

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

39th Legislative Day

May 11, 1989

Speaker Breslin: "Ladies and Gentlemen the hour of 12:00 o'clock having arrived, I would ask Members to be in their seats. The Chaplain for today will be Father John Ossola from the Cathedral of the Immaculate Conception. He is celebrating the 25th jubilee of his ordination as a priesthood. Congratulations, Father. We congratulate him and we wish him all the best. Father Ossola is the guest of Representative Curran. We invite our guests in the gallery to rise and join us in the invocation."

Father Ossolo: "Heavenly Father, Creator of all, and Giver of all gifts. From You we receive the gift of life, the desire for freedom and the promise of peace. We ask Your blessing on these Legislators. Give them the wisdom of Solomon, the patience of Job, the enthusiasm of Paul, the determination of Peter and, most of all, the compassion of Jesus. Help them to remember that they are servants of the people. Guide them to work together in a spirit of unity so that the welfare of the people of the State of Illinois may be served and all persons may live in peace with one another. We ask this through Christ our Lord. Amen."

Speaker Breslin: "Representative Hartke, would you lead us in the Pledge, please?"

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

Speaker Breslin: "Roll Call for Attendance. Clerk O'Brien. Have all answered the Roll Call? I noticed there's still seven not voting. Representative Piel, are there any excused absences?"

Piel: "Yes, Madam Speaker. Would the record show that Representative Daniels and Representative Stange are

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

39th Legislative Day

May 11, 1989

excused today."

Speaker Breslin: "Thank you. Representative Matijevich."

Matijevich: "Yes, Madam Speaker, excused absences today are Representative Lou Jones, Ted Leverenz and Andy Young."

Speaker Breslin: "Thank You. Take the Roll Call, Mr. Clerk. 112...111 people answering the Roll Call, a quorum is present. Committee Reports."

Clerk O'Brien: "Representative Leverenz, Chairman of the Committee on Appropriations I, to which the following Bills were referred, action taken May 10, 1989, reported the same back with the following recommendations: 'Do pass' House Bills 223...correction that's House Bill 238, 239, 583, 835, 837, 844, 846, 2144, 1214, 1215, 1216 and 595. 'Do pass as amended' House Bills: 545, 551, 582, 584, 595, 829, 830, 831, 832, 833, 834, 836, 838, 839, 840, 841, 842, 843, 845, 849, 850, 847, 848, 994, 851, 942 and 659. Interim Study Calendar, House Bills: 320, 651, 654, 965, 1020, 1204, 1475, 1588, 1589, 1590, 1613, 1615, 1618, 1650, 1652, 1759, 1798, 1948, 1949, 1950, 1954, 2050, 2230, 2646, 2730...that's 2726, 2777, 2778, 1658 and 2583. Representative Bowman, Chairman of the Committee on Appropriations II, to which the following Bills were referred, action taken May 10, 1989, reported the same back with the following recommendations: 'Do pass' House Bills 869, 1211, 1212 and 1213. 'Do pass as amended' House Bills 591, 592, 593, 859, 860, 861, 862, 864, 865 and 863. Interim Study Calendar, House Bills 989, 1046, 1172, 1219, 1228, 1388, 1575, 1612, 1614, 1951, 1953, 2155, 2172, 2518, 2532, 2642, 2643, 2644 and 2645."

Speaker Breslin: "Representative Brunsvold, could I talk with you please? Ladies and Gentlemen, we are preparing to do the Consent Calendar. We understand that there are several Bills on this order that still need Amendments. So, if you

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

39th Legislative Day

May 11, 1989

have a Bill on the Consent Calendar that starts on page 55 of the Calendar, please approach the podium and let us know what Bills you need to have amended before they are reported out of this House. If you have a Bill on the Consent Calendar that needs an Amendment, come to the well and let us know so that we can call your Bill back to Second. Ladies and Gentlemen, we are now going to begin on the Consent Calendar, Third Reading, second day for those Bills that need Amendments to be brought back from Third to Second for the purposes of an Amendment. It begins on page 56 of the Calendar. The first Bill is House Bill 594, Representative Brunsvold. Representative Brunsvold moves that this Bill be returned to the order of Second Reading for the purposes of an Amendment. Does he have leave? Hearing no objection, the Gentleman has leave. You have leave. The Bill is on Second. Mr. Brunsvold, present your Amendment Sir."

Brunsvold: "Thank you, Madam Speaker, Ladies and Gentlemen of the House..."

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

Speaker Breslin: "Representative Brunsvold."

Brunsvold: "Thank you. Amendment #2 would be further clarifying language dealing with municipalities and their dealings with counties and the 911 systems and I would ask for its adoption."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment 2 to House Bill 594. On that question, the Gentleman from Dupage, Representative McCracken."

McCracken: "Thank you, will the Sponsor yield?"

Speaker Breslin: "He will."

McCracken: "I understand that you and Representative Wojcik have an agreement on this Amendment. Is that correct?"

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

39th Legislative Day

May 11, 1989

Brunsvold: "Yes, that's correct."

McCracken: "And this is the language you've agreed upon?"

Brunsvold: "That's the agreement."

Speaker Breslin: "The question is, 'Shall Amendment #2 to House Bill 594 be adopted?' All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. The Gentleman asks leave to return this Bill to the order of Third Reading, Consent Calendar, second day. Does he have leave? Hearing no objection he has leave. On page 57, of your Calendar, appears House Bill 1732, Representative Bowman. Mr. Bowman asks leave to return this Bill to the order of Second for the purposes of an Amendment. Does he have leave? Hearing no objection he has leave. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1732, a Bill for an Act relating to grant funds. This Bill has been read a Second time, previously."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is a Technical Amendment and changing words like 'grant' to 'grants' and deleting redundant language ...reallt is pretty technical. I just move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 1732 and on that question, the Gentleman from Dupage, Representative McCracken."

McCracken: "Thank you. I don't know who our spokesman is, but has someone over here been consulted about this?"

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

39th Legislative Day

May 11, 1989

Bowman: "No. I thought...it was just, it was a Technical Amendment. I just thought I would just go through your normal Bill review process and there wouldn't be any problem with it. If I thought there was anything substantive in it, I'd be happy to...I would have come over and explained it."

McCracken: "Oh, I don't know that there isn't. I'm not saying there isn't. I was just curious if anyone has been consulted. Can we send someone over real quickly?"

Bowman: "Sure, would you please? Could we take it out of the record for a moment?"

McCracken: "Thank you."

Speaker Breslin: "Out of the record. House Bill 1774, Representative Kubik. Representative Kubik asks leave to return this Bill to the order of Second for the purposes of an Amendment. Does he have leave? Hearing no objection, he has leave. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1774, a Bill for an Act to release easements and restore access rights. This Bill has been read a Second time, previously. Floor Amendment #1, offered by Representative Kubik."

Speaker Breslin: "Representative Kubik on the Amendment."

Kubik: "Thank you, Madam Speaker. House Bill 1774 is the annual IDOT release...Easement Release Bill. This particular Amendment adds an additional 14 parcels to the Bill which were put on the list after the Bill was drafted. The appraisals have been filed with the Clerk and I know of no opposition to the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 1774 and on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the

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

39th Legislative Day

May 11, 1989

'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Kubik now asks leave to move this Bill to the order of Consent Calendar Third Reading, Second Day, and pass this Bill the same day. Does he have leave? Hearing no objection, he has leave by use of the Attendance Roll Call. With leave of the Body, we'll go back to Representative Bowman's Bill, House Bill 1732. Are there any Motions or Amendments filed on House Bill 1732, Mr. Clerk?"

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

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. As I said before, this is a Technical Amendment. I believe the Republican Leadership has reviewed this and has no objection to it and we're prepared to vote."

Speaker Breslin: "The question is, 'Shall Amendment #1 to House Bill 1732 be adopted?' Any discussion? Hearing none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Bowman now asks leave to return this Bill to the order of Consent Calendar Third Reading, second day and would ask leave that it be voted on the same day. Is there any objection? Hearing none, the Gentleman has leave by use of the Attendance Roll Call. The next Bill is House Bill 2061, Representative Piel. Mr...2061. Are there any Amendments filed to this Bill? Excuse me, Representative Piel, first, asks leave to

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

39th Legislative Day

May 11, 1989

return this Bill to the order of Second for the purposes of an Amendment. Does he have leave? Hearing no objection, leave is granted. Are there any Amendments filed, Mr. Clerk?"

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

Speaker Breslin: "Representative Pullen. Representative Piel for what reason do you seek recognition?"

Piel: "Thank you, Madam Speaker. If you'll look at the Amendment it's a misprint. It's supposed to be Representative Piel not Representative Pullen."

Speaker Breslin: "Fine. Representative Piel, proceed with your Amendment."

Piel: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. When this Bill came out of the House Financial Institution's Committee, I brought it out and said that the mortgage brokers thought that there was some duplicative language in the Bill dealing with the Act. And so, this Amendment basically removes the duplicate and cumbersome language and this is agreed upon by the Mortgage Bankers of the Illinois Bankers Association, the Illinois Savings and Loan League and the Brokers Association and I would ask for passage of Amendment #3."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 3 to House Bill 2061. Is there any discussion? Hearing none, the question is, 'Shall Amendment 3 be adopted?' All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Piel now asks leave to return this Bill to the Order of the Consent Calendar Third Reading, second day and asks leave that it

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

39th Legislative Day

May 11, 1989

be able to be voted on and passed the same day. Does he have leave? Hearing no objection, he has leave by use of the Attendance Roll Call. Ladies and Gentlemen, we will now vote on the Consent Calendar that is on Third Reading, second day, beginning on page 55 of the Calendar. Before we do that, Representative Brunsvold asks leave that House Bill 594 be voted on the same day that it was amended. Does he have leave? Hearing no objection he has leave by use of the Attendance Roll Call."

