could not do it."

Parcells: "I see. And this would not be the same as taxation without a... a referendum?"

Peterson: "No, the landowners have the privilege... They, first of all, are notified by mail. If they object by written notice, nothing goes through. It's identical to what municipalities do. There is no difference between the special tax that a municipality would have, and this is just extending it to the townships."

Parcells: "And then the township would pay for the part that doesn't run in front of a property?"

Peterson: "Right, only those who would benefit from the improvement would be taxed."

Parcells: "Okay, and then how is the amount set? Is it then billed back to them after it's built by special assessment."

Peterson: "That's correct. That's correct."

Parcells: "Thank you."

Speaker Greiman: "Mr. Peterson, to close."

Peterson: "Thank you, Mr. Speaker. I think we have debated this issue at length and I just want to reiterate that the

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landowners affected do have to approve of this. It's not a tax increase without referendum and I ask for your support on this Conference Committee Report."

Speaker Greiman: "Question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 883?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Peterson, to explain his vote."

Peterson: "Thank you, Mr. Speaker. Once again, this provision is identical to what municipalities have currently. The people who are affected by this tax must, or do have, a say if they want to be in a special tax district. If they object... If more than 50 percent of the people object, the township can go no further. They have to be notified by mail. This has nothing to do with an annual town meeting or a special town meeting. This has to do with written objection and I would certainly hope we could get 60 votes up there on the board. Thank you."

Speaker Greiman: "Well, that may not be sufficient. Have all voted who wish? Mr. Clerk, take the record. On this question there are 68 voting 'aye', 42 voting 'no', 5 voting 'present', and this Bill, having failed to received an Extraordinary Constitutional Majority, fails. Mr. Peterson."

Peterson: "Mr. Speaker, I'd like to poll the absentees."

Speaker Greiman: "Poll of the Absentees. Mr. Clerk."

Clerk O'Brien: "Poll of the Absentees. Sutker. Wojcik. And Zwick."

Speaker Greiman: "Yes, Mr. McMaster."

McMaster: "Thank you, Mr. Speaker. I had my light on before you declared that Bill and did want to explain my vote."

Speaker Greiman: "Okay, go ahead, Tom."

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McMaster: "Thank you. You're a Gentleman. You're a Gentleman, Mr. Speaker. Quite frankly, I think a lot of people are voting no on this because they think that it's a tax without referendum. I would like to know what fairer referendum you could have than the people involved in paying the tax are the ones who vote on it by saying no, they don't want the referendum. They don't want the benefit of whatever is planned. So, it's not a tax without a referendum, in my opinion. Only those involved vote on it. There is no idea of everyone in the township voting on it when they are not involved in paying for it. I think it's a very fair means of paying for it and I would urge a few more 'yes' votes up there."

Speaker Greiman: "Mr. Preston."

Preston: "May I be recorded as voting 'aye', please?"

Speaker Greiman: "Mr. Preston goes from 'no' to 'aye'. Mr. Shaw. Mr. Shaw goes from 'aye' to 'no'. Mr. Parke. Mr. Parke goes 'aye'. Mr. Pederson. Mr. Pederson goes 'aye'. Mr. Woodyard. Mr. Woodyard."

Woodyard: "Would you please change me to 'aye'?"

Speaker Greiman: "Mr. Woodyard votes 'aye'. Ms. Stern, Stern wishes to go 'aye'. Ms. Barnes."

Barnes: "Mr. Speaker, will you please record me 'aye'?"

Speaker Greiman: "Vote Ms. Barnes 'aye'. Mr. Soliz. Mr. Soliz is 'aye'. Ms. Breslin. Ms. Breslin is 'aye'. Mr. Washington. Mr. Washington votes 'aye'. Mr. Brookins. Mr. Brookins votes 'aye'. Mr. Shaw. Mr. Shaw desires to vote 'aye'. Mr. Sutker. Mr. Sutker votes 'aye'. Mr. Barger. Mr. Barger votes 'aye'. Mr. Clerk, what's the count? On this question there are 79 voting 'aye', 35 voting 'no', 2 voting 'present', and the House does adopt Conference Committee Report #1 to House Bill 983, and this Bill, having received the Constitutional Majority, is

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hereby declared passed. Mr. Davis."

