

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

36th Legislative Day

May 5, 1989

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be lead in prayer today by the Reverend Frank Beard from the Allen Chapel African Methodist Episcopal Church in Taylorville. Frank has been a Doorman with the House of Representative for the past few years, and we are proud to have him present for the invocation. The guest in the Gallery, please rise and join us in the invocation."

Reverend Frank Beard: "Let us pray. Eternal God, our Father, we thank You for this occasion. We ask blessings upon each and every man, woman, Representative of the State of Illinois. Oh God, bless us in Your way and thank You for the occasion and the opportunity just to serve Your Holy and sanctified name. We ask all these things in thy Son Jesus name. Let the words in my mouth and the meditation of my heart be acceptable in thy sight, oh Lord, my strength, and my redeemer. Amen."

Speaker Madigan: "We shall be lead 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 Madigan: "The Roll Call for Attendance...Mr. Matijevich, are there any excused absences?"

Matijevich: "Yes, Mr. Speaker. Representative Lou Jones, on this side of the aisle, is an excused absence..."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "Yes, let the record also reflect the excused absence of Monique Davis, death in the family."

Speaker Madigan: "Monique Davis is excused because of a death in the family."

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Speaker Madigan: "Mr. Piel, are there any excused absences?"

Piel: "No excused absences today, Mr. Speaker."

Speaker Madigan: "Thank you. The Clerk shall take the record.

There being 113 people responding to the Attendance Roll Call. There is a quorum present. Mr. Clerk. Mr. Clerk, Committee Reports."

Clerk O'Brien: "Representative White, Chairman of the Committee on Human Services, to which the following Bills were referred, action taken May 5, 1989, reported the same back with the following recommendations: 'do pass' House Bill 413; 'do pass as amended' House Bill 1125; 'do pass Consent Calendar' House Bill 2351 and 1447; 'do pass as amended Consent Calendar' House Bill 1049; 'Interim Study Calendar' House Bills 299, 975, 943, 2012, 2641, 1886, 1281, 1093, 1506, 1656, 2013, 1923, 1924, 2767, 2240, 2122, 2648, 765, 1740, 1961 and 1126. A corrected Committee Report, House Bill 1707, was reported out of Committee on Judiciary I, in error on May 4, 1989. The Bill remains in Committee. Representative Currie, Chairman of the Committee on Revenue, to which the following Bills were referred, action taken May 3, 1989, reported the same back with the following recommendations: 'Interim Study Calendar' House Bill 1161. Representative Mulcahey, Chairman of the Committee on Elementary and Secondary Education, to which the following Bills were referred, action taken May 5, 1989, reported the same back with the following recommendations: 'do pass' House Bills 2796, 1681; 'do pass as amended' House Bill 677 and 62; 'do pass as amended Short Debate' House Bill 901; 'do pass Consent Calendar' House Bill 2680; 'Interim Study Calendar' House Bills 2103, 1982 and 980. Representative Terzich, Chairman of the Committee on Executive, to which the following Bills were referred, action taken May 5, 1989, reported the same back

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with the following recommendations: 'do pass' House Bills 1001, 1718, 2375 and 2739; be adopted as amended House Joint Resolution 20, tabled in Committee, House Bill 1580; 'Interim Study Calendar' House Bills 434, 457, 824, 825, 1630, 1631, 1702, 1755, 1973, 2092, 2189; do adopt as amended Short Debate, House Joint Resolution 18. Representative Dunn, Chairman of the Committee on Judiciary I, to which the following Bills were referred, action taken May 5, 1989, reported the same back with the following recommendations: 'do pass' House Bills 37, 683, 1626, 2316; 'do pass as amended' House Bills 496, 899 and 2166; 'do pass Short Debate' House Bills 642, 1153, 1158, 1198, 1300, 1502, 2090 and 2262; 'do pass as amended Short Debate' House Bill 1132; 'do pass as amended Consent Calendar' House Bill 2293; 'Interim Study Calendar' House Bills 92, 2019, 735, 736, 2016, 2567, 756, 1540, 2102, 1105, 2752, 2753, 403, 1306 and 2754. Representative Homer, Chairman of the Committee on Judiciary 2, to which the following Bills were referred, action taken May 5, 1989, reported the same back with the following recommendations: 'do pass' House Bills 1324, 1463 and 2079; 'do pass as amended' House Bills 983, 1858 and 2312; 'do pass as amended Short Debate' House Bill 74; 'Interim Study Calendar' House Bills 1488, 1758, 2138, 1979, 372, 936, 2685, 1038, 1041, 1487, 1504, 1962, 1861, 1977, 1981, 2322, 2399, 2402, 2466, 2636, 419 and 2507."

Speaker Madigan: "Mr. Clerk, have you completed the report?"

Clerk O'Brien: "Committee Reports are completed."

Speaker Madigan: "Do you have anything further? On page 62 of the Calendar, on the order of Motions, there appears the Motion relative to House Bill 54, Mr. Barger. The Chair recognizes Mr. Barger. Mr. Barger, is the Gentleman here? Good place, stay right there. Turn on Mr. Sutker's

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microphone."

Barger: "Thank you, Mr. Speaker. I would like to withdraw my request at this time."

Speaker Madigan: "Gentleman withdraws the Motion. House Bill 118, Mr. Johnson. Is Mr. Johnson in the Chamber? House Bill 141, Mr. Van Duyne. Is Mr. Van Duyne in the Chamber? Mr. Johnson, you filed a Motion relative to House Bill 118. Do you wish to proceed? Mr. Johnson, House Bill 118."

Johnson: "I request that Representative Stephens is a hyphenated sponsor, co-sponsor be a permitted to close. This Bill's very simple. It repeals the Compensation Review Board so that future salary increases are up to the General Assembly. We either vote them up or down, and we don't leave it to a Board to do."

Speaker Madigan: "The Gentleman moves to discharge the Committee on Personnel and Pensions from further consideration of the Bill. The Chair recognizes the Chairman of the Committee, Mr. Wolf. Mr. Wolf."

Wolf: "Thank you, Mr. Speaker, I rise in opposition to the Gentleman's motion. This Bill was properly posted in the Pension Committee. We heard all of the Bills of all of the Sponsors that were present. I know that the Sponsor had indicated a...an alternative Sponsor who would appear to present the Bill, however, at about 10:35, after hearing all of the Bills that were posted, the Minority Spokesman made the Motion to adjourn (which was seconded) and we did so. On that basis, I would oppose the Gentleman's Motion."

Speaker Madigan: "Mr. Stephens, the close."

Stephens: "Well it's true that we were not able to present the Bill before the Committee. It was not the Committee's fault, perse'. But, I was, I had spent about three hours in another Committee in order to present a Bill that was very important to the people in Illinois. And so because,

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we were not able to present the Bill before the Committee, and because it's an important issue, we would ask for a favorable vote on the Motion to discharge the Committee so we can hear this Bill on the House floor. As you're all aware it's a very sensitive issue. We talk about the Confrontation Review Board and pay raises. But, I think that it's very appropriate that each Legislator stand and vote on his own pay raise, and, thus, eliminate the need for a Compensation Review Board, and I would urge and 'aye' vote."

Speaker Madigan: "The question is, 'Shall the Committee be discharged from further consideration of the Bill.' Those in favor signify by voting 'aye', those oppose by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 47 'ayes', 48 'nos', the Motion fails. Mr. Van Dyne. House Bill 194, Mr. Ropp. Mr. Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. First of all, let me say that I have had a extremely fair hearing in the Committee. However, since that Committee, I've received thousands of signatures on a petition that says this is a Bill that needs addressing in attempt to eliminate the in-flux of drugs and contraband into our prison. The Bill is amended down to only have one maximum security prison, as the one in question and I just think for the protection of the employees as well as an attempt to have a drug free city, if we can't have a drug free system within a controlled environment then we're in bad trouble, and I urge your support of this Motion."

Speaker Madigan: "Chair recognizes the Chair of the Committee, Mr. Hannig."

Hannig: "Yes, Thank you, Mr. Speaker, Members of the House."

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Indeed, I think Representative Ropp makes my argument for me. We did try to accomodate him on two different occasions on this Bill. He brought witnesses in. They all had a chance to testify. We heard the debate and it was not a partisan issue. It was voted down and I would ask that the committee not discharge this Bill."

Speaker Madigan: "Those in favor of the Motion will signify by voting 'aye', those oppose by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk, shall take the record. On this question, there are 45, 'ayes' 52 'nos' the Motion fails. House Bill 141, Mr. Van Duyne."

Van Duyne: "Thank you, Mr. Speaker, the reason I have this discharge motion is because there was a terrific discrepancy in the scheduling of this. I checked the with the Minority Spokesman on this. I cleared it with Chairman of the Revenue Committee and also the Chairman of the Subcommittee and they have no objections so I move to discharge."

Speaker Madigan: "Chair recognizes the Chair of the Revenue Committee. Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. The Subcommittee Chairman informs me that there was a miscommunication between himself and Representative Van Duyne. Neither he nor I have any objection to the hearing of this discharge Motion."

Speaker Madigan: "Is there any objection to the Motion? There be no objection. Leave is granted. The Motion is adopted using the Attendance Roll Call. House Bill 198, Mr. Countryman. Mr. Countryman. Gentleman withdraws the Motion. House Bill 231, Mr. Ropp. Mr. Ropp. Mr. Ropp, please confine your remarks to the Motion."

Ropp: "Yes, Sir, Mr. Speaker I'd like to withdraw this Motion."

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Speaker Madigan: "Thank you. The Motion is withdrawn. House Bill 248, Mr. Daniels. Mr. Churchill. Mr. Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. First, let me say that this Bill did have a hearing in the Subcommittee of Revenue. This is a Bill, though, that is of utmost importance to many of the Members on this floor, and it really deserves to have a hearing here. This Bill is the Bill which is the cleanup Bill for the sales tax reform of last year. There are many provisions that it covers, but there's one issue which is central and that is the debate over the continuing versus the annual appropriation. It used to be that all the sales tax revenues went directly back to the municipalities. They went home, directly, without the interference of the legislative process. In the Sales Tax Reform Bill, there was a change made in that, so that we have to follow an annual appropriation which means that the money comes into the legislative process."

Speaker Madigan: "Excuse me, Mr. Churchill. For what purpose does Representative Currie seek recognition?"

Currie: "Parliamentary inquiry, Should the Gentleman not be confining the remarks to the Motion rather than the substance of the Bill?"

Speaker Madigan: "Mr. Churchill, if you could confine your remarks to the motion. Proceed."

Churchill: "My Motion is to discharge the Committee of Revenue on this Bill which means that local dollars go back to the municipalities on the basis of a continuing appropriation. It is of the utmost importance because of the fact that any dollars that don't go back to those local municipalities are subject to appropriation in this process, right here. And, what that it means is for you guys from downstate, who have small cities. What it means is the dollars that come

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here are available to go to the City of Chicago instead of going to your local communities down home. And, all your local communities, are gonna suffer because of the Bill that was put through last year. This is your one chance to correct that situation. So, you should vote yes for your local communities."

Speaker Madigan: "Mr. Ewing. Mr. Ewing."