Clerk Leone: "Consent Calendar Third Reading. House Bill 75, a Bill for an Act to amend the Illinois Municipal Code. House Bill 107, a Bill for an Act to amend the Revenue Act. House Bill 304, a Bill for an Act to amend the Child Care Act. House Bill 446, a Bill for an Act in relationship to the notification of genetically engineered organisms. House Bill 594, a Bill for an Act to amend the Emergency Telephone System Act. House Bill 813, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. House Bill 879, a Bill for an Act to amend an Act in relationship to State Colleges and University Systems. House Bill 961, a Bill for an Act to amend the AIDS Confidentiality Act. House Bill 1009, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1123, a Bill for an Act to amend the Carnival and Amusement Rides Safety Act. House Bill 1140, a Bill for an Act to amend the Criminal Code. House Bill 1151, a Bill for an Act to amend the Regency Universities Act. House Bill 1176, a Bill for an Act to amend an Act in relationship to environmental awareness. House Bill 1189, a Bill for an Act to amend the Public Community College Act. House Bill 1286, a Bill for an Act to permit voluntary transfer. House Bill 1287, a Bill for an Act to amend the Park District Code. House Bill 1346, a Bill for an Act to amend the Public Community



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

39th Legislative Day

May 11, 1989

College Act. House Bill 1545, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. House Bill 1577, a Bill for an Act to amend the Public Community College Act. House Bill 1620, a Bill for an Act to amend the School Code. House Bill 1732, a Bill for an Act relating to grant funds. House Bill 1774, a Bill for an Act to release easements and restore access rights. House Bill 1891, a Bill for an Act to amend the Illinois Banking Act. House Bill 1912, a Bill for an Act to amend the Condominium Property Act. House Bill 1915, a Bill for an Act to amend the Condominium Property Act. House Bill 1940, a Bill for an Act to amend the Illinois Human Rights Act. House Bill 1997, a Bill for an Act to amend the Liquor Control Act. House Bill 2061, a Bill for an Act to amend the Residential Mortgage License Act. House Bill 2077, a Bill for an Act to amend the Illinois Clinical Laboratory Act. House Bill 2124, a Bill for an Act to amend the Mobile Home Landlord and Tenant Rights' Act. House Bill 2201, a Bill for an Act to amend the Environmental Protection Act. House Bill 2209, a Bill for an Act in relationship to the use and occupation taxes in air common carriers. House Bill 2321, a Bill for an Act to amend the Illinois Municipal Code. House Bill 2373, a Bill for an Act to amend the Environmental Protection Act. House Bill 2374, a Bill for an Act to amend the Environmental Protection Act. House Bill 2383, a Bill for an Act to amend the Illinois Banking Act. House Bill 2427, a Bill for an Act to amend an Act to provide for the electronic data processing of the Illinois Revised Statutes. House Bill 2428, a Bill for an Act to revise the law by combining multiple easements...that's a correction, combining multiple enactments. House Bill 2433, a Bill for an Act to amend the Illinois Public Aid Code. House Bill

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

39th Legislative Day

May 11, 1989

2436, a Bill for an Act creating the Commission on the reuse of military bases. House Bill 2514, a Bill for an Act in relationship to the system of toll highways. House Bill 2543, a Bill for an Act to amend the Illinois Banking Act. House Bill 2649, a Bill for an Act in regard to nursing care. House Bill 2678, a Bill for an Act to revise the law in relationship to professional engineers. House Bill 2757, a Bill for an Act to amend the Housing Authority's Act. House Bill 2776, a Bill for an Act to amend an Act relating to the compensation of annulments of Members of the General Assembly. House Bill 2805, a Bill for an Act to amend the Illinois Municipal Code. House Bill 2808, a Bill for an Act to amend the School Code. Third Reading of these Bills."

Speaker Breslin: "Representative Piel for what reason do you seek recognition?"

Piel: "Thank you, Madam Speaker. I hate to interrupt the proceedings, but the Clerk...the noise here was quite high...when the Clerk started reading them off and the one I missed was Representative McPike's Bill, 446. Could he repeat that Bill one more time, please?"

Speaker Breslin: "I think he read it correctly the first time, Representative Piel. The question is, 'Shall these Bills pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is the Consent Calendar. Have all voted who wish? Have all voted who wish? There's still one person not voting who is here. Have all voted who wish? Have all voted who wish? We have to note that...Representative Mautino is your switch working? Okay. Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', none voting 'no' and none voting 'present'. These Bills having received the Constitutional Majority, is hereby declared

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

39th Legislative Day

May 11, 1989

passed. Ladies and Gentlemen, is the intention of the Chair now...excuse me, Representative Younge what's your pleasure?"

Younge: "Thank you, Madam Speaker. I'd like leave for the Task Force on School Districts on the Financial Watch List to meet at 2:30 today while we're in Session."

Speaker Breslin: "That's 2:30 today for the School Districts on the Financial Watch List. Ladies and Gentlemen. It's the intention of the Chair to shortly go to the Special Order of Business listed on the Calendar on page 2 dealing with Government Administration. We will first go through those Bills that need Amendments, that are on Second Reading or rather all Bills on Second Reading and move them to Third and then we'll go to the Bills that are on Third Reading. So if you could prepare your files and be ready to present your Amendments and your Bills we will get to that next. Ladies and Gentlemen, we have a special visitor today from the City of Rockford, the new Mayor of the City of Rockford, Mayor Charles Fox. Welcome and good luck, Mayor. Representative Piel, for what reason do you rise?"

Piel: "Thank you, Madam Speaker. It might be a momentous day for Rockford, but it's also a momentous day for the House of Representatives, especially the Republican side. It's with great pleasure that I introduce Mildred Walter, who is the new Republican Lady Doorkeeper. Mildred, thank you very much for being here."

Speaker Breslin: "Wonderful. Welcome, the new Republican Lady Doorkeeper in the side aisle. Representative Klemm, for what reason do you seek recognition?"

Klemm: "Just an inquiry of the Chair, if I may."

Speaker Breslin: "State your inquiry."

Klemm: "Is it the Chair's intention to repeat these orders of call for later and subsequent days of our Calendar? I noticed a

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

39th Legislative Day

May 11, 1989

number of Bills haven't been posted under a number of these calls and I was wondering if we'll update that as we go along with the agreed one?"

Speaker Breslin: "I think that is usually the order...assuming, of course, that we don't finish one full order and that's never happened since I've been here. Representative Balanoff, did you wish to make a special introduction?"

Balanoff: "Yes, we also have another special guest from our district, our Cub Representative from the First Congressional District, Helen Rhoades."

Speaker Breslin: "Thank you. Welcome. Okay, Ladies and Gentlemen we're now ready to go to the order of Government Administration. Those Bills on Second Reading. The first Bill is House...Representative McCracken, for what reason do you seek recognition? Before we go to that order, we found that we have a slight mixup on the Consent Calendar and Representative McCracken is recognized to make a Motion on one Bill on the Consent Calendar that has just passed. Representative McCracken."

McCracken: "Thank you, Mr. (sic-Madam) Speaker. Yeah we had just previously filed an objection to the Consent Calendar on House Bill 75. Having voted on the prevailing side, I move to remove it from the Consent Calendar and return it to the order of Third Reading."

Speaker Breslin: "Okay, House Bill 75 appears on page 5 on the...page 55 on the Calendar. It has already been voted out by the Assembly. You have heard the Gentlemans Motion to reconsider the vote by which that Bill passed. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are, 108 voting 'aye', none voting 'no' and none voting 'present'. This Bill having...this Motion

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

39th Legislative Day

May 11, 1989

having received the requisite Majority does carry. At this point however, since the Sponsor is not present we won't go to a vote on that Bill that time. We'll instead...does the Gentleman have leave to...we'll put it on the order of Third Reading Short Debate Calendar. So House Bill 75 goes on the order of Third Reading Short Debate Calendar. Now Ladies and Gentlemen, we'll go to the Special Order of Call on Government Administration, the Bills on Second Reading. The first Bill is House Bill 34. Out of the record. House

~~Bill 38~~ Bill 38, Representative...with leave I'd like to go back to House Bill 34, Representative Cullerton is a hyphenated Sponsor on this Bill. Representative Cullerton will then be allowed to present the Bill. Read the Bill, Mr. Clerk."  
Clerk Leone: "House Bill 34, a Bill for an Act to amend the Illinois Horse Racing Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Are there any Motions or Amendments?"

Clerk Leone: "No Motions filed. No further Amendments."

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

McCracken: "Well, this was to have been a Vehicle Bill to be considered and moved only by consensus. If the Gentleman intends to move it, he defeats the intent of the committees voting it out in the first place and I am the second hyphenated Sponsor. Representative Cullerton is the third. Therefore, I mean, I'd be happy to take it out for a moment and talk about it, but if we don't have an agreement..."

Speaker Breslin: "Fine. Out of the record. House Bill 38, Representative Young. Anthony Young. Out of the record. House Bill 40, Representative Bowman. Clerk, read the Bill."

Clerk Leone: "House Bill 40...House Bill 40, a Bill for an Act relating to State Finances. Second Reading of the Bill."

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

39th Legislative Day

May 11, 1989

Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #2 is being offered by Representatives Parcels, Black and Churchill."

Speaker Breslin: "Representative Parcels."

Parcels: "Thank you, Madam Speaker. This Amendment would provide for the continuing appropriations back to the municipalities. As we know, all of our municipalities throughout the state are anxious to have a continuing appropriation back as they have had in the past time...in the past, rather than locking up that money down here and making it just available to them at our whim. When such things as the Senate get themselves into the situation they're in now, these municipalities could wait for a long time for this. And therefore, this would do what we all thought it was going to do last Spring, when that Bill went out and that was a continuing appropriation back to our municipalities and I would ask for your 'aye' vote on this Amendment #2 to House Bill 40."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #2 to House Bill 40. On the question, the Gentleman from Madison, Representative McPike."

McPike: "Madam Speaker, Ladies and Gentlemen of the House. I rise on a point of personal privilege."

Speaker Breslin: "State your point, Sir."