Davis: "Mr. Speaker, we would like to request a Republican conference immediately from the Speaker and we'll be in conference about 45 minutes."

Speaker Greiman: "Alright, Mr. Davis... Mr. Giglio. Mr. Giglio, the Democrats desire to have... excuse me, Mr. Giglio, before I get to you, the last Bill was passed with a Extraordinary Constitutional Majority. Mr. Giglio requests a Democratic conference. Republicans will have a Republican conference in Room 118. Democrats will have a Democratic conference in Room 114. The conference will last for 45 minutes and we will return here at a quarter of six. Quarter of six we will return here. The House will stand in recess until a quarter to six. Democrats 114, Republicans 118. The House will be in order. Supplemental Calendar 2, House Bill 1641, Mr. Hastert. On the Order of Conference Committee Reports. The Gentleman... the Chair recognizes the Gentleman from Kendall, Mr. Hastert."

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1641 went to Conference Committee on a request from a colleague across the aisle, Representative Steczo. I extended that courtesy. When the Bill went to Committee, the Amendment that the Representative was offering was unacceptable to the parties involved, so 1641 comes to us exactly here as it came to us from the Senate. The Senate Amendment... First of all, the Bill dealt with extension of public funds, investments. That was passed almost unanimously by the House. The Senate Amendment allows... It's an Amendment put on by the Municipal League and the Treasurer's Office and basically what it does is provide that the custodial bank shall be liable to the public agency for any monetary loss suffered due to the failure of the custodial bank to take and maintain

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possession of such securities. I ask for the adoption of this Report."

Speaker Greiman: "Gentleman from Kendall moves that the House do adopt First Conference Committee Report to House Bill 1641. And on that, is there any discussion? There being none, the question is, 'Shall the House adopt Conference Report #... Conference Committee Report #1?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 voting 'aye', none voting 'no' and none voting 'present'. And the House does adopt Conference Committee Report #1 to House Bill 1641, and this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Supplemental Calendar Conference Committee Reports appears House Bill 2434, Mr. Tate. 2434."

Tate: "Thank you, Mr. Speaker. I'd like to take this out of the record."

Speaker Greiman: "Out of the record. Supplemental Calendar 2, Conference Committee Reports, appears Senate Bill 158, Mr. Klemm."

Klemm: "Mr. Speaker, Ladies and Gentlemen of the House, I have been asked to take it out of the record momentarily. Is that alright, Mr. Speaker?"

Speaker Greiman: "Okay, out of the record. On the Order of Supplemental Calendar 2, Conference Committee Reports appears Senate Bill 560, Ms. Wojcik."

Wojcik: "I'd like to take it out of the record. I don't have the Conference Committee Report."

Speaker Greiman: "So... Okay, out of the record. 2434, out of the record, Mr. Tate. Senate Bill 158, Mr. Klemm, out of the record. Senate Bill 560, Ms. Wojcik, out of the

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record. Alright. Ladies and Gentlemen, if I could have your attention, so that you might have some sense of what the intention of the Chair is, it is our intention to distribute a... Supplemental Calendar 3 shortly. There are a number of Bills that are, I suppose, classified as Members' Bills. They are not the heavy issues of the Session. We will, hopefully, with the cooperation of everybody, work at those Bills and try and clear up as much of the... of those... that category of Bills that we can do this evening for an hour, hour and a half and then we will consider some of the great issues of the Session tomorrow. So, that is the intention of the Chair. Most of the Committee Reports that will appear on Conference... on Supplemental Calendar 3 have been on your desks for some time and that is our intention and hopefully you will be cooperating. Alright, Ladies and Gentlemen, the Chair has some... a different set of intentions. Apparently, the Speaker and Minority Leader have conferred and I... the Chair recognizes... excuse me, before we... The Appropriations Chair should stay close by at this point and Minority Spokesman for Appropriations as well since those meetings will be ongoing. And on that, the Majority Leader, Mr. McPike."

McPike: "Thank you, Mr. Speaker. I move the House stand adjourned until tomorrow at the hour of 9 a.m."

Speaker Greiman: "The Gentleman from Madison, Mr. McPike, moves that the House stand adjourned until the hour of 9:00 tomorrow. All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House stands adjourned until the hour of 9:00 tomorrow morning."

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