Ewing: "Mr. Speaker, Ladies and Gentleman of the House, I rise in support of this Motion for the very simple fact that everyone of us have Republican and Democrat cities in our district. Everyone of those cities wants this legislation passed. This is good legislation if you have any respect for local Government and the ability they have to handle their own funds. Put a yes vote on this Motion. You'll find it very popular with all your municipal officials."

Speaker Madigan: "Representative Frederick."

Frederick: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. I also rise in support of this Motion. This is the issue that I have heard the most about from local communities and this Bill will take care of their problem and so I urge an 'aye' vote."

Speaker Madigan: "Chair wishes to announce that the Clerk shall, shall stop taking Motions in about ten minutes. For those of you who wish to file Motions, please file them within the next ten minutes. Relative to the motion before the Body, the Chair recognizes the Chair of the Committee, Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I urge the House to reject the Gentleman's Motion to discharge Revenue Committee from consideration of House Bill 248. You've heard some misinformation on the issue. It's a three hundred thirty page Bill dealing with the clean up of the sales tax changes we made last year. There's another



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three hundred thirty page Bill on the House floor. House Bill 40, that deals in the very same subject area with marginal differences between the two approaches. I would encourage those who support House Bill 248 to save their energies for the amendment stage. This Bill had a full, fair, impartial, hearing in Subcommittee of House Revenue. There is no reason to discharge it from that Committees consideration. I would direct the proponents attention to House Bill 40 which presently on Second Reading before the full Body."

Speaker Madigan: "Mr. Black to close."

Black: "I thank you very much, Mr. Speaker, Ladies and Gentleman of the House. House Bill 248 fully addresses the problem that all of you in this Chamber are aware of. And that is on the Sales Tax Reform Bill, that has been referred to by your side of the aisle as an oversight and it would be corrected and it would be taken care of and people shouldn't worry about it. Well, this your opportunity to correct it, to take care of it, so the people back in the municipalities don't have to worry about it. This Bill addresses the complete and full issue, not a partial solution, but it simply makes sales tax revenue, collected by the State of Illinois, going back to the cities of origin as it has always done. And it does that by virtue of making all of those dollars flow back on a continuing appropriation basis. Now, Ladies and Gentleman of the House, if you fail to put this Bill out for further consideration, let me just quote to you for an editorial in a newspaper in my district. Cities can loose the larger source of revenue that they have. They can't budget. They will ...excuse me Mr. Speaker."

Speaker Madigan: "Could you confine your remarks to the Motion? Thank you."

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Black: "I'll be more than happy to do so. This Bill, 95 all of you know, is a very important factor to all of the cities in every district be you on the left or right side of the aisle in this House. Without this Bill, you can find yourself trying to explain why cities cannot budget. I urge, I urge you to cast an 'aye' vote on this Motion."

Speaker Madigan: "The question is, 'Shall the Motion to discharge the Committee from further consideration of the Bill, be adopted? Those in favor signify by voting 'aye', those oppose by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk, shall take the record. Mr. McCracken."

McCracken: "In order that the consciences of the entire Body may have a chance to appreciate this, I'd like to explain my vote. The...There was never negotiated, last year, with the cities any issue along these lines. Whether it was done by a mistake or not, the fact is, it was never done in consultation with the Committees. The issue was never on the table. It was absolutely a surprise to everybody and the cities feel betrayed. And, it's only gonna get worse if we don't do something about it. Mr. Speaker, if this appears not to get the requisite number of votes, I'd like to poll the absentees."

Speaker Madigan: "Would the Clerk record Mr. Trotter as no and, then take the record. And, Mr. McCracken has requested a Poll of the absentees. Mr. Clerk, read those not voting.

Clerk Leone: "A poll of those not voting. Bowman. Breslin. Bugielski. Daley. Deleo, Homer. Laurino. Martinez. Mautino. Mulcahey. Rice. Santiago. Satterthwaite. Steczo. Turner and Anthony Young. No further."

Speaker Madigan: "Mr. Young, would like to be recorded as no. Mr. Martinez, 'no', Mr. Turner, 'no'. Any further? Representative Satterthwaite, 'no' Mr. McCracken, any

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further Motions? Clerk shall take the record. On this question, there are 54 'ayes' 40 'nos'. The Motion fails. House Bill 270, Mr. Ewing."

Ewing: "Mr. Speaker, Ladies and Gentleman of the House, I rise on the motion to discharge House Bill 270 and I think this is probably a real sleeper to you people on the other side of the aisle, particularly. This Bill deals with improving our Compensation a View Program in Illinois. And, let me tell you that, as far as I know, the Pension Committee met once, for a very short time, and at that meeting there were only two Republicans and two Democrats and it took four votes to get any Bill out of that Committee. The Bill that I would like to see discharged calls for more debate and public input into setting salary increases for Constitutional Officers and Members of the General Assembly. The Bill will require that salary increases will be handled as part of the regular legislative process, the current law, I believe, in this matter, is flawed because it allows for the pay increases to go into affect without there ever being a vote, of this Body or the Senate. As congress found out this fall, the American people will not stand for us, in our legislative capacities, taking large pay increases."

Speaker Madigan: "Mr. Ewing, Mr. Ewing."

Ewing: "Yes."

Speaker Madigan: "Could you confine your remarks to the Motion. Thank you."

Ewing: "They are, Sir. I'll come to conclusion. Taking large pay increases and not be accountable. I suggest that this Bill puts accountability in because we have to vote on any pay increase within thirty days of the pay commissions recommendations. You keep the best of the pay procedure and you put a vote with it up front. If you want to have

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your salaries adjusted this is the best way to have it done. This has been supported editorially across this state. And I ask for your 'aye' vote on this vote. Thank you."

Speaker Madigan: "Mr. Wolf the Chairman of the Committee."

Wolf: "Thank you, Mr. Speaker, I rise in opposition to the Gentleman's motion. The Bill was posted. The Sponsor appeared. The Bill was heard, the vote was taken. The vote did not substantiate, enough votes to pass out a Committee. On that basis, I would oppose the Motion."

Speaker Madigan: "Those in favor of the Motion signify by voting 'aye', those oppose by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk, shall take the record. On this question there are 50 'ayes' 28 'nos' the Motion fails. House Bill 292, Mr. Barger."

Barger: "Thank you, Mr. Speaker. In the mood of fairness and equality having withdrawn one Bill from the Democrat side. I'd like to now withdraw this next one from the Republican side. Thank you."

Speaker Madigan: "Motion is granted. House Bill 325, Mr. Dunn."

Dunn: "Thank You, Mr. Speaker, Ladies and Gentleman of the House. I rise in move to discharge Constitutional Officers Committee in place the House Bill 325 on Second Reading. House Bill 325 is the Bill which only affects people who are disabled, for example riding wheel chairs, have disabled license plates and are also ham radio operators. That's very few people. There was a misunderstanding between the Chairman and I about posting and mechanical misunderstanding, and the Bill was not called in hearing so I would like to get this Bill out and take care of that small group of people, so I urge your favorable vote."

Speaker Madigan: "The Chairman of the Committee, Mr. Brunsvold."

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Brunsvold: "Thank you, Mr. Speaker, I stand opposed to the Gentleman's motion. His Bill was placed in Subcommittee early in the process. We did have a Subcommittee meeting. Representative Bugielski held the meeting. The Sponsor did not request that Bill be posted in Subcommittee and I stand in opposition to the Motion."

Speaker Madigan: "The question is, 'Sshall the Motion be adopted.' Those in favor signify by voting 'ye's, those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk, shall take the record. On this question there are 18 'ayes', 71 'nos', the Motion fails. House Bill 532, Mr. Stephens. Gentleman withdraws the Motion." House Bill 555, Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentleman of the House. Perhaps, of all the Motions we're hearing today, this is the one that I present with the greatest of all sadness. Because what's happening under this Bill, which is a Bill that's pretty simply described. Creating the home based Support Services Law and Family Assistance Law to provide adults with severe mental disabilities and families of children with severe mental disabilities, a monthly cash stipend to use in supporting home base living situations. What has happened is this Bill never received a vote in Committee, was never asked if people wanted to move their own individual legislation. Instead, has been, quote, rolled into another Bill that's inconsistent with the basic premises of this Bill. And by the way, on behalf of the mentally retarded, and ill, and severely injured and developmentally disabled people in this state, I can tell you, rolled into a Bill, that has been vetoed in the past and more than likely will be vetoed again. The Bill that we had, House Bill 555 had been worked on for well over two and half years. Has combination with an aging out process

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and through the excellent help of the Department of Mental Health. The Department of Mental Health strongly supports 555. Does not support the rolling of this Bill. And House Bill 69, which only will jeopardize the very important features of the home base subsidy that House Bill 555 has to it. Ladies and Gentleman, we ask the Chairman of the Mental Health Committee, to set aside partisan differences and to join in this Bill. Unfortunately, he chose not to do thereby, jeopardizing the passage of this most important law. I ask for your consideration and your support that this Motion to discharge so the issue can be held and heard in detail on this house floor."

Speaker Madigan: "The Gentleman moves to discharge the Committee on mental health from further consideration of the Bill. The Chair recognizes the Chair of the Committee, Mr. McGann."

McGann: "Thank you Mr. Speaker, and Members of the Assembly. I rise in opposition to this Motion. From day one in this new Committee, we sat down with the numbers on our side of the aisle, also sat down with the Minority Spokesperson and I explained to them the problems we've had in serving the mentally ill of this state. We felt as though the best direction would be to move in a Committee posture, so that the Committee Bills would come out in groups so that we would be able to better serve. They all agreed to this, and in a previous to every hearing, we explain our posture, and what we were going to be doing. This was the direction we felt as though was the best to do. Members of both sides of the aisle, Democrats and Republicans accepted this way to...and allowed their Bills to be intra Committee Bills. This is the only Representative that oppose this progressive way to handle the problems for our mentally ill. Therefore, I oppose this Motion, and I would ask all

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those that are really concerned about helping the mentally ill of this state, cooperate to oppose this Motion, also. Thank you."

Speaker Madigan: "Mr. Olson."

Olson: "Thank you, Mr. Speaker. Ladies and Gentleman of the House, I rise in support of Minority Leader Daniels Motion to discharge this Bill. Having represented a community with this type of population for sixty years, and having served on the citizens assembly, the mental health, and development of disabled, it is important that this aspect of this issue be given a fair hearing. I urge a 'aye' vote on this discharge Motion."

Speaker Madigan: "Mr. Hultgren."

Hultgren: "Thank you, Mr. Speaker, Members of the House. I to am a Member of the Mental Health Committee in which this Bill was not heard, and, I believe, my recollection of what occurred there might be a little bit different, but let me suggest to you that if you're really interested in helping the mentally ill and the developmentally disabled, it is appropriate now to vote for this discharged Motion. Because, in fact, the procedure which was used by majority of the Members of the Committee, might best be described as the way you can defeat a Bill without in fact appearing to defeat a Bill. By taking a proposal which of course, a proposal who's time has come, that the entire mental health community has indicated support for, and tying it to a measure which the Governor has twice vetoed, you can, of course, appear to be supporting the measure and, yet, let someone else do the dirty work and I think that's, precisely, what's going to happen unless this Motion to discharge prevails."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Ladies and Gentleman

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of the House, I to rise in support of Minority Leader Daniels Motion to discharge. Primarily, because the Bill will stand on its own merits. Secondly, let me say, Mr. Speaker that as Minority Spokesman, when I approached Minority Leader Daniels with the information on how the Chairman wished to run the Committee on Mental Health, let the record reflect that Minority Leader Daniels did not agree to that procedure which I duly reported to the Chairman. And, in all fairness to Minority Leader Daniels who did not agree to the process and made it very clear when the House Bill 555 we heard testimony on the Bill in the Committee that he did not agree with the process. I would simply rise in support of the Gentleman's Motion to discharge."