McPike: "If I could have some attention please. I don't recall arising on a point of personal privilege since I've been a Member of this General Assembly. But, on this particular issue, I have been attacked in newsletters by the Municipal League and by the Northwest Municipal Conference and the stories that they put out were repeated by some legislators. So, at this point I would like to set the record straight as to what happened on this Bill. The

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

39th Legislative Day

May 11, 1989

Municipal League in their bulletin put out some time last Fall, said that the clear understanding of parties was that one percent was to be automatically distributed to municipalities, automatically distributed. The Northwest Municipal Conference...Northwest Municipal Conference, Mr. Bill Grahams in his newsletter said that this happened because of a McPike midnight move and in a letter to me...in a personal letter to me he said the only lesson I am left with is not to trust Jim McPike. These accusations, then that I did this somehow behind everyone's back and I did this at midnight, were then put in newspapers across the state. We had numerous meetings on this Bill. Not once was the subject matter of a continuing appropriation ever raised in any of these meetings. At some point along the line, someone on our staff and I haven't asked who it was nor do I care, at some point along the line someone on our staff realized that since it was going to be a State tax and not a local tax, we would have to somehow get the money to the local people. The Bill that was drafted did not call for a continuing appropriation. The Bill that was drafted did not call for anything and so someone on our staff quite naturally said we better put in there that the money has to be appropriated. Otherwise, they'll never get the money. The point of a continuing appropriation was never raised on this House floor last year, was never debated on this House floor last year until the Veto Session. When Representative Mays passed his Bill out of here, no one rose and spoke against the Bill. It passed out of here unanimously without any discussion. In the Veto Session, for the first time, I rose and objected to a continuing appropriation, because I think it's improper for the General Assembly to do that. I didn't go around and try to

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

39th Legislative Day

May 11, 1989

twist a lot of arms to get any votes. I think I ended up with 3 or 4 votes. I simply made my point that I think the General Assembly should appropriate money. I think that's why we're here. Last June this issue was never raised. It was a non-issue. So that if someone on the Republican side of the aisle, who did not understand this complicated Bill had picked out your best staff attorney and whoever is your staff person for the Revenue Committee and said, 'I have an hour of free time I want you to explain everything in this Bill to me.' Those two individuals would never have said to you 'by the way we're going to appropriate this money'. They would not have said that, because that is what we've done in every tax that we've passed. We appropriate money and if they said to you 'by the way we're going to appropriate this money,' you would've looked at them like they were some kind of idiot and said 'well of course we're going to appropriate the money how else would they get it?' So, it was put in the Bill by someone on my staff without my knowledge and I'm sure they did it because they thought it was proper and it was the only thing to do. The Municipal League and the Northwest Municipal Conference failed to read the Bill when it passed here. It sat on the Governor's desk for 2 weeks and they failed to read the Bill. Sometime in the middle of October, the Department of Revenue had a briefing and during this briefing they informed all the Mayors in the audience that by the way this money's going to be appropriated. Trying to cover what was obviously 2 months of not bothering to read the Bill, the Municipal League and the Northwest Municipal Conference said 'well McPike did it. He slipped it in.' Ladies and Gentlemen, I don't slip things in. I negotiate in good faith. When the negotiations are over, I bring it to the Floor and vote on what was negotiated. This point



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

39th Legislative Day

May 11, 1989

was never, ever once negotiated and it was certainly not slipped in by my staff or by myself. Thank you. Now to the Bill, if I may."

Speaker Breslin: "Representative McPike...or rather McCracken, for what reason do you rise?"

McCracken: "I agree that it has been unfortunate how this issue has become personalized and I want to make that clear to everybody. I have never thought that to be the case. I would like to take the opportunity to briefly address the issue of the continuing appropriation."

Speaker Breslin: "You will have that opportunity at your time."

McCracken: "Representative...Representative...no he..."

Speaker Breslin: "Representative McPike is addressing now the Bill."

McCracken: "Speaker."

Speaker Breslin: "He spoke first as a point of personal privilege. He just concluded that and now he is going to speak to the Bill."

McCracken: "I understand. In the interest of addressing this issue and putting it behind us though, I would ask leave and it's not in response to the Gentleman's statement, because I agree with him. I think it's unfortunate the way this has become personalized. I would like to briefly and respectfully address that issue. And I would ask Representative Churchill to speak on it, because he was our negotiator on that. Again, with all due respect and I don't say that without meaning it. It's unfortunate the way that this...that this has developed. May we have leave to do that briefly?"

Speaker Breslin: "Yes Sir. Proceed Representative McCracken. Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. You know there have been a lot of aspersions cast

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

39th Legislative Day

May 11, 1989

and there have been a lot of ways of looking at the facts in this situation. But I don't think that the facts that were just stated by Representative McPike differ from the facts that we see. I think we see that there was an earnest attempt to negotiate the issues resolved around this very important and very large Bill. And I don't see any fact that would indicate that Representative McPike tried to sneak something in at midnight. I don't see that. I do see a result which was a result that was not something that was anticipated by, I think, the Members of this chamber. It certainly was not anticipated by the Members of this side of the aisle and I think that's the point of this Amendment, is to clear up the misgivings and to clear up a mistake or clear up something that was done that was perhaps not intentional, but at least wrong. And that's all this Amendment does is to just put us back where I think we thought we were and to put everybody on the same footing that we believed we were at in the end of the negotiations. And that's all this does is to take and extend the continuing appropriation process throughout the total course of the sales tax dispersement to the local governments and that's our explanation."

Speaker Breslin: "Are you finished Representative Churchill?  
Very good. Representative McPike to the Bill."

McPike: "Thank you, will the Lady yield?"

Speaker Breslin: "She indicates she will."

McPike: "Representative, how much money is being either appropriated or by continuing appropriation, how much money is involved here?"

Parcells: "I do not know that. I probably could...approximately, a hundred million dollars."

McPike: "A hundred...approximately a hundred million? I think it's closer to 1.4 billion, but a hundred million's close

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

39th Legislative Day

May 11, 1989

enough. The money comes from how many sources? The money comes from how many sources?"

Parcells: "Many."

McPike: "No the money comes from...to the Bill, Mr..."

Parcells: "Oh, you're talking about the sales tax?"

McPike: "To the Bill, Madam Speaker. Madam Speaker, to the Bill."

Parcells: "I can't hear you, Representative."

McPike: "That's alright, excuse me. Madam Speaker to the Bill.

We passed a Bill last year to do 3 things. Number one, it was a replacement Tax Bill. Number one, a replacement Tax Bill. The local sales tax is approximately 1.387 billion. Instead of being a local sales tax, it is now a state tax. The local people said, 'look we got the money previously without an appropriation and we think we should get that money in the future without an appropriation.' That's what Representative Bowman's Bill does. It says, 'the 1.387 billion that you received in the past, you will receive it in the future.' Now to that we added 2 new provisions. We added a local use tax that we collect and amounts to roughly 65 million dollars. The locals have never received that before. It's going to be something that is imposed for the first time at the state level. It doesn't replace any money. It's new money, brand new money. The third thing we did is we put a tax on photo processing, which brings in about 15 million, and 65 plus 15 is 80 million dollars. I presume that the Lady's Amendment addresses the 80 million new dollars, because the underlying Bill addresses the 1.387 billion dollars. The underlying Bill returns to local governments 94 percent of the total pie and 100 percent of what they used to get. Everything they used to get. Now why should we not appropriate the new money, or why should we appropriate the new money? First

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

39th Legislative Day

May 11, 1989

of all 30...the 35 million of the new money, 30 to 35 million of the new money goes to waste water treatment to pay off the bonds. Your Bill said that all of this money should not be appropriated. Now I object to that, number 1 in principle, but I also object if you're going to have an Amendment here that say's that now we don't even appropriate money to state agencies. We have a 3 hundred million dollar bond program that we set up and debt service on that is 30 million a year and that 30 million comes out of this new 85 million. And you say, 'we don't appropriate that.' Well of course we ought to appropriate that. Why shouldn't we appropriate that? And the other one...the other one is new state money. You have an Amendment up here that just does away with our job. We impose a new use tax. It's not a local tax. It's our tax, our money. They've never had it before. We should appropriate it to them. Why don't we just offer the Amendment as I said last year not to appropriate money to state...to universities, not to appropriate money to any of these agencies. Let's just go home. This is our job. I read a book on Abe Lincoln a couple of years ago. When Congress was not in Session and the War between the states started he did a few things that were clearly unconstitutional. One thing that he knew was unconstitutional was that he raised an Army and a Navy. He got money and he spent it and he knew it was unconstitutional and he said to his advisors 'don't worry when Congress gets here in July, they'll appropriate the money. They'll do it. What I'm doing is clearly unconstitutional.' This is our job up here. It is our job to appropriate money and I'll be damned why people want, year after year starting last year with the Gentleman from Quincy who said, 'we will not appropriate 1.5 billion dollars'. Representative Bowman has agreed not to

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

39th Legislative Day

May 11, 1989

appropriate 1.4 billion dollars. Now the Lady comes along and says 'hey I found another 85 million that we shouldn't appropriate.' We are the oversight to State Government. That is our job. This is a bad concept. It's a bad Amendment."

Speaker Breslin: "Representative Churchill, you have already spoken to this issue. Why are you seeking recognition? Oh, you responded to Representative McPike's personal privilege? I don't know where that is...in the Rules. Can anybody point out to me where that is in the Rules? Representative Churchill. I gave him leave to speak...to interrupt Representative McPike to speak to the question. I didn't give him leave to speak on the point of personal privilege. Representative Churchill."

Churchill: "Now I think it's very clear when Representative McCracken arose that he said that he wanted to address the issue of the point of personal privilege that was requested by Representative McPike. And when I came through what I was saying, I was addressing that point. The last comment was to stop where I would like to start when I address the Bill, which is right where Representative McPike was, because he had stopped before addressing the Bill. I think now that Representative McPike has addressed the Bill, I would like to also...I amend the Amendment I would like to now address the Amendment. And since you were kind enough, as the Speaker, to grant us the opportunity to...respond to Representative McPike on the point of personal privilege, I would now ask you to be kind enough to allow us to respond to the Amendment."

Speaker Breslin: "Yes, the point was that you didn't speak to the point of personal privilege, you spoke to the Bill. You can proceed however, but please make it brief since you have already spoken once to the Bill or the Amendment I

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

39th Legislative Day

May 11, 1989

should say. Proceed."

Churchill: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I guess I'm dismayed after addressing the point of personal privilege. I am now dismayed to find Representative McPike making such a big issue out of this point. I believe that throughout all of the negotiations on the Sales Tax Reform Bill there were items that were on the table for discussion and then there were items that were not on the table for discussion. On those items that were not on the table for discussion, it was perhaps a misassumption, but it was an assumption at any rate that the status quo would remain. In dealing with sales tax dollars which go to local governments, there was never any discussion made that there should be a change in the way that those dollars would flow. In the past those dollars flowed by a continuing appropriation. Any new dollars that would have been added to that revenue source should have gone by the same continuing appropriation rather than coming back to the Legislature for an annual Appropriation. I'm dismayed now because I think Representative McPike comes back at this point to make this an issue and sure this is a debatable issue it's something that we should have debated before we passed that Bill. Because had this been the point, had this been one of the issues in that Bill, there are Members on this floor that may not have voted for that Bill knowing that there was this diversity in the method of distributing the funds. And so I would say to Representative McPike, if this Amendment is not in a form which permits the status quo to exist then we will be happy to comply and put the Amendment in that form, but if this Amendment does permit what we all perceive to be the status quo which is a continuing Appropriation of all dollars that are to go the local governments then I think

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

39th Legislative Day

May 11, 1989

we have no other choice than to support this Amendment and put this Amendment on the Bill. Thank you."

Speaker Giorgi: "Representative Mays on the issue."

Mays: "Thank you, I don't have a point of personal privilege. I want to confine my remarks to the issue at hand."

Speaker Giorgi: "Begin."

Mays: "We did pass a Bill last year which set up a continuing Appropriation for Income Tax Refund and the reason that we did do that was because we found that refunds that were due to hundreds of thousands of constituents in this state of all of our districts were being delayed or manipulated for cash flow purposes. They had been appropriated. The appropriations were abused and that's why we set it up. And we did it pretty much universally through this chamber, although Representative McPike did object and he did vote accordingly and that's to his credit. We are simply seeking to sustain the type of treatment that these things have had in the past through this Amendment. We do not know that there will be abuse of the appropriations process, but we don't want that to be in question. We don't want to have to fact that type of issue if indeed it arises at some point in the future. That's why I rise in support of this Amendment as I rose in support of a Bill to take the refunds out of the appropriations process last year."

Speaker Breslin: "The Gentleman from Livingston, Representative Ewing."

Ewing: "Madam Speaker, Ladies and Gentlemen of the House. I've been involved in this issue as many on this floor have in the negotiation of the rewrite of the Sales Tax Law and it came as a great shock to those of us that were in it that the continuing appropriation had been changed and we were now going to have to appropriate that money. I think that

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

39th Legislative Day

May 11, 1989

if the other side of the aisle was so innocent in their handling of that matter, they wouldn't have delayed so long in correcting it. We tried to correct it last Session. We tried to correct it last Fall and we're trying again to correct it. If they're not against it, let the Bill go because this Amendment will put it back where it ought to be. And in support of this Amendment let me say that there's ample example in this state of continuing Appropriation. We do it for local governments out of the Income Tax. We do it for local governments out of the Personal Property Replacement Tax, and we did it out of the old Sales Tax which was collected at the state level. Our villages and our cities across this state are capable of handling their own money. And I don't think they want this General Assembly to have a hold on that money so that it might be appropriated for such other uses as affordable housing or whatever this Body might think would be more important than local payment of their obligation. This is a good Amendment. It puts it back where it ought to be and I would suggest that we approve it."

Speaker Breslin: "The Gentleman from Winnebago, Representative Hallock."

Hallock: "Thank you, Madam Speaker, Members of the House. There's been a lot of discussion as to what really happened last year when this Bill passed. And I suppose that with good people meeting together these things can happen and flaws can occur. But the point is now we have a chance to make it right. We on our side of the aisle tried to delay...tried to make this right last year. We suggested back during the Veto Session that we had in fact made a flaw and now is our time to correct it. Unfortunately, that didn't prevail. We are coming before you again now to correct that deficiency. All of us in this chamber have



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

39th Legislative Day

May 11, 1989

gone back and told local governments that we will do what we can to try to make their job easier. But one way we had done that over the years was always to have this Act in place. What we did last year was not a fair deal for local governments. They have been hurting by this. I think there is probably not a local community in our state, city or village that has not asked us to change this Act in this way. So I'd ask all of you here today and especially with our Mayor of Rockford here today who desperately needs this money, so let's continue this appropriation. Vote for this Amendment."

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

Harris: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, when the Majority Leader makes a point he does it effectively, he does it logically, he does it with emphasis and it's difficult usually when he's through speaking not to agree with him, because what he says makes sense. It is indeed our job to appropriate money. No one argues that. However, I think it's appropriate also to remember the context of the negotiations that reformed the sales tax in the State of Illinois last year. Along those lines, we had in our Constitution something known as home rule. And the home rule Municipalities in this state value that right greatly. They don't give up home rule lightly. They don't like it when they see Bills down here in the State Legislature that preempt home rule. They say, 'hey we are capable of making our own decisions. You don't have to make our decisions for us.' Last year when we were talking about reforming the sales tax for the stated goals of uniformity and...uniformity of base and uniformity of rate. The municipalities got awfully nervous about that and they said 'wait a minute, you're moving to fast. You're taking

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

39th Legislative Day

May 11, 1989

away our home rule powers. When you take away our home rule powers to levy those taxes we are going to lose dollars.' So we in good faith said, 'no you're not going to lose dollars. We're gonna to make sure that you get everything that you deserve. You're going to get all the monies that you currently get under your local tax..."

Speaker Breslin: "Representative Harris, proceed Sir. Representative Harris. Turn on your light so he can find it. Thanks."

Harris: "We are going to insure that you get the monies that you are getting now. Perhaps it was an oversight when the drafting took place whether or not it was going to be a continuing or an annual appropriation. And the Majority Leader is correct that the dollars that are being talked about here are new dollars. They are dollars which were not in the base before for local municipalities. However, under those negotiations local home rule Municipalities said 'we're giving up home rule. We want to insure that we don't have to come back to this General Assembly to get what is rightfully ours.' If that understanding had not been there I venture to say that most home rule communities in this state would not have agreed to sign off on that Sales Tax Bill the way that they did. This is a just Amendment, it corrects what was perhaps an honest and genuine error and it deserves the support of the majority of this chamber. Thank you."

Speaker Breslin: "There are seven others still seeking recognition. We'll get to you as quick as we can. The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you, Madam Speaker. I think one of the main parts of this issue that this Amendment addresses is something that local government people have expressed to us and that is that they fear our process over here. They've seen too

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

39th Legislative Day

May 11, 1989

many times where State Government taketh and then giveth back and then in some cases taketh and keepeth. They don't want that to be a possibility and I don't think we ought to allow that to be a possibility and something a previous Speaker mentioned I think that bares this out is that the statement was made that this is our money. I think we need to remind the people back home that this is not our money, this is their money. This is money that they sent over here that deserves to go back to them and should go back to them unencumbered without any strings and as easily and quickly as possible. They're so afraid of our process over here that we get the tax money, we keep it and send back maybe 50 or 60 percent. They don't want to see that happen. Those of you who represent downstate districts ought to look at this very carefully. Check with your Mayors and your Village Presidents back home, because they want this Amendment. Thank you."

Speaker Breslin: "The Gentleman from McHenry, Representative Klemm. The Gentleman is not at his seat. The Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Madam Speaker. Nothing has unified the people of the 110th District more than this issue. Every where we go in the district, Mayors and City Managers, other elected officials and their constituents are very concerned about sending billions of dollars to Springfield based on an historic agreement that we've always had that that money would not be appropriated back on an annual basis, but a continuing Appropriation. They were sure in the City of Fairview Heights that sends some 17 or 18 million dollars a year in sales tax revenue to Springfield, that they would get their 1 cent out of every 5 returned. Their question is to the General Assembly, 'whose money is it anyway?' And I would suggest that indeed it is their

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

39th Legislative Day

May 11, 1989

money raised...with an understanding that that money would go to Springfield and then come directly back for projects and services in that area. And they question what will happen in the future. They understand that this year and next and the third year out certainly we will continue to appropriate the correct amount of dollars back. But what about the first emergency that comes up in the City of Chicago that this Body deems so urgent that the cities in Southern Illinois shall suffer so that we can deal with this emergency in the northern part of the state. This is an example of a lack of trust in the system. All this does is deepen that lack of trust, because now we've broken our historic word that says that that money is yours and we will indeed give it back to you in a timely manner. This Amendment would correct a mistake that this Assembly made, whether it was an error in judgment or not it is my belief that it was a mistake and we ought to correct that. That's all this Amendment does, Madam Speaker. And as to the question about well, why are we here anyway? It's our job to appropriate money. I would suggest to the Gentleman that we have billions upon billions of dollars that we could spend on appropriating other manners all on our own and we have plenty to do. And why not give the obligation to appropriate those dollars right back to the cities and villages throughout this state and let them do their job as they have proved quite capable of doing in the past. I rise in support and urge an 'aye' vote on the Amendment."

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

McCracken: "Thank you, Madam Speaker. The reason I asked leave to have Representative Churchill address the point of personal privilege was to separate the issues. Let's not confuse what we think is...a very bad result with how it

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

39th Legislative Day

May 11, 1989

happened from the point of someones personal integrity. I do not attack the Minority...or the Majority Leaders personal integrity, period. However, there was never an Amendment reflecting the change in the distribution requiring an annual appropriation until the final draft, until the final Conference Committee Report. It was never the subject of negotiations. It had never been discussed it had never been changed in the prior drafts. Now when you hold negotiations and when we act by consensus, as your Speaker values so highly, how do you think consensus is reached? A clear enunciation of the issues on the table, a discussion of all of those issues and a response to those issues. And that is not what happened in this case and that's why the State of Illinois is mad. And they may have targeted the Majority Leader and that was a big mistake to do. But, they have every right to attack the institution; they have every right to attack this Body. Because, when you negotiate you have to do it in good faith and if your word isn't worth...that then it's worth nothing. So I ask you if it was never negotiated, why do you resist returning it to the status quo? Why do you come up with these excuses that you are personally offended and therefore, you will not return the Bill to the status quo? What is wrong with the status quo? Did we see Bills to a delete continuing appropriations in the preceding 20 years? No. That tax had been going by continuing appropriations for many years and it had never been the subject of a compromise negotiation and its never been the subject of a Bill even in its own right. So what's the problem? When you negotiate and you don't put that issue on the table, what gives you the right to think that...people shouldn't be offended? What gives you the right to think that they shouldn't worry that they've been had? It doesn't matter

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

39th Legislative Day

May 11, 1989

how it happened. I don't believe it happened through any personal animus or malice. But it doesn't matter how it happened. We deserve to have that money going to the municipalities with whom we bargain. They bargained in good faith and they were cheated. And that's the reason the State of Illinois is mad."