Speaker Madigan: "Mr. Morrow."

Morrow: "Thank You, Mr. Speaker, Members of the House. I rise in to oppose this Motion. As the previous or the Chairman of the Mental Health Committee, has already mentioned that, unfortunately, the person who's carrying this piece of legislation, is the only person who feels that he should be held different from all the other Members who came before that Committee. No one else complained about how the process was going in that Committee. It was a fair process. We've done a great deal of work in this area of Mental Health and for that reason I have to rise to oppose this motion. Thank you."

Speaker Madigan: "Mr. Hallock."

Hallock: "Thank you, Mr. Speaker, and Members of the House. To the previous speaker, and others who've spoken, I really reject and think that we all should reject this Committee Bill process. Unlike what the previous speaker has said, there are many in this Committee who objected to having their Bills called in this format. As a matter of fact,



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many Members on our side who had Bills which were posted for that Committee had insisted from time to time that their Bills be called under their names. They were told, fairly summarily, that, just, wasn't to be, and obviously those Bills then died. But this issue rises beyond just that purpose itself. This issue is, probably, one of the most important Bills we're going to be debating this session. Now, that issue has been convoluted by being put with another Bill which is a very onerous Bill, one which has been beat many times in this process. You are in fact, by doing that endangering, this great concept. It's the wrong thing to do. I urge all of you to vote for this discharge Motion."

Speaker Madigan: "Mr. Granberg."

Granberg: "Thank you, Mr. Speaker. As a Member of the Committee I just want to say that there is no more concerned man about mental health than Andy McGann. Andy, went into that Committee with the feeling that we were not going to be partisan, that our work product will be compilation of all our efforts as a group, and that was his concern, not to deal with partisan politics. I would urge everyone to vote no on this Motion because that is the product of those meetings and the hours, and hours that all the Members both Republican and Democrat spent in those hearings."

Speaker Madigan: "Mr. Klemm."

Klemm: "Thank you, Mr. Speaker, you know one of the few things, that we, as individual Members, have left in this Chamber is to, at least, have an opportunity to have our Bills heard. Many of you who spoke, asked for one, and two attempt on Bills that were defeated earlier this week thru our second try and everybody got an opportunity to, at least, have their Bill heard. It seems to me that when Committees get to the point, for either side of the aisle

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who says that we can't have our own Bills heard, that we're going to have a new rule that is gonna be all Committee Bills that are structured just for a few people, is really wrong. I don't know if the merits of this Bill are good or not. I don't if the merits of any of your Bills are. But if you have not had an opportunity to have heard your Bill, I'll support you. That's a few things we have as colleagues that we should protect. And I don't know what the merits are, or what the political aspirations are of those who wish to defeat it or not. Let one Member have their Bill heard because that's a new policy we have. But, Members that's wrong, and, Mr. Speaker, if that's your direction, you're making a mistake and not allowing us, at least, at one time, to have our Bills heard, at least, before our own colleagues of our own peers, and I would ask you to stand up, for once, and vote for ourselves, and vote for this Bill to, at least, be heard before us all."

Speaker Madigan: "Mr. Robert Olson."

Robert Olson: "Thank you, Mr. Speaker. I too, serve on the Select Committee for mental health and I too have great respect for Andy McGann and I talked to Andy after yesterday's meeting, about that. But we did something in Mental Health this year, maybe thirty Bills were rolled into four Bills, and three of those four are sponsored by the Chairman, Mr. McGann. Is this a precedent for something that may happen in the future, not only in mental health, but in judiciary, AG., any Committee we serve on. We carry our Bills in there. We represent our district, our constituents. There are 118 of us. It bothers me that we may be looking to a future for all Committees down here to operate under that premise. For that reason, alone, I think that we should consider the request on the Motion and vote favorable. Thank you."

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Speaker Madigan: "Mr. McGann to close."

McGann: "Thank you, I...rise in the point of personal privilege."

Speaker Madigan: "Mr. Mr. Mr. McGann. Mr. Daniels, you wish to close? Mr. Daniels will close. Mr. McGann on a point of personal privilege."

McGann: "Thank you, Mr. Speaker. My name was used in debate, and therefore, I'd like to point out a couple of items here. There was a very fair, fair, hearing in regards to this Bill. Hours was spent and witnesses were paraded in, and everyone was heard. No one was left out of the process. As far as the Bills coming out of the Committee as Committee Bills, they are Committee Bills. I maybe the floor manager, but they are Committee Bills, and the individual sponsors that are on part of these Committee Bills will be handling their message to this assembly. There was no grab for anything else, except, to bring about, some, sort of a solution to handle the problems we have in the mental health field. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Daniels, to close."

Daniels: "Well, Mr. Speaker it's unfortunate the previous speaker had to add something about the hearings, because I had decided in my initial comments to leave that out. Perhaps maybe you ought to recognize, the fact, that this was the only Bill that when it was called for a hearing was interrupted and witnesses were told they had to wait until the end of other Bills even Members of the Committees Bills before they could continue to testify. Now, what impact is that? That's not so bad, for me. I'm in Springfield six months out of the year just like you are. The problem is that we had witnesses from Chicago that had driven three and half hours to testify on this Bill, and they had to leave to go home to their disabled children. And, they

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didn't get a chance to testify. When he finally called this hearing back together again and allowed them to complete their testimony, those people had gone. A fair hearing, anything but that! No vote was ever held on this Bill of Representative McGann. 555 was never put up for a vote on a yes or a no. Now let me tell you what the issue is about here. It's not a partisan issue, cause I offered you sponsorship on this Bill, as well. The issue is, you've rolled this into House Bill 69 which has been Vetoed twice before. The Department of Mental Health opposes, and the Governor opposes. And, you know he's gonna veto it again because the estimated cost of your Bill to fully implement in this state is six point nine billion dollars, and I, frankly, don't want this very important Bill of home base support for people with handicapped children at home that can't get out of their homes, that can't get away just for a few moments. This Bill will give them a little bit of relief. Now, we're talking about compassion and understanding of a government that needs to care for people that can't care for them selves. And, in my private communications with the speaker, I've said to him, over the last three years, let's keep the area mental health away from partisan politics. Well, I'm ashamed to say that apparently it's now entered into that realm. 555 is a product of the Illinois Department of Mental Health, House Republican Task Force. Many other people that are committed to quality care in this state to stop the slide of services as we deal with our handicapped and disabled. I'll tell you this, I won't stop my argument. I tell you this: House Bill 69, in it's twisted form, and it's cost of 6.9 billion dollars estimated cost is gonna be vetoed again. And, I'll tell ya, anybody that doesn't know it now, isn't looking at the facts, and when it comes back to

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us because of the veto, we will have turned our back on every no vote on this discharge vote will have turned it's back on the handicapped and the needy in the state of Illinois. Set aside the partisan differences here that never received a vote in Committee, and you know (each and everyone of you on the other side of the aisle) that that's not right."

Speaker Madigan: "The question is, 'Shall the Committee be discharged from further consideration of the Bill?' Those in favor signify by voting 'aye', those oppose by voting 'no'. Have all voted who wish? Have all voted who wish? Clerk, shall take the record. Mr. McCracken."

McCracken: "I'd like to poll the absentees."

Speaker Madigan: "Mr. Clerk poll the absentees."

Clerk Leone: "Poll of those not voting. Daley, DeLeo, Homer, Laurino, Mautino, <sup>W</sup>Mulcahey, Rice, Santiago and Stern. No further."  
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Speaker Madigan: "Any further. 53 'ayes', 8 'nos'. The Motion fails. House Bill 600, Mr. Ropp."

Ropp "Thank you, Mr. Speaker, Members of the House. House Bill 600, was to be heard in a Subcommittee. I was at that Committee room at 8 o'clock in the morning. No one was there. I came back 15 to 20 minutes later because I needed to check on the amendment that was to be delivered to this Committee. It was not there. I went back to get my amendment drafted. It was... (correction) It was, already, drafted. I had to get it added to get my official 20 or 30 copies, and when I had returned the Committee had adjourned. I welcome the opportunity to, at least, have it heard once."

McPike: "Representative McPike, in the Chair. The Gentleman moves to discharge House Bill 600, and, on that, the Lady from Cook, Representatative Currie."

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Currie: "Thank you, Mr. Speaker, Members of the House. I'm informed that the Subcommittee was there, that Representative Ropp did have an opportunity to present his Bill, and the Subcommittee Chairman, and the Chairman of the Revenue Committee, would oppose this Motion."

Speaker McPike: "Further discussion. Question is, 'shall the Gentleman's motion pass?' All those in favor vote 'aye', oppose vote 'no'. Have all voted? Have all voted who wish? Clerk, will take the record. On this motion there are 54 'ayes', 37 'nos', 11 voting 'present'. The Motion fails. House Bill 673, Representative Pedersen."

Pedersen, B: "Thank you, Mr. Speaker. I move to discharge Human Services from further consideration, and advance to the order of Second Reading. House Bill 673, which amends the Human Rights Act to provide that the Act not prohibit the refusal to rent a housing accommodation to unmarried persons of the opposite sex. An elderly, downstate woman, age 88..."

Speaker McPike: "Representative Pedersen, excuse me, would you confine your remarks to the Motion, and not to the Bill. Thank you, proceed."

Pedersen, B: "...To wind up, she was prosecuted for refusing this rental."

Speaker McPike: "Representative Pedersen, Representative Pedersen."

Pedersen, B: "Yes."

Speaker McPike: "The Chair has requested that the Members confine their remarks to the Motion, and not to the Bill, and we would appreciate your..."

Pedersen, B: "Cooperation."

Speaker McPike: "Cooperation...proceed, Sir."

Pedersen, B: "Well, anyway, several Members were missing, and I think that this is an important Bill that the full House

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would be interested in hearing so I move to discharge and ask for a favorable vote."

Speaker McPike: "Thank you. You've heard the Gentleman's Motion and on that the Chairman of the Committee, Representative White."

White: "Mr. Speaker, Ladies and Gentleman of the House, I stand in opposition to the Gentleman's Motion to discharge House Bill 673 from the Committee. First of all, he filed his Motion prior to the hearing, and we gave him a hearing today. It was a complete one. It was a fair one. We did have enough Members to vote the Bill out, and, as it turned out he came up a few votes short. So, I would hope that this Body would stand with me and in resisting his Motion to discharge this Bill from the Committee."