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

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Well this issue, the Republicans may regret that this issue has become personalized, but they can certainly take responsibility for politicizing it. Every speech emanating from the other side of the aisle could just as easily be made in support of the Bill as it came out of the committee. The speeches have not distinguished between the Bill as it came out of the committee and the Amendment that is being offered by Representative Parcells. Now, let's go back to last Spring. Representative McPike is absolutely correct that the final...each and every draft including the final draft had no mention of how the monies would be disposed of. And that was an oversight. And that was an oversight for which the Municipal League and everybody else that was sitting in that room was responsible. So everybody who sat in that room let it slip through. Now...that means that...the...change...what the change did...excuse me what the language did that's an issue right now is to do 2 things. One is to fill the vacuum as far as the new money is concerned because there had been no mention about the new money and it did make a change with respect to the old money. That is true. It did make a change with respect to the old money. Now the problem that that creates has not even been addressed by the other side of the aisle that has been so vocal on a bashing

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

39th Legislative Day

May 11, 1989

the...process. The real problem it creates is that some of these local governments have pledged their sales tax receipts as collateral if you will or security for their bonds...their local bonded projects. So that if we now have to go to appropriations process even if they can be assured that we'll never fail to appropriate, you can certainly believe that the people holding the paper for the local governments will be concerned and are probably putting pressure on them to seek this change and I understand that. And so that is why the Bill as amended in committee deals with a continuing appropriation for the old money so that the bond indebtedness of local governments will not be impaired by anything that this Legislature does. But I want to stress that there was no draft that was circulated and approved by all parties that contains any language dealing with the new money and so anything that was done by this Assembly and signed by the Governor I might add, don't forget the Governor's signature went on that Bill and it sat on his desk for 2 weeks and I don't know what he was doing, when he should have been reading the Bills. Anything that deals with the new money, is fair game. So my feeling is Ladies and Gentlemen that we need to solve real problems not imaginary problems. This Bill as amended in committee solves a real problem. It returns the status quo the way it was before so that bond indebtedness of local governments will not be impaired in anyway. So this is a good Bill, as it came out of committee and I urge the defeat of this Amendment which will only complicate the issue further. The issue has been politicized by the Republicans and this Amendment will only complicate the politics further so that the whole thing may come crashing down and none of us want that. Ladies and Gentlemen, a bird in the hand is worth two in the bush and

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

39th Legislative Day

May 11, 1989

I would strongly urge defeating this Amendment."

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

Flinn: "I move the previous question."

Speaker Breslin: "The Gentleman moves the previous question. Are there objections? Representative McCracken, there are lots of objections. There are still 7 people...oh now only 4 people seeking recognition. The Gentleman from Vermillion Representative Black."

Black: "Thank you very much, Madam Speaker and Members of the House. The previous speaker is right it is a complicated issue but I don't think Amendment #2 purports in anyway, shape or form to make it more complicated. As you look back on this and I think most of us have had a great deal of mail from the communities that were sent here to represent. I think it's most unfortunate and I mean that in all sincerity, I think it's most unfortunate that any Members' integrity or credibility in this chamber would be questioned. I think it's compounded by the fact that a man who has served with distinction and occupies a position of leadership in this chamber should be subjected..."

Speaker Breslin: "Excuse me, Representative Black. Proceed Sir."

Black: "Thank you very much, Madam Speaker. I was saying I think it only compounds the problem when a man who has served with distinction and occupies a position of leadership is subjected to the kinds of harassment if you will and questions of his integrity as...a Representative on the other side has been. But the bottom line is indeed as Representative Bowman has purported it to be. The Sales Tax Revenue is the one item that municipalities that local governments can count on and budget practically to the penny. And we cannot be in any posture that destroys their ability to budget. In many of their cities the Sales Tax



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

39th Legislative Day

May 11, 1989

Revenue makes up more than 50 percent of a municipality's budget. I don't think that we can be in a posture where we say we're going to correct an oversight. But we continue to argue the case month after month after month and we fail to take the action. Now the bottom line is this and I think it's simple, I think whether you're a downstater or an upstater or Republican or Democrat, every day we delay in solving what appears to have been an oversight puts our local units of government at risk. Representative Bowman himself said it most eloquently, they have pledged their indebtedness. They use these funds to retire bonds. When the Sales Tax Reform was passed many of them in fact increased their... bond indebtedness...ng able to project what they would receive from Sales Tax Reform. That's the bottom line. It...we don't need to politicize it any more. You're going to hurt local units of government throughout this state no matter what side of the aisle in which you sit. I urge an 'aye' vote of the Lady's Amendment and let's get on with the process of correcting what admittedly, I think everyone in this chamber would say, must have been an oversight."

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

Ropp: "Thank you, Madam Speaker, Members of the House. To those who have said that the distribution of these funds was never discussed, that's a tragedy, because the municipalities are the ones that were certainly well intentioned and well thinking that this money was going to come to them as it had in the past. And so I think we are at fault, there is no reason that this Body should intentionally or unintentionally attempt to deceive the municipalities. And so this is an attempt by this Amendment to correct that error because it is obvious that

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

39th Legislative Day

May 11, 1989

the Legislature does not want to continue to do something that is not fair and just. There is no way that municipalities can adequately operate knowing or let's say not knowing, whether or not they are going to get funds based on the appropriation process. That threat should not be imposed on the mayors and the city governments in the State of Illinois. This is an attempt to correct a situation that they really did not or were a part of in the compromising process. I urge you to support this Amendment. It restores good faith. It restores integrity and it provides that continuity of funding those municipalities."

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

Cullerton: "Yes, thank you, Madam Speaker. I'm getting a little bit confused by some of the debates. I wonder if I could ask a question of the Sponsor of the Amendment. I'm sure she could clear it up for me."

Speaker Breslin: "Proceed."

Cullerton: "Representative Parcels, this Amendment that you have to this Bill, this modifies, in effect, a Bill that we passed last year, is that correct?"

Parcels: "Yes, this brings the original House Bill 40 back to where Representative Bowman intended it to be originally."

Cullerton: "I see. And so that was a Bill that we passed last year and that's where we kind of changed this so called...the sales tax that was being collected by the local governments and we kind of changed it so the state collected it. Is that one of the things that Bill did?"

Parcels: "You're talking about last year's Bill?"

Cullerton: "Last year's Bill. Right."

Parcels: "Yes."

Cullerton: "And then we also...we also did a couple of other

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

39th Legislative Day

May 11, 1989

things in that Bill. Didn't we have a Local Use Tax that we included in that Bill?"

Parcells: "Yes, Sir."

Cullerton: "And also, we had a Photo Processing Tax?"

Parcells: "That is correct."

Cullerton: "Okay, so those were 3 taxes that were involved in that Bill last year?"

Parcells: "That's correct."

Cullerton: "Okay, now this year, Representative Bowman has advanced a Bill that you're trying to amend, is that right?"

Parcells: "Yes, and I'm putting the Bill back in his original intended form."

Cullerton: "Well, does that mean that Representative Bowman's Bill as I understand it, the main concern here is what local governments get, right? making sure local governments get their money without having us have to appropriate the money. They want to make sure that they're guaranteed of getting the money, is that right?"

Parcells: "That is the way the orig...his original House Bill 40 was drafted."

Cullerton: "Right. And so...that...for that Replacement Tax, that Replacement Tax, as I understand his Bill that you're amending right now, his Bill says that the Replacement Tax, the same amount of money that the municipalities used to collect themselves that will be unappropriated. That's what his Bill says right now. Is that correct?"

Parcells: "Yes."

Cullerton: "And you're not changing that, are you?"

Parcells: "No."

Cullerton: "Your Amendment doesn't change that does it?"

Parcells: "I certainly hope not."

Cullerton: "Okay, so your Amendment then only deals with those

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

39th Legislative Day

May 11, 1989

other 2 taxes, the Photo Processing Tax and the Use Tax.

Is that right?"

Parcells: "Is that is correct?"

Cullerton: "And what your Amendment says is that we shouldn't appropriate those either. Right?"

Parcells: "That they should...yes they should be appropriated, a continuing appropriation."

Cullerton: "Okay, so that means we don't have to actually vote on it. It just happens."

Parcells: "As does the Sales Tax now. Right."

Cullerton: "Now, what I'm curious about is does all that money go to the local governments who are so concerned about this Bill?"

Parcells: "Local governments? Yes."

Cullerton: "Your Amendment, does your Amendment address...the monies that your Amendment addresses, the Photo Processing Tax and the Use Tax, do all those monies go to the local governments?"

Parcells: "Except what is diverted for the bond service."

Cullerton: "Well, the bond service and...doesn't the City of Chicago get 20 percent of the money off the top and doesn't the RTA get 10 percent?"

Parcells: "They get their share."

Cullerton: "Right."

Parcells: "There's nothing really new here. This is exactly the way we've done it in the past."

Cullerton: "Well, let me ask it this way. Of this...your Amendment addresses this new money, this approximately 80 million dollars...85 million dollars. What percentage of that money goes to local governments? What total amount..."

Parcells: "Maybe 20 percent."

Cullerton: "Oh, 20 percent. So your Amendment is attempting to

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

39th Legislative Day

May 11, 1989

make sure that of the 85 million dollars in new taxes that...about 20 percent of that...make sure that goes to the local governments without us having to actually vote on it. Is that right?"

Parcells: "I think you're going to have to restate that. I'm talking about 20 percent of the total state taxes."

Cullerton: "The total state taxes that your Amendment addresses is only 85 million dollars, is that correct?"

Parcells: "Yes."

Cullerton: "Okay."

Parcells: "Roughly."

Cullerton: "That's the money I'm talking about, 85 million dollars that your Amendment addresses. The Photo Tax and the Use Tax, it's the 80 million dollars. What percentage of that money goes to local governments who you're so concerned with with this Amendment? The answer you gave before was 20 percent."

Parcells: "About 60 some million."

Cullerton: "60 million out of the 85 million?"

Parcells: "Yes."

Cullerton: "Okay, well, tell me where the 85 million goes?"

Parcells: "Well, part of it's gonna go to this..."

Cullerton: "No, tell me what percentage goes where. You got a staff guy there, ask him. Let's hear it from the Republican's mouth as to where the money goes, because I'm really confused now."

Parcells: "Alright, I'll ask...maybe you have the answer to this. Maybe you've got it in front of you and you can tell me."

Cullerton: "Oh, yes I do. Yes, I do. But, I don't think that you or your Members understand it so I want to ask your staff whether or not you know what you're talking about."

Parcells: "Yes, we know what the intention was last year. We know what the intention was with Representative Bowman's

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

39th Legislative Day

May 11, 1989

original Bill."

Cullerton: "Well, I'm talking about your Amendment. You're the Sponsor of the Amendment, you agreed to...you have put up for this, to put this Amendment up. So, I'd like you to explain it."

Parcells: "Alright, hang on and I'll do it."

Cullerton: "There's 80 million dollars, where does it go?"

Parcells: "About 20 million from the Photo Processing Tax."

Cullerton: "Where does it go? We know where it comes from."

Parcells: "To the Local Government Distributed Fund."

Cullerton: "How much?"

Parcells: "About 20 million."

Cullerton: "Okay, where does the other 60 million go?"

Parcells: "About 20 million to bonds."

Cullerton: "To bonds. How about 30 million?"

Parcells: "And then the remainder...20 or 30 million and the rest will go back to the Local Government Distributive Fund."

Cullerton: "Well what...I thought Chicago and the RTA got about 24 million out of this money. Don't they?"

Parcells: "They're local government."

Cullerton: "Oh, they're local governments. So this is to make sure that Chicago gets their money without us having to appropriate it?"

Parcells: "I would be very interested in Chicago getting their money and I can't believe those of you from Chicago over there aren't anxious for the same thing."

Cullerton: "I see. Now let me ask you another question. This new tax, this Photo Processing Tax, this is a sales tax, is that right?"

Parcells: "Yes."

Cullerton: "And so this would be the only part of a sales tax...this would be the...of all the things that we tax in Illinois through a sales tax, this would be the only tax

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

39th Legislative Day

May 11, 1989

that wouldn't be appropriated. This would be the only one that would be subject to a continuing Appropriation, Is that right?"

Parcells: "We do have other sales tax transfers that are not subject to appropriations."

Cullerton: "Like what? Like maybe when we tax shoes...do we..."

Parcells: "We divert to Build Illinois right now."

Cullerton: "That's by appropriation. We appropriate that. We come down here to vote on that."

Parcells: "Not the sales tax transfer."

Cullerton: "Well, I think you're wrong. Well let me ask you this. This is just photo processing that we're not going to appropriate. What about shoes? When we caught the tax on shoes, should we collect that money and then appropriate it out into various places or should we just earmark that for...?"

Speaker Breslin: "Your 5 minutes are up, Representative Cullerton. Are you finished with your questions? He's finished with his questions. Representative Johnson."

Johnson: "I move the previous question."

Speaker Breslin: "That won't be necessary now, Representative Johnson, but thank you. The Lady from Cook, Representative Parcells, to close."

Parcells: "Thank you, Madam Speaker. I'm sorry that this generated so much excitement, because this is a good Amendment. This puts the Bill back where the Sponsor originally had it. That empty space up there had my name in it. I loved this Bill. I talked to Representative Bowman about it. I said, 'you're doing the right thing, Woods.' There was another Bill by Representative Dunn and another one by Representative Mulcahey. So this is not a partisan matter at all. This is a matter to help your local communities. They're very anxious for it. Yes, I

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

39th Legislative Day

May 11, 1989

live in Northwest Municipal Conference area. This has nothing to do with it. I have the greatest respect for Majority Leader McPike. The greatest respect, more respect than he'll ever know and I, further more, chastise the Northwest Municipal Conference for making an issue of this. I thought that was absolutely wrong of them to do. But that is the way it was. I said, 'it's your own fault for not catching it.' Do remember, this didn't come out until July the 2nd in the final of many, many drafts and therefore, it wasn't brought to our attention. You can say, 'well it's your fault, you should have found it yourself.' But we didn't and neither did the Northwest Municipal Conference nor was it ever brought to our attention by the Sponsors of the Bill and therefore, we plain missed it. Okay, we made a mistake. But is it right to have all your local communities not receiving this in an...a continuing appropriation when that's what we all intended, except a few that changed it. And that's what you all expected and that's what your local municipality expected. Now, it is true that we appropriate funds. We appropriate them in 2 ways. We can have a lump sum appropriation, which is what part of this Bill will do now or we can have the continuing appropriation, which is what we have been doing with the Sales Tax. And that is the way everybody thought that this was going to be given back to your local government. I...as I said before, Representative Bowman drafted this Amendment originally this way as did Representative Dunn and Representative Mulcahey. Their local communities were up in arms about this, because they feel now that we might decide to divert that money to some other thing and they are depending on this money. No, it isn't...I mean a lot of it is brand new money to them, but they are expecting it and that's why



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

39th Legislative Day

May 11, 1989

they were urging us to vote for this, originally. They are very upset, every one of you, both sides of the aisle, it's not partisan at all, should vote 'aye' on this Amendment and I would ask you for a Roll Call vote and I hope you will vote 'aye' on Amendment #2 to House Bill 40."

Speaker Breslin: "The question is, 'Shall Amendment #2 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Kirkland, one minute to explain your vote."

Kirkland: "Thank you, Madam Speaker, Members of the House. It's no coincidence that the New Use and Photo Finishing Taxes were discussed as part of the Sales Tax Reform. And we all know that that Sales Tax Reform issue concern monies that have gone back to local governments by continuing appropriation in the past. The reason the issue didn't come up among the legislators is because everyone except apparently that Democratic Staffer, assumed that all the money including the new money, except money...some that was diverted which seems to always happen around here would go back to the local governments by continuing appropriations. It just seems to me that without this Amendment the Democrats are changing what everybody except their staffer, assumed was going to be the case and that just doesn't seem fair. So, I support the Amendment."

Speaker Breslin: "Representative Ewing, one minute to explain your vote."

Ewing: "Yes, Madam Speaker, I can't believe we don't have more people in this House that support local government so that we can put this Amendment on. A 'no' vote is a vote against local government."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 52 voting 'aye', 59 voting 'no'. Representative

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

39th Legislative Day

May 11, 1989

McCracken wishes for a verification. Poll the Negative...Poll the Affirmative...no, Poll the Negative. Are there any Absentees, Mr. Clerk?"

Clerk O'Brien: "There are no people non-voting."

Speaker Breslin: "Okay, Representative Shaw asks leave to be verified, Representative McCracken. Representative Shaw. I presume he has leave. Yes. Okay, Mr. Clerk, Poll the Negative. Shaw has leave to be verified."

Clerk O'Brien: "The poll of those voting 'no'. Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Capparelli. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Homer. Johnson. Shirley Jones. Keane. Krska. Kulas. Lang. Laurino. LeFlore. Levin. Martinez. Matijeovich. Mautino. McGann. McNamara. McPike. Morrow. Mulcahey. Phelps. Preston. Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Steczo. Sutker. Terzich. Trotter. Turner. Van Duyne. White. Williams. Wolf. Woolard. Wyvetter Younge and Mr. Speaker."

Speaker Breslin: "Do you have any questions of the negative, Mr. McCracken?"

McCracken: "Thank you. Representative Farley?"

Speaker Breslin: "Representative Farley. Bruce Farley. Is the Gentleman in the chamber? Remove him from the Roll Call."

McCracken: "Representative Keane?"

Speaker Breslin: "Representative Keane. Representative Keane. Is the Gentleman in the chamber? He is not. Remove him from the Roll Call."

McCracken: "Representative Ronan?"

Speaker Breslin: "Representative Ronan. Representative Ronan. The Gentleman is not in the chamber, remove him from the Roll Call."

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

39th Legislative Day

May 11, 1989

McCracken: "Representative Van Duy...oh, I see him. Representative Steczo?"

Speaker Breslin: "Representative Steczo. Representative Terry Steczo. Is the Gentleman in the chamber? He is not. Remove him from the Roll Call."

McCracken: "Representative Lang?"

Speaker Breslin: "Excuse me, Representative Mary Flowers asks leave to be verified. Representative Turner also asks leave to be verified. You have leave. Representative Novak, for what reason do you seek recognition. Change Representative Novak from 'aye' to 'no'. Any further questions, Representative?"

McCracken: "Representative Novak, that was...I understand. Representative Lang?"

Speaker Breslin: "Representative Lang is in his seat. Representative Steczo has returned to the chamber. Add him to the Roll Call as voting 'no'. Representative Steczo should be added to the Roll Call, voting 'no'. Proceed."

McCracken: "Representative Terzich? I'm sorry, Representative Phelps?"

Speaker Breslin: "Representative Phelps. David Phelps is in his chair."

McCracken: "Representative DeLeo?"

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

McCracken: "Representative White?"

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

McCracken: "Representative Homer?"

Speaker Breslin: "Representative Homer. Tom Homer. Is the Gentleman in the chamber? He is not. Remove him from the

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

39th Legislative Day

May 11, 1989

Roll Call."

McCracken: "Representative Capparelli?"

Speaker Breslin: "Representative Capparelli. Ralph Capparelli is in the center aisle. Representative Edley, for what reason do you seek recognition?"

Edley: "To change my vote from a 'yes' to 'no'."

Speaker Breslin: "Change Representative Edley from 'yes' to 'no'."

McCracken: "Representative Krska?"

Speaker Breslin: "Representative Krska. Bob Krska. Is the Gentleman in the chamber? He is not. Remove him from the Roll Call."

McCracken: "Representative Santiago?"

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

McCracken: "Nothing further."

Speaker Breslin: "On this question there are 50 voting 'aye', 54 voting 'no'. Representative DeLeo has returned to the chamber. Add him to the Roll Call voting 'no'. There therefore is 55 voting 'no', 50 voting 'aye', and the Amendment is not adopted. Are there any further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 165, Representative Granberg. Out of the record. House Bill 494, Representative Balanoff. Is Representative Balanoff...Clerk read the Bill."

Clerk O'Brien: "House Bill 494..."

Speaker Breslin: "Out of the record. House Bill 515, Representative McNamara. Is Representative McNamara in the chamber? Clerk read the Bill."

Clerk O'Brien: "House Bill 515, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

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

39th Legislative Day

May 11, 1989

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 890, Representative Bugielski. Representative Bugielski. Representative Bugielski. Clerk read the Bill."

Clerk O'Brien: "House Bill 890, a Bill for an Act concerning vouchers for educational expense. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 1191, out of the record. 1192, out of the record. House Bill 1200, Representative Churchill. Out of the record. House Bill 1217, Representative McPike. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1217, a Bill for an Act to amend the General Obligation Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there Motions or Amendments?"