Speaker McPike: "On the Motion, the Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Mr. Speaker, and Members of the House, I rise in support of the Gentleman's Motion. As he said, there were not enough people in the Committee. Had there have been sufficient numbers, I'm sure that, with this concept, the Bill would have passed out of Human Services."

Speaker McPike: "Gentleman, from Macoupin, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. I was on the Committee today, and, as a Hyphenated Sponsor, I voted for the proposal, but it was a tough day for many of our Committees. I would simply ask the Members to take a look at this Bill, and if they feel that they could support it, I would appreciate their vote to discharge."

Speaker McPike: "Representative Pedersen to close."

Pedersen, B: "All this Bill would do would just clarify the intent of the laws so as to avoid misinterpretations by the Department of Human Rights or by a court in this situation,

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and I urge an 'aye' vote."

Speaker McPike: "The question is, 'Shall the Gentleman's Motion pass?' All those in favor vote 'aye', oppose, vote 'no'. Representative Hensel, you want to explain your vote?"

Hensel: "No."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk, will take the record. On this Motion there are 52 'ayes', 38 'nos', 12 voting 'present', and the Motion fails. House Bill 735, Representative Kirkland, withdraws the Motion. House Bill 824, Representative Weller. Representative Weller."

Weller: "Withdraws the Motion."

Speaker McPike: "Withdraw the Motion. Gentleman withdraws the Motion. House Bill 825, Representative Weller, withdraws that Motion. House Bill 1043, Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker. This Bill, I think, through a mix up, was never posted, I talked to the Committee Chairman and I believe he's in agreement with me that the Bill wasn't posted, and I'd ask to move the Bill to Second Reading."

Speaker McPike: "The Gentleman's move to discharge Cities and Villages. And, on that, the Chairman of the Committee, Representative Steczo."

Steczko: "Thank you, Mr. Speaker. In the five years that I've been the Chairman of the Cities and Villages Committee. It's always been my practice to automatically post Bills and unfortunately, for the first time in five years, we've had an error occur, and Representative McAuliffes' Bill was not posted and so therefore, I would concur with his Motion to discharge and would ask that the Bill be brought to the House floor."

Speaker McPike: "Representative McAuliffe to close."

McAuliffe: "I'd appreciate a favorable."



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Speaker McPike: "The question is, 'Shall the Gentleman's Motion pass?' All those in favor vote 'aye'. Oppose vote 'no'. Have all voted? Have all voted who wish? Clerk, take the record. On this Motion, there are 102 'ayes', none voting 'present', no 'ayes', none voting 'present'. Then, the Motion prevails. House Bill 1050, Representative Weller."

Weller: "Mr. Speaker, I withdraw my Motion, also."

Speaker McPike: "House Bill 1158, I believe that Bill is on the floor. House Bill 1198, is also on the floor. House Bill 1306, Representative Parke."

Parke: "I would like to, no, I would like to...I do not wish this to be called."

Speaker McPike: "Gentleman has withdrawn the Motion. House Bill 1420, Representative Anthony Young."

Young: "Thank you, thank you. Mr. Speaker, Members of the House, I move to discharge House Bill 1420 from the Committee on Constitutional Officers. This Bill did not have an opportunity to be heard in Committee."

Speaker McPike: "The further Gentleman's Motion...Committee Chairman, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. This Bill was posted everyday Committee met, and the Gentleman didn't show up to call the Bill. I oppose his Motion."

Speaker McPike: "Representative McCracken on the Motion."

McCracken: "Well I think it's an interesting Bill that we should study further and being one who believes that the floor is the only form to get these kinds of things done. I think we should move it to Second Reading."

Speaker McPike: "Representative Didrickson, on the Motion."

Didrickson: "Yes, Mr. Speaker, I would join my colleague Representative McCracken in terms of having this very important issue be moved to the floor so that we could debate it and provide some light and understanding on this

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issue."

Speaker Madigan: "The Gentleman from Vermillion, Representative Black."

Speaker Madigan: "Thank you very much. Mr. Speaker, Members of the House, I rise to support the Gentleman's Motion as we all know the demands on your time when you are in Leadership can be somewhat heavy, and I'm sure that the Sponsor of that Bill would have been there, but no doubt was tied up with the duties of Leadership responsibilities so I think that we should let his Bill come to the floor and have a chance to have it heard."

Speaker McPike: "Representative Williams on the Motion."

Williams: "I to think that we need to have an opportunity to give this a fair hearing and it is a very positive and open minded sort of piece of legislation that this Body ought to give every piece of do consideration, I rise to support the Motion."

Speaker McPike: "Representative Barger."

Barger: "Thank you, Mr. Speaker. I have been very much impressed with some of the legislation that Representative Young has put out and as I read this, this seems extremely interesting and highly desirable and I suggest that we all support it."

Speaker McPike: "Representative Young, to close."

Young: "I ask for a favorable Roll Call."

Speaker McPike: "The question is, 'Shall this Motion pass,' all those in favor vote 'aye' oppose vote 'no'. Have all voted? Have all voted who wish? Clerk, will take the record. On this Motion there are 73 'ayes' 12 'nos' 16 voting 'present' the Motion prevails. House Bill 1502 is on the floor I believe. Representative Young. Motion passes Tony. House Bill 15, House Bill 1536, Representative Ewing."

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Ewing: "Mr. Speaker, Ladies and Gentleman of the House. I bring this Motion because we all know that no tort reform Bills got a fair hearing in Labor and Commerce. If you want a tort reform Bill out here, vote for this Motion. Thank you."

Speaker McPike: "Representative Dunn."

Dunn: "I really...my notes indicate that the Gentleman did not ask the Bill to be called in Committee. I'll stand corrected if that were so. Regardless of whether it was called or not, I would urge the Members to oppose this Motion and to leave this Bill where it is."

Speaker McPike: "Representative McCracken, on the Motion."

McCracken: "Thank you. I suspect Representative Ewing didn't call the Bill because of the widely known policy of not allowing Republican Members to Sponsor Bills which amended Chapter 110. No one made a secret of it. I'm sure there are many witnesses to many Bills which had...whose Sponsorship had to be changed because a Republican could not be allowed to lead it. I was a victim of a few of them as were many people, so I think this is a perfect opportunity to vote for something where the Committee process had been perverted. There was absolutely no fair play in this particular issue and I think that this is an ideal Motion to vote for and return a little integrity to the process."

Speaker McPike: "Representative Ewing to close."

Ewing: "Mr. Speaker, we all know the issue here. It's a good one. We didn't have a fair chance to have any Bills out tort in reform, let's put this one on the floor. Thank you."

Speaker McPike: "The question is, 'Shall this Motion pass?' all in favor vote 'aye', oppose vote 'no'. Have all voted? Have all voted who wish? Clerk, will take the record. On

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this Motion there are 47 'ayes', 39 'nos', 12 voting 'present' and the Motion fails. Representative Wait, House Bill 1556."

Wait: "I move to withdraw the Motion."

Speaker McPike: "Gentleman withdraws the Motion. House Bill 1626 is on the floor. Gentleman withdraws the Motion, House Bill 1630, Representative Stange. Gentleman withdraws the Motion, House Bill 1631, Representative Stange."

Stange: "Thank you, Mr. Speaker, House Bill 1631, move to discharge from Executive Committee. It's a very, very important Bill and unfortunately wasn't heard in Committee. This Bill is important because the C.T.A., right now, has no liability what so ever to the riders in the City of Chicago. Because this Bill was construed to be a R.T.A. Vehicle Bill, it was held in Committee as with every other Bill regarding the R.T.A. This Bill is not a vehicle, it's much, much more and he deserves a hearing in this Body. This Bill removes the liability exemption from the C.T.A. In 1985 The General Assembly exempted the C.T.A. from all liability."

Speaker McPike: "Representative Stange, would you confine your remarks to the Motion and not to the Bill?"

Stange: "Certainly."

Speaker McPike: "Thank You."

Stange: "In 85 the General Assembly exempted the C.T.A. from all liability related to crimes committed against it's passengers. In short..."

Speaker McPike: "Representative Stange, the Chair has made a request and I would appreciate it if you would honor it."

Stange: "The trial Lawyers supports this Bill. The citizens...The citizens of Chicago deserve better. This Bill is very, very important to the people of the inner City of Chicago. I ask for your favorable vote."

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Speaker McPike: "Representative Terzich."

Terzich: "Yes, Mr. Speaker. On this very important Bill, the Bill was assigned to the Subcommittee which, did have a hearing yesterday, on which I believe that the Sponsor did not appear at the Subcommittee hearing and at the same time we also had another Committee meeting this morning and personally feel that the Bill was given do consideration and certainly does not want to be discharged."

Speaker McPike: "Representative Stange, to close."

Stange: "Thank you, Mr. Speaker, every R.T.A. Bill was not called because yourself and a Member of our Committee, decided to have one shell Bill. I was another Committee for another hearing on another Bill. We need this legislation for the City of Chicago."

Speaker McPike: "Question is, 'Shall the Gentleman's Motion pass?' All those in favor vote 'aye', oppose vote 'no'. Have all voted? Have all voted who wish? Clerk, will take the record. On this Motion there are 50 'ayes', 36 'nos'. The Motion fails. House Bill 1673 is on the House floor, Representative Countryman, I believe. House Bill 1702, Representative Pedersen."

Pedersen, B: "I withdraw."

Speaker McPike: "Gentleman withdraws the Motion. House Bill 1707, Representative Stange. Gentleman withdraws the Motion. House Bill 1715, Representative Pullen."

Pullen: "Thank you, Mr. Speaker. Ladies and Gentleman of the House, I was unable to attend this Committee Meeting this week, and I asked another Member who is a Member of that Committee to handle this Bill for me. He has informed me that the Committee adjourned without being able to handle all of it's legislation and that this Bill was never called, I think that it's a very important Bill, and I would like to see the House be able to consider it and

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since it was not able to be given a hearing I would appreciate a discharge of this Bill at this time. Thank you."

Speaker McPike: "Gentleman from Macon, Representative Dunn."

Dunn: "I rise in opposition to the Ladies Motion. According to my notes, the Bill was posted April 28, May 3, May 4, May 5, and no one asked the Bill to be called. We adjourned at 10:45 this morning with an hour and a half of Committee time left, because there were no Sponsors waiting to hear Bills and there were no Members of the Committee requesting Bills to be called either for themselves or on behalf of others. So I think everyone had a fair shot, and I would urge defeat of this Motion."

Speaker McPike: "The Gentleman from Champaign, Representative Johnson."

Johnson: "Representative Pullen had asked me to handle this and because of the, certainly no fault on the Chairman's part of the Committees, the variety of schedules that are involved here in this last week, or the last couple weeks, we didn't have the opportunity to present it. Simply a Bill that addresses an important subject matter that never had the opportunity to be heard in Committee without fault on anybody's part in the Committee and I would support Representative Pullens Motion."

Speaker McPike: "Representative Pullen to close."

Pullen: "Well, I think we've had debate on the Motion, Mr. Speaker. I do believe that this is an important matter for innocent people in Illinois and to be able to have it heard on this House floor and I think that we ought to be able to move on this Bill and I would appreciate the support of the House in discharging it so that we can consider it here."