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

Speaker Breslin: "Third Reading. House Bill 1218, Representative McPike. Clerk read the Bill."

Clerk O'Brien: "House Bill 1218, a Bill for an Act in relation to Build Illinois Program. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. House Bill 1476, Representative Steczo. Clerk read the Bill."

Clerk O'Brien: "House Bill 1476, a Bill for an Act to amend the Illinois Architecture Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. Floor Amendment #2 offered by

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

39th Legislative Day

May 11, 1989

Representative Steczko."

Speaker Breslin: "Representative Steczko."

Steczko: "Thank you, Madam Speaker, Members of the House. Amendment #2 addresses some concerns that were posed to us by the Illinois Retail Merchants regarding the continuing education provision and a problem that was...that arose after a discussion with the Illinois Home Builders. Those questions have been taken care of with Amendment #2 and I would move for its adoption."

Speaker Breslin: "Representative Steczko moves for the adoption of Amendment 2. On the question, is there any discussion? Hearing none, the question is, 'Shall Amendment 2 be adopted?' All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 1497, Representative Harris. Representative Harris. Out of the record. House Bill 1621, Representative Madigan. Is anybody going to present this for Representative Madigan? Representative Cullerton. Clerk read the Bill."

Clerk O'Brien: "House Bill 1621, a Bill for an Act to amend an Act in relation to compensation and annuities for Members of the General Assembly. Second Reading of the Bill."

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

McCracken: "I just wonder if I don't object to Representative Cullerton's handling this Bill if I'll get one of these leadership positions? Or you."

Speaker Breslin: "Representative Cullerton is all in favor of both of those suggestions."

Clerk O'Brien: "No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

39th Legislative Day

May 11, 1989

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 1990, Representative Cullerton. Clerk read the Bill."

Clerk O'Brien: "House Bill 1990, a Bill for an Act to amend an Act concerning aquariums and museums. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. Floor Amendment #2 offered by Representative Cullerton."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Amendment deals with the museums in Chicago and what it does is 2...3 things. It expands the tax base for the museums from the City of Chicago to the County of Cook. It lowers the tax rate which is now being paid by Chicago property tax payers by more than half and the overall effect is to take away a little bit of money from the museums. So, again, the Bill does 3 basic things. Expands the tax base of the museums to all of Cook County, which I think is fair, because after all over two thirds of the people that go to museums are not from Chicago and the county pays for the Brookfield Zoo and the Botanical Gardens. So, that's the first thing that it does. Secondly, it lowers the property taxes in Chicago by some 13 million dollars. And then finally it takes away a little bit of money from the museums because, now that they have a larger base they'll be able to make up that difference perhaps in the future. But, for this year they would actually get less money. So, I'd be happy to answer any questions and I appreciate your support."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 1990. On the question, is there any discussion? Hearing none, the question is, 'Shall

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

39th Legislative Day

May 11, 1989

Amendment 2...Representative Kubik on the Amendment."

Kubik: "Thank you, Madam Speaker. Would the Gentleman yield?"

Speaker Breslin: "He will yield to a question."

Kubik: "Representative, I'm sorry I was discussing something with someone else before. Could you explain, just briefly, what the Amendment does, again?"

Cullerton: "Yes. It does basically 3 things."

Kubik: "Okay."

Cullerton: "Number one, right now the museums in Chicago are funded in part through a property tax. That property tax is levied just in Chicago. This Amendment expands that to the whole County of Cook. So, it would be treated just like the Brookfield Zoo and the Botanical Gardens which are now out in the suburbs in Cook County. Their tax base is the whole county. This would make the museums tax base the whole county. But, so as not to give the museums a windfall, we lower the tax rate that they can charge from .15 down to .065. So that results in a property tax reduction in Chicago of almost 13 million dollars. And then the overall effect is to give the museums a slightly less money than they're getting now, but since there's a larger tax base it would..."

Kubik: "You mean the levy would be smaller."

Cullerton: "Yeah, the total amount of money..."

Kubik: "You're not talking...you're not cutting the money going to the museums."

Cullerton: "Pardon me."

Kubik: "...You're not cutting the dollars going to the museums?"

Cullerton: "Actually in the first year, since the...if you take the overall assessed evaluation times the lower rate, they would be expected to get a slightly less amount of money than they're getting the previous year."

Kubik: "And Representative, currently, what are they getting in



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

39th Legislative Day

May 11, 1989

terms of dollars with the property tax at this time from the City of Chicago?"

Cullerton: "I think it's somewhere around 25 million dollars."

Kubik: "Now, as you pointed out, the Brookfield Zoo and the Botanic Gardens are getting dollars from the county."

Cullerton: "Their tax base..."

Kubik: "Is the County of Cook."

Cullerton: "Right."

Kubik: "Okay and at the present time the Chicago museums tax base is the City of Chicago?"

Cullerton: "That's correct."

Kubik: "Okay. Now, as I understand it however, the governing board of the Brookfield Zoo and the Botanic Gardens is the county board and the governing board of the Chicago museum would be the Chicago Park District. Correct?"

Cullerton: "Well, you see, the Park District only serves as a pass through. It just...they're just given the authority to actually do the levying. That's correct."

Kubik: "They exert no governing authority over the museum whatsoever?"

Cullerton: "They haven't up until this year when there was that controversy at the Art Institute."

Kubik: "Well, they didn't exert it very well."

Cullerton: "Well, so...if you are upset by what the Art Institute did, this Bill would send a signal to them, because although they probably support the Bill, it does give them less money the first year."

Kubik: "Oh, okay I see. I didn't know there was linkage on that point. But, so...what you're saying then is that in our case, the Brookfield Zoo's case, the county board or the Forest Preserve District actually run the zoo. They are the pass through agency..."

Cullerton: "The pass through agency, that's correct."

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

39th Legislative Day

May 11, 1989

Kubik: "But they exert a little more influence than just letting money flow through. I mean for example, if you look in the law there are certain things that they...they're allowed to do. And you're saying to me that the Chicago Park District has nothing to do with the management of these museums other than to serve as a pass through."

Cullerton: "That's right. They are not...the operation of the museums is not politicized, just as the Brookfield Zoo and the Botanical Gardens are not politicized. I don't know of any...In fact, if it's true, I'd be happy to know about it, but I don't believe it's true that the Cook County Board exerts any patronage authority over the Botanical Gardens or the Brookfield Zoo."

Kubik: "Well, since the Chicago Park District doesn't exert any you know...influence or governing covenants over the museum and since the tax payers of Cook County in whole are going to be now funding those museums why don't we just simply have the County of Cook now be the pass through agency and the governing board for the museums as well?"

Cullerton: "Let me answer that question by asking you a very important question. Would you support the Bill if that's what it did?"

Kubik: "I'd have to think about it, but off the top of my head I probably would."

Cullerton: "Okay, so you're...are you saying then your main concern is..."

Kubik: "Could I be the lead Sponsor on that Bill, John?"

Cullerton: "Are you saying your main concern is that it's the Park District as opposed to the county board which is the pass through agency?"

Kubik: "Well, if that's what we're...my point to you John is consistent with public policy if we're going to utilize a particular agency to pay for the museum, I would think that

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

39th Legislative Day

May 11, 1989

that agency would also serve as the governing board and the taxing authority and frankly, I think that from the standpoint of what you're doing here I understand what you're doing and I appreciate what you're doing and I think we all recognize that certainly suburbanites and people from outside Cook County utilize the museum. It would seem to me that would be consistent that we would..."

Cullerton: "Right, but let me...I don't have any particular objection to that. Let me just say that since the Part District is doing this now, since they are not exerting any political influence over the museums I just thought it made sense to continue to have them be the pass through agency. But then, remember the key part of the Bill is we lower the property taxes in Chicago by 13 million dollars. We expand the base to include all of the suburban Cook. Just like we in Chicago pay for the zoo and the Botanical Gardens. Those in the suburbs would have to pay for the museums. And, we give the museums a little bit less money than they got last year. Those are the 3 key parts of the Bill. Who the pass through agency is is not a matter of great concern to me. And as long as you're supportive of the concept of increasing the property taxes..."

Kubik: "Alright, well as long as I'm the lead Sponsor of the Bill, I'd be happy to be, but John, I would argue that this Bill I think...this Amendment is flawed from the sense that I would disagree that the Park District is only a pass through agency. They may not exert day to day influence over the operation, but as a governmental agency they are responsible for those museums and I would think that if we're going to tax from a county wide perspective that we ought to give that agency the authority over these bodies."

Cullerton: "When are you going to have my answer with regard to whether or not you'd support the Bill if that was...is the

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

39th Legislative Day

May 11, 1989

case?"

Kubik: "Well, as I said, John, I'd be happy to Sponsor it if you'd like to co-sponsor with me, we might..."

Cullerton: "Well if this Amendment doesn't pass..."

Kubik: "Now, I think we'll probably get some calls from the county board on this."

Cullerton: "If this Amendment doesn't pass, I'll keep the Bill on Second Reading and you can offer the Bill...the Amendment and I'll accept it. And you can be the hyphenated co-sponsor on the Bill, I promise you."

Kubik: "Well certainly, let's see how the Amendment gets."

Cullerton: "Okay."

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

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

Speaker Breslin: "He will."

Didrickson: "John, a question that was asked me over the weekend with regards to this proposal from the Director of the Shutt Aquarium. He asked me now if they would be going...right now, we validate the levies from the Chicago Park District, correct?"

Cullerton: "Are you talking about the Bill that Steczo had the other day?"

Didrickson: "This has to do...no, this is yours. This has to do with museums in the City of Chicago and aquariums that will have their levy not just levied for in the City of Chicago in the County of Cook as a whole correct?"

Cullerton: "We give the Part District...the state gives the Park District the authority to levy the...and collect the taxes."

Didrickson: "Correct. So if you're the director of a museum or the aquarium and your dollars in your budget is getting approved by the Chicago Park District right now. Right?"

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

39th Legislative Day

May 11, 1989

Cullerton: "Yes."

Didrickson: "You come down here, that Bill gets...that levy gets validated by the General Assembly. Correct?"

Cullerton: "I don't know the answer to that. All I know is we give the Park District the authority to collect the taxes. That much, I know."