Speaker McPike: "Question is, 'Shall the Lady's Motion pass?' All those in favor vote 'aye', oppose vote 'no'. Have all

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voted? Have all voted who wish? Clerk, will take the record. On this Motion there are 51 'ayes', 37 'nos' and the Motion fails. House Bill 1786, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. House Bill 1786, I was not able to get before the Committee. So this Bill has never been voted on, and so because it's such an important issue to the people of Illinois, I thought that would be reason enough to have us discharge the Committee. However, I think it would be even more appropriate that we kind of tested our new found coalition again and for the similar reasons that we passed House Bill 1420 out of Committee, I think we ought to show our strength again. So if Representative Young wants to put that coalition back together, I'm sure we can get those same votes on this side of the aisle, and I would move that we would discharge 1786 from further consideration."

Speaker McPike: "Representative Dunn."

Dunn: "As I indicated with regard to the last Bill, this one also was posted May 3, May 4 and May 5, and there again was no request to hear the Bill and we adjourned this morning because no one was asking Bills to be heard. So there's ample opportunity and I would urge defeat of this Motion."

Speaker McPike: "Representative Stephens to close."

Stephens: "For all the reasons I've already delineated, I...would vote for an 'aye' vote."

Speaker McPike: "Question is, Shall this Motion pass?'. All those in favor vote 'aye', oppose vote 'no'. Have all voted? Have all voted who wish? Clerk, will take the record. On this Motion there are 46 'ayes' and 52 'nos' the Motion fails. Mr. Clerk, for an announcement."

Clerk Leone: "Supplemental Calendar #1 is now being distributed."

Speaker McPike: "House Bill 1790, Representative Pedersen. Mr.

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Pedersen, please."

Pedersen, B: "Thank you, Mr. Speaker, I move to discharge Judiciary I, from further consideration, advance to Order of Second Reading, House Bill 1790, which is a very well constructed Bill, which addresses, father's rights in abortion situations, strongly, has strong prolife support. There were several Members missing from the Committee. We brought an expert witness in from Washington who was unable to testify before the full Committee. He was allowed to speak to three Members who stayed around. But, unfortunately we were unable to get him before the full Committee. Under this Bill a Trial Court would be designated the Aubitior between competing rights and interest just as it resolved disputes and dissolution and custody actions. It is not a veto by the father."

Speaker McPike: "Representative Dunn, Representative Dunn. Mr. Speaker, a point of order. Would you request the Gentleman to confine his remarks to the Motion. We have a lot of Motions. Let's get on with the vote of this Bill."

Speaker McPike: "Representative Dunn, I've request this Representative to confine his remarks three times already. Representative Pedersen the Chair will request you again, confine your remarks to the Motion."

Pedersen: "I'm really trying. Anyway, Mr. Chairman, I believe that based on fast actions of this House that it has very good chance of passing, so I move that we discharge this Bill."

Speaker McPike: "On the Motion, Representative Dunn."

Dunn: "Thank you, Mr. Speaker. Ladies and Gentleman of the House, this Bill was called in Committee, voted upon and failed. I urge defeat of this Motion."

Speaker McPike: "Representative Johnson on the Motion."

Johnson: "The issue is, what is a fair hearing? I've really come



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to have tremendous good feelings and respect for my colleagues on the Judiciary I Committee over the years. My comment shouldn't be taken as critical of him in that regard, but I would suggest that in this subject area a fair hearing in Judiciary I is not possible. Every kind of legislation that deals with the subject matter of providing some balance in the area of abortion and the suggesting that there are two parents of a child, but has no chance of passing in Judiciary I. It got a fair hearing in terms of presenting the evidence. It didn't get a fair hearing because nothing of this sort would ever pass in that Committee, Representative Pedersen brought in a balanced Bill that deals with the basic concept that a father of a child ought to at least have the opportunity to have a judge consider the best interest of the child and both parents in determining whether to continue a human life and however you feel about the question of abortion the question that Representative Pedersen raises with this Bill is one that ought to strike at the conscience of every citizens of Illinois, it's a well crafted narrow Bill that still recognizes that it takes a mother and a father to create a human life and I urge it's adoption of this Motion."

Speaker McPike: "Representative McCracken, on the Motion."

McCracken: "Through no fault of the Committee Chairman, or the Committee, this Bill had been scheduled for hearing on the day when the Holocaust was observed at about 11 in the morning. The Gentleman's witness was from Washington D.C., could not return. It had been the policy of the Chair to call out of town witnesses so that they could at least, be heard in a possible vote on the Bills. That morning, that morning the Chairman had decided and I agree with that decision, I don't question that decision but, he had

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decided to do Committee Bills, Committee Member Bills, something that we had all asked for by the way. The Chairman had been very fair throughout the course of the entire hearings to make sure that people's Bills got called. For reasons which, which really bare no malice toward the Bill necessarily, however, the Gentleman's witness was not able to testify before the full Committee. Three of us stayed behind in order to hear the testimony on this and other Bills for which there were out of town witnesses. The witness was a very compelling witness, discussed the law in this field, whether this would be constitutional under the current Supreme Court precedent. But none of that...but none of that appeared before the full Committee. That witness was not available to testify Representative Pedersen had to approach a very daunting Committee for a non lawyer without the aide of a lawyer next to him. And for those reasons, I submit that this is one exception we should recognize, I think we should support the Motion."

Speaker McPike: "Representative Pedersen, to close."

Pedersen: "Ladies and Gentleman of the House, the Trial Courts have long balanced competing rights and the state has a legitimate interest in protecting the rights of fathers and their children and I urge an 'aye' vote."

Speaker McPike: "The question is, 'Shall this Motion pass?'. All in favor vote 'aye', oppose vote 'no'. Have all voted? Have all voted who wish? The Clerk, will take the record. On this Motion there are 50 'ayes', 36 'nos'. The Motion fails. House Bill 1870, Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I brought House Bill 1870 into the Select Committee on Children a week ago to seek to have that Committee approve this Bill which authorizes the Department of

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Children and Family Services to seek a court order requiring an Aids test of a child abuse, a child sexual abuse perpetrator. The Committee heard testimony that day from the Department and I was able to fall one vote short. Immediately after the Committee meeting was over, immediately after I left the Committee, I asked to have this Bill posted for this week, so that I could have the second shot that Members are customarily entitled to and given the courtesy of. The Bill was not posted. Earlier this week, that was brought to the attention of the person who had been asked to post it, who agreed that it was his error, that it should indeed have been posted, but it wasn't posted. So, the Bill could not be heard this week. I have been in negotiation with the Department about this matter and I wish to continue that negotiation. And I think that this matter, for the sake of protecting children in Illinois, is so important to let go with just one almost successful Committee vote and I move to discharge children from further consideration and hope that I can have your support on that Motion. Thank you."

Speaker McPike: "You've heard the Ladies Motion and on that Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Mr. Speaker, I just want to add that I was the Chairman in absence of Representative Lee Preston this week and the Lady is correct that the Bill was supposed to be posted for this week and due to clerical error was not posted in the Select Committee on Children."

Speaker McPike: "Representative Pullen, to close."

Pullen: "I just ask for your favorable consideration, please to discharge this Bill."

Speaker McPike: "The question is, 'Shall the Ladies Motion pass?' All in favor, vote 'aye', oppose vote 'no'. Have all voted? Have all voted who wish? The Clerk, will take the

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record. On this Motion, there are 65 'ayes', 22 'nos', and the Motion passes. House Bill 1976, Representative Stange. Out of the record. House Bill 2016, Representative Parke. Out of the record. House Bill 2046, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2046, I stand and move to discharge the Appropriations I from further consideration of this Bill and advance it to the Order of Second Reading. When this Bill was heard in Appropriation I Committee, partly because there was a certain climate there that was not perhaps as...I hope is not typical of committee proceedings. I was unable to provide some information at that time and I would like to be able to provide that information now. The question is under the priority one plan which is what House Bill 2046 is..."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Yes, Sir."

Speaker McPike: "Would you confine your remarks to the Motion and not to the Bill?"

Cowlshaw: "I am trying to answer some questions, Sir."

Speaker McPike: "Mrs...Representative Cowlshaw no one has asked you any questions. You are making a Motion. You are making a Motion and if you would confine your remarks to that Motion not to the Bill."

Cowlshaw: "I will try to do that as well as Representative Pedersen. This plan would provide 21 million, 5 hundred 56 million dollars more for the City of Chicago schools than the Governors plan. That is the answer to the question. I have here a list of how much more every Democrat district in this state would receive for its schools if this plan is adopted. I move that we approve this Motion."

Speaker McPike: "You heard the Lady's Motion. The Chairman of

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the committee, Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker and for fear that I would get an answer to any question I would ask, I don't think I'll ask any questions. She however, did receive a fair hearing. I don't understand why she would talk about the climate of the committee. I thought it was about 75 degrees and 60 percent humidity. Therefore, I would ask everyone to vote in opposition of the Lady's Motion and have this over in a few minutes."

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As those who are aware of the action of the committee that the...was a very close vote, in fact I believe that there was a one vote difference. It seems to me that with that kind of a narrow margin that we as a Body ought to have an opportunity to debate this particular plan and for that reason, Representative...I support Representative Cowlshaw's Motion to discharge Committee so that even though all of you have information on it now in the general sense it would give us an opportunity to share it in greater detail."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker, Members of the House. I rise in support of the Lady's Motion and just would say, Ladies and Gentlemen, this is an idea and for those of you on the other side of the aisle that come from the party of Franklin Roosevelt, you shouldn't be afraid of ideas. My heavens to Betsy, if Franklin Roosevelt could float the ideas he did, you certainly can allow this idea to come to the floor and get a full and fair hearing. I urge you to support the Lady's Motion to discharge."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. I dare say that we have not had

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an opportunity to really deal with adequate funding. This Bill does that. It gives us an opportunity to really deal with an issue that affects all of us and I don't know why we don't allow it to at least come on the House floor. The votes that were taken, some of us thoroughly questioned whether or not the vote procedure was even accurate and for that reason because of that question of inaccuracy I think it is justified to bring it back on the House floor."

Speaker McPike: "Representative Stephens on the Motion."

Stephens: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There are two reasons why we should discharge the committee and have this before the full Body. First of all, Appropriations Committee took the liberty of meeting in the evening. Now, we did that so that we could give due consideration to most Appropriations Bills. But in this particular instance when an issue of this substance was before us in the evening there were Members that were not able to be there, and for that reason we should reconsider and have this Bill on the House floor. The other reason is, you should have seen the debate in the committee. This concept evoked such reaction from the other side of the aisle that it was...that we had to interrupt them in their excitement and so I think we brought that Bill to the floor. We could hear John Matijevich give one of the most lucid speeches of his career and I would welcome that opportunity to debate him on the floor and I think the people of Illinois would enjoy it and they deserve it. So I move...I urge an 'aye' vote."

Speaker McPike: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I support this Motion because I don't really think this did get a fair hearing in the House Committee and that's the best reason in the world to put it out here. If it had got a

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fair hearing we'd have it on the floor so the people in this Body would have a choice. Vote 'yes'."

Speaker McPike: "Representative Cowlshaw, to close."

Cowlshaw: "Thank you, Mr. Speaker. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a very simple Motion. Let me tell you how your vote on this can properly and will be interpreted particularly by your constituents. A vote for this Motion is a vote for increased funding for the schools in your district. A vote against this Bill is a vote against increased funding for the schools in your district. We always say, 'we put education first', now's your chance to prove it."

Speaker McPike: "The question is, 'Shall the Lady's Motion pass?' All those in favor vote 'aye', opposed vote 'no'. Representative Daniels to explain his vote."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House in explaining my vote, I'll tell you one of the reasons I'm voting for this plan and I'm encouraged by it because when you look at Representative LeFlore's district it means \$1,300,000 more or Turner's \$1,600,000 or McNamara's \$1,000,000 or Rice's 738,000 and the list goes on and on and on and when you get down to downstate in Breslin, \$2,100,000 more over last year or Mautino, \$3,000,000, Representative Mautino over last year. It's a great plan. It means a lot for our school kids and of all the Bills on the floor this Priority 1 plan makes education permanently, permanently the #1 priority one for our kids."

Speaker McPike: "Representative Hoffman to explain his vote...I'm sorry, it's Representative Hallock."

Hallock: "Well, Mr. Speaker and Members of the House, quite succinctly, I think one thing is clear. There have been a lot of Bills proposed this Session so far in the area of educational funding. But, make one thing very clear. This

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Bill offers more money for all our schools than any other Bill in the whole State of Illinois, any other Bill in the General Assembly, either in the Senate or the House. If you want to help your schools get more money like we've all talked about vote for this Motion."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk, will take the record. On this Motion, there are 54...on this Motion there are 54 'ayes', 23 'nos'. And the Motion fails. House Bill 2090, Representative Barnes. That Bill's on the floor. House Bill 2153, Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2153 was in the Revenue Committee. I did request that the Bill be posted and for some reason or another I don't know why it wasn't posted. But I did appear before the Revenue Committee last Thursday, I believe and they adjourned for the day and I didn't even have a chance to make a Motion to have the Bill heard even though it was previously on the Calendar before and it was not reposted. And I would like to move to discharge committee."

Speaker McPike: "The Chairman of the Committee, Representative Currie on the Motion."

Currie: "Thank you, Mr. Speaker and Members of the House. The Gentleman did appear in Revenue Committee and he did inform us that he had requested the Bill to be posted. It was not posted. It was not before us and I think that the Members will make up their own minds on the justice of his Motion."

Speaker McPike: "On the Motion. The Lady from Lake, Representative Frederick."

Frederick: "Yes, thank you, Mr. Speaker. Procedurely the Gentleman is correct, he was in committee and there was a mixup on whether or not his Bill was posted. And I support



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him in his Motion to discharge. However, I do have to say I oppose the Legislation."

Speaker McPike: "Representative Terzich, to close."

Terzich: "I would appreciate a favorable vote."

Speaker McPike: "The question is, 'Shall the Gentlemans Motion pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk, will take the record. Representative Balanoff, how do you wish to vote? Mr. Balanoff how do you wish to vote? Thank you. Does anyone else wish to vote? Clerk, take the record. On this Motion there are 18 'ayes', 63 'nos'. And the Motion fails. House Bill 2246, Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House. I would ask the House to discharge the Executive Committee from further consideration of House Bill 2246, which is a Bill which provides simple justice for people who live near O'Hare airport with respect to their own property rights. This Bill was sent to this committee clearly for the purpose of killing it and it failed by one vote and I think that this issue is too important to be stifled by a committee that everyone...where everyone knows the outcome in advance. And I would appreciate it if the Members of the House would discharge this Bill from Executive so that we can consider this issue on this House floor. Thank you."

Speaker McPike: "Chairman of The Committee, Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2246 was heard in the Executive Committee this morning and it actually had a full hearing and unfortunately, did not receive a sufficient number of votes to pass out of committee and therefore, I would make...suggest that we do not support the Motion to

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discharge."

Speaker McPike: "Representative Pullen to close."

Pullen: "Excuse me, Mr. Speaker, but is Mr. Sieben seeking recognition?"

Speaker McPike: "Yes, I apologize. Representative Sieben."

Sieben: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. During the time this Bill was particularly heard in the committee I was attending another meeting with Senator Schuneman and some education people on a very important matter in our district concerning annexation and was unable to be there at the time the actual vote was taken. I returned to the committee meeting finding that they have already...had already closed the vote on this Motion and proceeded onto another Bill. Had I been there at the time of the vote, my vote would have cast the 11th vote which was the number needed to get this Bill out of committee and I was unable to cast my vote in favor and I would urge a 'yes' vote on this Motion."

Speaker McPike: "Representative Pullen, to close."

Pullen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think this matter is too important in terms of the property rights of people who's...through no fault of their own have a special law written to allow one municipality to commit condemnation inside another municipality without the resident municipality having anything to say about it. This is an unjust situation and this Bill is here to try to address that injustice. As the previous Gentleman said, he would have cast the deciding vote to get this Bill out of committee had he been able to get there on time before the Roll Call closed, shortly before he arrived. I ask your favorable consideration in discharging this Bill from Executive Committee."

Speaker McPike: "The question is, 'Shall the Lady's Motion pass?'"

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All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk, will take the record. On this Motion there are 55 'ayes', 43 'nos' and the Motion fails. House Bill 2247, Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It might, or it might not, surprise people to know that during the first meeting of the House Committee on Aeronautics this year we were unofficially informed that there would be allowed no Republican sponsored Bills out of that committee this year. I don't see that in the House Rules anywhere and I don't think it's fair. This Bill is a very important Bill for the sake of the future business development of the greater Chicago area and for the future of aviation in the greater Chicago area because of it's creation of a regional airports planning authority so that we can get on with the business of trying to plan for the future needs of the greater Chicago area. It is only fair that this Bill should be heard by the House as a whole and not stifled in a committee which had a specific directive that they were not allowed to pass Republican Bills out. I feel as though I've been discriminated against, Mr. Speaker and I think that this Bill should be heard on the House floor and I move to discharge the Committee on Aeronautics from further consideration."

Speaker McPike: "And on the Lady's Motion, the Gentleman from Cook, Representative Shaw."

Shaw: "Mr. Speaker, Ladies and Gentlemen of the House, we did hear this Bill in Aeronautics and we had a full and impartial hearing last Thursday, and we will spend hours over there listening to testimony about this particular Bill and along with the other 4 Bills that you have on this page and what I would urge...I'd urge you to defeat the Motion...the Lady's Motion."

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Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Members of the House. I rise to support the Lady's Motion to discharge. She has brought a very serious matter to our attention. If indeed, she has cause for a case of discrimination, we might be back later on for something more serious than a Motion to discharge. So in that case, I think her Bill should be advanced and get a full and complete hearing so none of us would have to answer a case of potential discrimination. I rise in support of your Motion."

Speaker McPike: "Representative Pullen, to close."

Pullen: "Mr. Speaker, I couldn't quite hear the Chairman of the Committee whether he said this Bill had a full and impartial hearing, or I think he said a full and partial hearing. I think that that probably is a little more accurate. Partial, partisan and unfair. And I would ask the House to discharge the Committee on Executive from further consideration...Committee on Aeronautics from further consideration of this important Bill. Thank you."

Speaker McPike: "The question is, 'Shall the Lady's Motion pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk, will take the record. On this Motion there are 54 'ayes', 48 'nos' and the Motion fails. House Bill 2248, Representative Williamson. Out of the record. House Bill 2249, Representative McCracken."

McCracken: "I also appeared at the Aeronautics Committee and was told that they would be taking a vote at the end of the day. Was it a single vote on all the subject matter? So they probably forgot the words of wisdom I imparted on that occasion and mistakenly, voted against this good idea. So I'm sure that Representative Shaw's seen the light now. I'm confident he will support my Motion."

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Speaker McPike: "Representative Shaw on the Motion."

Shaw: "Thank you, Mr. Speaker. This Bill had a full hearing and I have seen the light and I'm going to ask you to defeat this Motion."

Speaker McPike: "Representative...the Gentleman's Motion...you heard the Gentlemans Motion. The question is, 'Shall the Motion pass?' All those in favor, vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Representative Turner, to explain his vote. No. Have all voted? Have all voted who wish? The Clerk, will take the record. On this Motion, there are 53 'ayes', 48 'nos' and the Motion fails. House Bill 2250, Representative Williamson withdraws her Motion. House Bill 2251. The Lady withdraws her Motion. House Bill 2252, withdraws that Motion. 2253, withdrawn. 2254...2254, withdrawn. House Bill 2262 is on the floor. House Bill 2293, Representative Kirkland's on the floor. House Bill 2295, Representative Stephens."

Stephens: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. 2295...I was in committee and prepared to present the Bill, however, because negotiations were still taking place the Bill was not in its final form. And I understand that we're under some time constraints here and this Bill I asked the chairman if he thought it was very likely if we could pass out a vehicle. He thought that maybe that wasn't such a good idea. We weren't able to get the Amendment back together in time to present it before the full committee. And because of the seriousness of the issue of which this Bill was destined to deal with, that is the State Police contingency in East St. Louis and the rules whereby they would remain there. It's my suggestion that we bring that debate out of committee and to the full House. And so, I move that we discharge the committee from

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further consideration of House Bill 2295 and I urge an 'aye' vote."

Speaker McPike: "Representative Hannig, on the Motion."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. Indeed, Representative Stephens did bring this Bill to our committee 2 weeks ago along with another proposal which we did vote out. He chose not to try to present his shell Bill and I think that was probably a good choice, at that point. We did have committee meetings though this week on Wednesday, where we heard Bills from Members. We've had committee meetings on Thursday when we had Members call their Bills and in fact when we adjourned yesterday, we did so after everyone had presented their Bills and as far as I can see, we gave everybody an opportunity to present their Bills to the committee. We had good attendance on all those days. So I would simply suggest that we vote 'no' or 'present' on this Bill and get on with the other business of the House."

Speaker McPike: "Representative Stephens, to close."

Stephens: "Representative Hannig was doing real good there for a while. The...again because of the constraints that we were not able to get the Amendments ready in time, I thought it was more prudent to have that Bill in final form and we weren't able to do that so I think this issue is of significant importance that we ought to debate it on the House floor and again, I urge an 'aye' vote."

Speaker McPike: "The question is, 'Shall the Gentleman's Motion pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? The Clerk, will take the record. On this Motion there are 51 'ayes', 50 'nos' and the Motion fails. House Bill 2360, Representative Cullerton. The Gentleman's not here. We'll return to this. House Bill 2609, Representative Weller. Withdraws his Motion. House

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Bill 2696, Representative Stephens. Where did he go? Representative Stephens. Representative Stephens you want to make this Motion or withdraw it? Withdrawn it. House Bill 2739, Representative Wennlund. That's on the House floor. House Bill 2761, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to discharge the Executive Committee from further consideration and advance to the order of Second Reading, House Bill 2761. We had a little bit of discussion about this particular Bill earlier in the week on Tuesday and I think the Bill probably of any Bill demonstrates what's truly wrong with the committee process this year. As you may recall this Bill had been heard in the Executive Committee. It was passed out with 11 votes on Wednesday. The Bill was never reported to the floor. It was then a Motion to reconsider, was made on Friday without my attendance in the committee. The Bill is now back in the Executive Committee and it was obvious at that point in time that we were not going to get a fair hearing on House Bill 2761. I think the issue...the issue is two fold, one is that Members ought to consider the fact that here we are faced with a situation where a Member will pass a Bill out of committee and only to find out that a Motion to reconsider when that Member has left the committee, has been made and the Bill is brought back to committee. It's a dangerous precedent and I think that Members on both sides of the aisle ought to consider this very very carefully. The Bill...all I'm asking for is that the Bill be brought to Second Reading for a fair and full hearing of the...of the full House. I would appreciate your support on a Motion to discharge."

Speaker McPike: "On the Motion, Representative...Chairman of the Committee, Representative Terzich."

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Terzich: "Yes, Mr. Speaker, Members of the House, House Bill 2761 there was a Motion to reconsider and it was put back into the Executive Committee. It was also set up for posting once again. The Bill was posted for a hearing this morning at which time the Sponsor did not attend or desire...or make a desire to hear his Bill called and therefore I would move against the Motion."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. This is a procedure that certainly is uncommon in the history of this Body. The normal process to my knowledge is that work that is done even though a committee has recessed is completed in that day and so really for all practical purposes this Bill should be on the floor right now. Because of the inability of obviously someone to take care of all of the work it did according to some people rule that this Bill had not properly been sent to the Clerk and was still eligible for a vote to reconsider when the committee Sponsor wasn't even present. I think in all fairness to our process and to the Sponsor of this Bill we should vote and support this Motion."

Speaker McPike: "Representative McCracken."

McCracken: "This is...this has importance far beyond the discharge Motion, far beyond the merits of the Legislation. I think it tells a lot about how the majority runs this place. A Motion to reconsider was made two legislative days after the original vote. By our rules that is not legal. But not only was the Motion to reconsider made two days late. It was made and voted upon...or strike that...it was voted upon Members who were not the same Members who originally voted on the Bill. So not only did they have to take two days to get the troops in line, but they had to get different people to vote on the Motion to



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reconsider. Now, I know it's not going to change any votes here, but you ought to be ashamed of what you did. And there's no hiding the fact under some pretense of legality by what you did. It's very clear that it was not proper. It's very clear that it was an abuse of the system. You glorify form over substance when you do things like that and hopefully someone is listening and noticing and drawing the proper conclusion. Let's just discharge and put this issue behind us."

Speaker McPike: "Representative Kubik, to close."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Again, I would ask that we could have a fair and impartial hearing on this particular piece of legislation. And again, I would ask the Members on the other side of the aisle to consider carefully what this Bill and the implications of this legislation are, And that is...that you...any Member who votes on...or presents a Bill gets a favorable Roll Call and then walks out of a committee only to find out two days later that his or her Bill had been called back into committee. I think that's an extremely dangerous precedent that we're setting. No matter whether the Republicans or the Democrats control the House, it's a dangerous precedent. Representative McCracken has raised some additional issues. But, all I ask is that we consider this legislation on the House floor on sherrly, on the merits of fairness. Vote against it if you wish on the House floor. That's fine. But, lets not do damage to a process which breaks down the whole matter of trust between Members so that we can get the work of this Body accomplished. I ask you to consider this not on the merits of the Bill, but on the merits of the rules and the regulations of this House and the ability of this House to do its work in a fair manner. Thank you and I appreciate

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your 'aye' vote."

Speaker McPike: "The question is, 'Shall the Gentleman's Motion pass?' All those in favor vote 'aye', opposed vote 'no'. Representative Barger to explain his vote."

Barger: "Thank you Mr. Speaker. Prior to the Motion to reconsider on this particular issue, there was another Bill brought up in that committee. Immediately after this Motion to reconsider by the...by a Member of that committee, I asked to have my vote reconsidered on the Bill that was passed earlier the same day and I was ruled out of order. We were at that time on the order of reconsidering Motions and nothing else had been done. I think this is totally unfair for my Motion to be out of order and the other persons Motion to be in, when mine was timely, on the same day and on the same order of consideration and the other person made his Motion to reconsider two days later. This is unfair and it's wrong."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk, will take the record. On this Motion, there are 55 'ayes', 38 'nos'. Representative McCracken."

McCracken: "I'd like to poll the absentees."

Speaker McPike: "The Gentleman has asked for a poll of the absentees. Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of those not voting. Currie. Daley. DeLeo. Hoffman. Kulas. Laurino. Leverenz. Mautino. Rice. Ronan. Santiago. Wolf and Anthony Young."

Speaker McPike: "Representative Currie votes 'no'. Representative McCracken, anything further? On this Motion, there are 55 'ayes', 39 'nos'. Representative Hoffman, 'aye'. Mr. Clerk, Representative Hoffman 'aye'. On this Motion there are 56 'ayes', 39 'nos' and the Motion fails. HJR 33, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Joint Resolution 33 was to

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appear before the Coal and Oil Committee, Representative Hicks is Chairman of that committee. This was the only piece of business before that committee and with the time constraints on everyone, I didn't think it was necessary to call a committee together for one Joint Resolution. Representative Hicks supports the Motion to discharge committee. He is not here, right now. Representative Hannig is the Vice Chair and Representative Goforth is the Minority Spokesman and I would ask discharge Coal and Oil Committee on Joint Resolution 33.'

Speaker McPike: "Representative Hannig, on the Motion."

Hannig: "Yes, thank you, Mr. Speaker. The Gentleman is absolutely correct and I would ask that we discharge this Resolution."

Speaker McPike: "Does anyone stand in opposition to the Gentleman's Motion? Representative Goforth, do you stand in opposition to this?"

Goforth: "Absolutely not, I agree with them fully."

Speaker McPike: "Representative Ropp, do you stand in opposition to this?"

Ropp: "Mr. Speaker I have a question...question of the..."

Speaker McPike: "Representative Ropp."

Ropp: "Question of the Sponsor. Did you say the Chairman of that committee said because you only had one there was no need to call a committee?"

Brunsvold: "No, the...there was only one piece of business before the committee and rather than draw the committee together for one Joint Resolution with everyone going to all committees, I thought it would proceed along this line."

Ropp: "Doesn't that seem a little bit unusual to have Bills and Resolutions and then just because we only have one, we don't even call the committee?"

Brunsvold: "Well, the Chairman was not going to be present for

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the committee meeting anyway."

Ropp: "Don't we have Vice Chairman?"

Brunsvold: "Yes, we do."

Ropp: "Couldn't you have gone ahead and had a committee meeting with the Vice Chairman in charge due to the absence of the Chairman?"

Brunsvold: "Well, many committees, Representative, do not meet when one or two Bills are available. They wait until they accumulate a few more before they meet on a lot of legislation. We do that everyday."

Ropp: "Was this only posted once?"

Brunsvold: "Pardon?"

Ropp: "Was this only posted once?"

Brunsvold: "It was going to be posted for the last week until I found out that the committee was not going to meet."

Ropp: "You've got a problem."

Speaker McPike: "Representative Pullen."

Pullen: "I have an inquiry of the Chair. Is this matter subject to the deadline?"

Speaker McPike: "Yes. Yes."

Pullen: "Under what provision, Mr. Speaker? I understood that this was a Bill deadline, not a Resolution deadline. Does that mean that Resolutions still in committee are tabled today? We've never operated that way in the past."

Speaker McPike: "Representative Pullen, the Chair stands corrected. It only applies to Bills. However, the Motion is in order."

Pullen: "Thank you Mr. Speaker, I wanted that matter clarified."

Speaker McPike: "Thank you. Representative Brunsvold, to close."

Brunsvold: "Thank you, I'd ask for your affirmative action on Joint Resolution 33."

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

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Have all voted? Have all voted who wish? The Clerk, will take the record. On this Motion there are 99...100 'ayes', no 'nays', and the Motion passes. Supplemental #1, House Bill 520, Representative Granberg. Withdraws the Motion. House Bill 646, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. This Bill was given a hearing in Judiciary I Committee and I appreciate that very much. The vote on it was 5 to 7, however, indicating that there were only 12 votes. A quorum in that committee is 8, indicating the committees composition to be 15 Members. If those 3 Members had been there and they had voted in the affirmative, then this Bill would have passed. To the extent people will speculate that those 3 other Members would have voted against this Bill, I would just echo the remarks of Representative Johnson, this is a Pro-life Bill and it's a virtual suicide to go there often times to Judiciary I. All I'm asking for is a fair hearing. A hearing where enough Members are present so that a quorum can be established and if successful even with only moderate opposition, can still pass. Thank you."

Speaker McPike: "Representative Dunn."

Dunn: "On behalf of the Kamikaze Pilots, I recommend a 'no' vote on this Motion."

Speaker McPike: "Representative McCracken, to close."

McCracken: "That was very poetic. Touche."

Speaker McPike: "The question is, 'Shall the Gentleman's Motion pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk, will take the record. Representative McCracken."

McCracken: "To explain my vote while certain people get their heads screwed on right and vote for this Bill. This is a very important Bill. Historically these kinds of Bills had been sent to the Executive Committee. Under the

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stewardship of the Speaker, they've been going to the Judiciary I Committee which coincidentally or not is hostile to this type of legislation. I would like an opportunity to have this voted upon by the Body. In the past this Body has shown great interest in Pro-life legislation regardless of the sentiments of the Judiciary I Committee and it's for that reason I ask you to consider this favorably."

Speaker McPike: "Representative Breslin, to explain her vote."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, I was present at the time that this Bill was heard. Substantial testimony was taken. It is a very, very difficult issue that this Legislature will have to grapple with probably for many years in the future. But, you should know that this Bill was opposed by the Chicago Catholic Conference. It was opposed by the Medical Society and the hospitals..."

Speaker McPike: "Representative McCracken, what's your point?"

McCracken: "It's...you have sought to enforce all day..."

Speaker McPike: "Yes I have."

McCracken: "...no discussion on the merits."

Speaker McPike: "I certainly have and I guarantee that a lot of Republicans have not cooperated and the Chair doesn't appreciate it...and the Chair..."

McCracken: "Well I have...I have cooperated...I have cooperated..."

Speaker McPike: "...and the Chair will say again today...the Chair will ask..."

McCracken: "I have not spoken on the merits about this Bill."

Speaker McPike: "Representative McCracken."

McCracken: "And I ask that you rule that out of order."

Speaker McPike: "Representative Breslin, would you confine your remarks to the Motion?"

Breslin: "I will. Mr. Speaker, Representative McCracken

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were not enough people there to necessarily have passed this legislation. It may have lost because those 3 people were absent, I don't know. So I think that's an adequate reason that this should be considered by the full committee...or by the House."

Speaker McPike: "Representative Dunn."

Dunn: "As the Sponsor's indicated there was a vote on this and I will stand corrected, if it is not so, but I believe the same lobby group that opposed the last Bill was opposed to this one."

Speaker McPike: "Representative McCracken to close."

McCracken: "Yes, that lobby group told me they agree in principle, both with this Bill and the prior Bill. Now they did sign in as opponents, but if in fact the House is going to make a decision on this type of legislation by mere reference to what other people may or may not have done, what is the point of the deliberative process? Isn't the point of the deliberative process to have pro and con the opportunity to present their positions? And that's what I have not gotten. There were 3 people missing from that vote. My Bill lost by 3 votes. Now if they had all been there and I had lost by 3 votes that's another matter. But, that's not what happened. There were 3 people missing and if in fact you want this to be considered why not discharge the committee so I can respond to these allegations. That's the reason we should be discharging the committee."

Speaker McPike: "The question is, 'Shall the Gentlemans Motion pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk, will take the record. On this Motion there are 51 'ayes', 39 'nos' and the Motion fails. House Bill 1272, Representative Zickus."

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Zickus: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, pursuant to Rule 27C, I move to discharge the Judiciary I Interim Study Calendar from further consideration and advance to the Order of Second Reading. House Bill 1272 was posted for hearing...for the meeting before Judiciary I, on May 3rd. When I checked in with the Clerk at the committee, I told him that I wanted to have 1272 heard and to put another Bill on Interim Study. I made it very clear to him on more than one...more than one occasion that I wanted this Bill heard. However, later on that day, we found out that this Bill was put on Interim Study. I believe that it was a clerical error and I also feel strongly that this Bill does deserve a hearing on it. I would...I am asking for your support so that this Bill can be heard because it was put on Interim Study through no fault of our own."

Speaker McPike: "Representative Dunn, on the Lady's Motion."

Dunn: "I think the Lady may...we had about 500 Bills, it's tough to remember everything, but the Lady may be correct about...we had one Bill that accidentally was put on Interim Study, one that was placed on Interim Study wasn't even in our committee. I think she may be correct. She would be talking about a Bill that accidentally was placed on Interim Study. I would indicate however, that I do oppose the subject matter of the Bill and I would none the less, urge a 'no' vote on this Motion."

Speaker McPike: "Representative Zickus this requires 71 votes and you may close."

Zickus: "Alright, thank you. I would appreciate your support so that this Bill could be heard by the full House. Thank you."

Speaker McPike: "The question is, 'Shall the Lady's Motion pass?' All those in favor vote 'aye', opposed vote 'no'."



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Representative Stephens, to explain his vote."

Stephens: "Mr. Speaker, I have a problem with my microphone. However, if I understand the Chairman of the committee correctly, he agreed that the Lady was done an injustice or at least, a mistake might have been made. But he opposed it just based on the merits. So, I think that the Membership ought to take that into consideration. And then I need somebody to help me fix my mic."

Speaker McPike: "Have all voted? Have all voted who wish? Representative McCracken."

McCracken: "I find it interesting. The whole point of these discharge Motions is to show why the committee didn't consider it or didn't give it a fair hearing. We are constantly reminded that we shouldn't be talking on the merits, that all we're doing today is acting as a safeguard where something goes wrong in the committees and a fair hearing is not given for whatever reason. Here, it's accidental. We all acknowledge that and the Chairman even agrees with the Sponsor as to the facts of this case. How could anyone oppose this? How could anyone oppose this? Is it possible that it's being opposed because she is what we call a target? A Republican target? Could that be the reason? That...you guys wouldn't do that to us, would you? Well, there is no rational explanation except that and it's a disappointment to see."

Speaker McPike: "Representative Matijevich."

Matijevich: "Well Mr. Speaker, I've been following the committee Chairman on every one of these votes and I sensed that the committee Chairman said that there was a mistake about putting it on Interim Study. I just think in all fairness that this Bill ought to be on the floor...because that's what the Chairman told me. And then, he said, I'm against it because I'm against the substance of the Bill. But,

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that I don't think is enough to have me follow. I am sorry, but I have followed every committee Chairman. But, I think in fairness, we ought to give her an 'aye' vote."

Speaker McPike: "Representative Johnson, to explain his vote."

Johnson: "I...clapping for me...I...really...first of all I really commend Representative Matijevich for his bipartisan fair approach and as a spokesman on the committee, I would want to reiterate the summary of what happened that both Representative Dunn, Representative Zickus, gave to the full House. That's absolutely right and however you feel about this issue, Representative Zickus has been here only a short number of months. Like some other freshman have come in in good faith, sat there and really just got caught up in a mistake. That's all it is and I really think that we got the votes we need now and so I'll stop. Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk, will take the record. On this Motion there are 82 'ayes' and 9 'nos' and the Motion passes. House Bill 2150, Representative Flinn."

Flinn: "Thank you, Mr. Speaker. House Bill 2150 amends the Emergency Telephone System Act and when I went to the Cities and Villages Committee they informed me that all of those were being put into one Bill. Somehow, some way, this Bill did not get put in it so I went back to the Subcommittee Chairman, Representative Brunsvold and also to Representative...the full Chairman. I also talked to Representative Barger, the Minority Spokesman, and all have agreed...and I forgot to mention Steczo is the full Chairman and they've all agreed to support me in trying to discharge the committee. I didn't have the time to have it heard after I found out it was not part of the 911 Bill."

Speaker McPike: "Representative Steczo, on the Motion."

Steczko: "Thank you, Mr. Speaker. Mr. Flinn's comments are.

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absolutely correct. House Bill 2150 was assigned to a 911 Subcommittee. It was not included in the final report and by the time Representative Flinn arrived at the full committee so that his Bill could be called and considered separately, the committee had already adjourned. So myself and I believe, Representative Barger, the Minority Spokesman agree that in fact, this Bill should be discharged."

Speaker McPike: "Well Representative Barger is indicating that he agrees. The Motion is, 'Shall this Motion pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk, will take the record. On this Motion there are 96 'ayes', no 'nays' and the Motion passes. Representative Ryder. Mr. Ryder."

Ryder: "Mr. Speaker, I regret to inform the Assembly of some very bad and I'm sure, shocking news for all of them. The microphone on Representative Stephens desk has been broken. Yesterday, you turned down his volume. Today his microphone is broken. I can hardly wait until next week."

Speaker McPike: "He'd be gone. House Bill 2585, Representative Youngue."

Youngue: "Thank you, Mr. Speaker. I move to discharge the Committee on Counties and Townships from further consideration of House Bill 2585 and have it advanced to the Order of Second Reading. I did receive a hearing in this committee, but because of the dire economic circumstances and this will be the vehicle for a economic development project that is in Build Illinois, I ask the Body to discharge the committee. I have talked with Representative Van Duyne, the Chairman and he agrees that because of the circumstances that he would recommend that his committee be discharged."

Speaker McPike: "Representative Steczo. Representative Van

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Duyne. Representative Kirkland."

Kirkland: "Mr. Speaker, is Minority Spokesman for Counties and Townships. Representative Van Duyne did not talk to me about this. And frankly, he normally, I would expect him to do so. The Lady is correct. There was a hearing on the Bill and the Bill went down by a five zero six vote and I would recommend a 'no' vote on this Motion."

Speaker McPike: "Representative Steczko."

Steczko: "Thank you, Mr. Speaker. As a Member of the Counties and Townships Committee, I can only concur with the Lady's comments and would support her Motion."

Speaker McPike: "Representative Younge, to close."

Younge: "Yes, I ask for your favorable support."

Speaker McPike: "The question is, 'Shall the Lady's Motion pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk, will take the record. On this Motion, there are 55 'ayes', 46 'nos'. And the Motion fails. Returning to House Bill 2360, Representative Churchill has agreed to handle that for Representative Cullerton. Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill that's been agreed to by leadership on both sides. Unfortunately, there was something that went wrong in the committee getting the notice of the agreement and so the Bill stayed in a subcommittee. At this point, I would move to discharge the Bill from committee and bring it to the House floor."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker. With the understanding that the Bill will be held on Second Reading while we consider Amendments and get some answers to questions. I would support the Gentleman's Motion."

Speaker McPike: "The question is, 'Shall the Gentlemans Motion

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pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk, will take the record. On this Motion there are 96 'ayes' and no 'nays' and the Motion passes. Representative Anthony Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise for purposes of an announcement. Mrs. Nanette Wright who has worked with the House for the last two Sessions and has been working in the well this Session is leaving Monday to be with her husband in Germany. She will be missed by the Clerks Office, staff and all. And we all wish her the best of luck. Nanette."

Speaker McPike: "Mr. Clerk...the Adjournment Resolution."

Clerk O'Brien: "Senate Joint Resolution 52 resolved by the Senate of the 86th General Assembly of the State of Illinois, the House of Representatives concurring herein. That when the two Houses adjourn on Friday, May 5, 1989, they stand adjourned until Tuesday, May 9, 1989 at 12:00 o'clock noon."

Speaker McPike: "Representative Matijevich moves for the adoption of the Adjournment Resolution. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Adjournment Resolution is adopted. The Members of the House have been asked to sign this pad of paper in the front on those Bills that they wish in Interim Study. There's now a Motion by Representative Matijevich that the Bills on this so listed here be placed in Interim Study. Is there leave to use the Attendance Roll Call? Leave is granted and the Motion passes. Agreed Resolutions."

Clerk O'Brien: "Senate Joint Resolution 46, offered by Representative Daniels. House Joint Resolution 39, Kubik. 40, Kubik. 41, Peterson. 42, Peterson. House Resolution 392, Capparelli. 393, Saltsman. 395, Barger. 396, Ryder. 397, Novak. 398, Ropp. 400, Shaw. 401, Leitch. 402,

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Novak. 403, Novak. 404, Novak. 405, Hensel and 406, Van Dwyne."

Speaker McPike: "Representative Matijevich moves for the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 38, Capparelli. House Resolution 407, Breslin and 409, Keane."

Speaker McPike: "Committee on Assignment. Death Resolutions."

Clerk O'Brien: "House Resolution 392 (sic-394), offered by Representative Morrow with respect to the memory of Zalie Foote of Chicago. House Resolution 299, offered by Representative Davis, with respect to the memory of Mrs. Annie Davis. House Resolution 408, offered by Representative Hultgren, with respect to the memory of Rudolph Steinmatter and House Resolution 410, offered by Representative Shaw, with respect to the memory of Opal Davis and House Resolution 411, offered by Representative Countryman, with respect to the memory of Gary L. Wisler."

Speaker McPike: "Representative Mays moves for the adoption of the Death Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Resolutions are adopted. Representative Brunsvold moves that the House now stands adjourned until Tuesday at the hour of 12:00 noon leaving the Clerk Perfunctory time for Committee Reports. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motions adopted."

Clerk Leone: "Committee Reports. Representative Turner, Chairman from the Committee on Consumer Protection, to which the following Bills and Resolutions were referred, action taken May 5th, 1989, reported the same back with the following recommendations: 'Do pass' House Bill 1695, 2690, 2782. 'Do pass as amended' House Bills 1056, 2171, 2215, 2216,

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2638, 2769. 'Do pass Short Debate Calendar' House Bill 1966. 'Do pass as amended Short Debate Calendar' House Bill 2052. Tabled in committee, House Bill 2488, pursuant to Rule 26D. Interim Study Calendar, House Bills 128, 290, 344, 934, 959, 2104, 1015, 2146, 1354, 1364, 720 and 1441. Being no further business, the House will now stand adjourned until Tuesday at the hour of 12:00 noon."

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