Didrickson: "Right okay, his...my first question is, if this is going to be a county wide tax and if we were then to allow that governing board to do the approval or disapproval which Representative Kubik was talking about, then indeed those museum directors would be going to the Cook County Board. Correct?"

Cullerton: "No. See, that's one of the reasons why I kept it with the Part District. They now go to the Part District and the Part District approves their levy. Under this Bill, they would continue to go to the Part District and they would ask to approve their levy."

Didrickson: "And that's the Chicago Park District, however."

Cullerton: "Yes, that's correct."

Didrickson: "But the tax is being levied across the county?"

Cullerton: "That's correct."

Didrickson: "I guess I have some problems with that part. The other part...point that I'd like to make is you made the statement that this reduces the property taxes in the City of Chicago by 13 million. What does it increase in suburban Cook?"

Cullerton: "The corresponding amount. With a..."

Didrickson: "Thirteen million dollars."

Cullerton: "Right."

Didrickson: "Okay, but all of those dollars are not going to museums?"

Cullerton: "Yes, right now, the museums collect about 25 million dollars in property taxes from Chicago. We're cutting the

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

39th Legislative Day

May 11, 1989

tax rate from 15 to 6.5 and...but we're spreading it out among the whole county. The result is that there will be about 13 million dollars less in property taxes from Chicago and approximately that same amount will be collected in suburban Cook."

Didrickson: "Okay."

Cullerton: "All that money goes to the museums. That's not all the money they use, but that's the property tax that's collected to pay for the museums."

Didrickson: "So what we have done, and you know you might be right, I don't know. You might be right that we ought to be shifting the burden out of the city. If you want to save property taxes in the City of Chicago to the tune of 13 million, a good start might be to shift it out into suburban Cook County, because your argument I assume is that we use the museums."

Cullerton: "Just like the zoo and the Botanical Gardens tax, county wide, so should there be a museums, is the point."

Didrickson: "But that goes through the county board and the county forest preserves."

Cullerton: "Right, well again, if you're only concern is...I indicated to Representative Kubik, if your only concern is the fact that its the Chicago Park District that's approving the levy, if that's your only concern and you'd agree with the Bill as long as the Cook County Board approved it, then I would certainly consider that Agreed Amendment on it we can pass this Bill out on the Consent Calendar."

Didrickson: "Well I think that that...I think thats in dialogue that we ought to continue on, that that would be a natural thing to do rather than have the Chicago Park Districts..."

Cullerton: "The key is, would you opposed to the Bill if I made that accomodation? Even though it would be...it's a new

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

39th Legislative Day

May 11, 1989

tax on your constituents, I understand that, but I think it's a fair tax and I think that over all, it would be equitable."

Didrickson: "I guess, yeah, Representative Cullerton, I guess then the key is whether or not we have representation."

Cullerton: "And I think you have fine representation here in Springfield by the General Assembly and those who are elected from suburban Cook and the General Assembly to vote on matters such as this."

Didrickson: "Alright, is this a tax...are you promoting a tax increase in Cook County on property taxes without referendum?"

Cullerton: "Absolutely not."

Didrickson: "Oh, Representative Cullerton. No representation?"

Cullerton: "Can I answer...can I answer your question? Well, I don't think we need a referendum to lower the property taxes in Chicago by 13 million."

Didrickson: "Right, oh, Representative Cullerton...I...you know I think the more we talk about this Amendment, I think the more it's flawed and the more we ought to have further dialogue."

Speaker Breslin: "Representative Giglio, in the Chair."

Speaker Giglio: "The Lady from Cook, Representative Parcels."

Parcels: "Thank you, Mr. Speaker. Would the Gentleman yield to a few questions?"

Speaker Giglio: "He indicates he will."

Parcels: "Thank you. Here we go again. We had a conversation about this Bill yesterday and I agreed with you. After I thought about it last night, it did seem unfair that the residents of Chicago are paying for my Botanical Gardens, mine and Representative Sterns and for the Brookfield Zoo. And we were not paying in the city. And I agree with you that it's probably is fair that we do so. However, I have

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

39th Legislative Day

May 11, 1989

questions further than that. For instance, what you just put back into the Bill, why did you make it into a shell in committee and then bring it out on the floor? You put back almost the same language that you had originally..."

Cullerton: "I asked...I was not able to go to the Executive Committee, I asked Representative Terzich to handle the Bill. He stripped the Bill and made it a shell. It was always my intent to pass the Bill as I introduced it."

Parcells: "I just think it's a peculiar form. It sort of sends up a red flag to some us that something strange is going on, because..."

Cullerton: "No, no, I introduced the Bill substantially as this Amendment is right now and that's my intent and that's what my intent was perhaps... because it's perhaps controversial. Representative Terzich wanted...didn't want to handle it and amended the Bill in committee. I wasn't there in committee, he handled it for me."

Parcells: "Alright, thank you for that explanation. Can you explain to me why this is taxation without representation on those people in Cook County who are not a part of the Part District? I mean I don't get to vote, nor do any of my colleagues or any of my constituents on the Part District Board."

Cullerton: "We don't either."

Parcells: "Alright, but we have no representation. We can't...they are not going to answer to us at all."

Cullerton: "Well, I think that the...the way you look at it is that the power to tax is granted by the General Assembly. And by voting for this Bill, we in the General Assembly would be giving the power to tax to the Chicago Park District and..."

Parcells: "Without any sort of referendum?"

Cullerton: "Well that's true, because we're also lowering the tax



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

39th Legislative Day

May 11, 1989

rate. We're setting a tax rate, we're actually cutting in half the tax rate."

Parcells: "But that was the last thing I wanted to ask you was about those figures. First of all, you said you'd be reducing the 13 million and that's probably correct. But I got an assessed...equalized assessed valuation of the County of Cook and was 42.9 billion dollars and at .065 I think it's going to raise 27.8 million that will be new monies. You'll be taking out 13, but you'll be bringing in 27.8. Do you disagree with those figures?"

Cullerton: "Yes, I do. The...right now, Chicago is taxed at a rate of .15. That raises 20...I said approximately 25 million, maybe it's 27 million dollars. By cutting that rate in half but expanding the base, you raise approximately the same amount of money. It's a little bit less, as I stated. Maybe about five hundred thousand dollars less than what they're collecting now. So it...there's no excess amount of money here. You remember that you're expanding the assessed valuation but you're cutting the rate. And that's why it raises approximately the same amount of money."

Parcells: "So you're thinking it's coming out about the same amount?"

Cullerton: "A little bit less."

Parcells: "Alright, then the last question I had in connection with funding is the horse race handle. That percent...we know have 2 parlors, they've had 6 months and they've raised about 173 thousand dollars. So on a yearly basis, that would be about 346, but we have 6 parlors that will be contributing in the near future. We're going to be coming up with probably close to a million dollars in additional funds. Now these funds are not spread to The Botanic Gardens or Brookfield Zoo. Would you be willing to help

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

39th Legislative Day

May 11, 1989

them out with the horse race handle?"

Cullerton: "First of all, let me remind you that last year we passed a Bill that changed the formula with regard to the OTB parlors. And it's only the parlors that are in Cook County that contribute money to the museums. The Rockford, Springfield and Peoria OTB parlors, that money goes not to the Chicago museums, but to the Part Districts in those respective communities. But the fact..."

Parcells: "But with my understanding that Waukegan is presently contributing to Chicago museums, the Waukegan parlor and the Chicago parlor. That's the 2."

Cullerton: "Yes, but I wanted to point out that those 3 are not. They're giving to the Part District."

Parcells: "Right, but the new parlors, there's going to be new ones in the Chicagoland area, such as at Arlington Park which is in suburban Cook."

Cullerton: "You're right, but this...keep in mind, this is a 170 thousand dollars that might grow, but it's a very small percentage of the total budget of the museums. Just as the property tax is only about 25 percent of the total museum budget. Most of the museums go out and raise money. Now, unlike The Brookfield Zoo and The Botanical Gardens, they have a much higher percentage of their money that comes from the taxpayers."

Parcells: "My final question to you is, I too in thinking about the offer you made to Representative Kubik and Didrickson about having the Forest Preserve District run this whole operation, would they be running the...also or just the tax pass through? Who's going to run those museums?"

Cullerton: "Nothing would change. The museums just have to have somebody have the power to levy the tax. And so, the way it works right now is the Part District when they levy their tax and they collect their tax on the Tax Bill to

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

39th Legislative Day

May 11, 1989

Chicago Park District, included in that amount is X amount of dollars, 27 million dollars that goes back to the museums."

Parcells: "They don't have any influence over the museums?"

Cullerton: "Well in the past they have not exercised it. Okay.

The museums are run as they should be without any political interference. With regard to The Brookfield Zoo and The Botanical Gardens, the same thing is true as far as I understand it. The Forest Preserve District, technically, is the pass through agency, but they don't go in there and meddle and say we want you to hire a zookeeper and we want you to hire somebody for The Botanical Gardens. So again, if you're for the concept of expanding the tax base to Cook County, I would be very amenable to considering having the Forest Preserve District be the pass through agency. That's not the key. The thing you have..."

Parcells: "They also...when you control the purse strings, you also control a little bit of what goes on there, so that the Forest Preserve would have a lot to say about what's going on there."

Cullerton: "Do they run the Botanical Gardens, now?"

Parcells: "They have a lot to say about it. Actually, the...Chicago Historic or the Chicago Horticultural Society does the actual work there, but the Forest Preserve District has a lot to say to them."

Cullerton: "Well, again, if you're for the Bill, if you're for the concept of expanding the tax base to the county and...admittedly, taxing your own constituents with a new tax, if you're for that, I would be happy to change it to the Forest Preserve District. And we can put the Bill on the Consent Calendar."

Parcells: "Well let me tell you what I...I agree with you."

Speaker Giglio: "Kindly bring your remarks to a close,

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

39th Legislative Day

May 11, 1989

Representative Parcels."

Parcels: "I shall. I agree with you that it isn't fair for us to use it, to use those museums in the city without paying something for them and I would be happy to support your Bill if you'll do this by a referendum so that the people have a choice in whether or not they're going to be paying for the Chicago museums. Thank you."

Speaker Giglio: "The Gentleman from Will, Representative Van Duyne."

Van Duyne: "One hour later, Mr. Speaker. I move the previous question."

Speaker Giglio: "You heard the Gentlemans question. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair...all those in favor signify by voting 'aye', those by voting 'no' on the previous question. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question there are 51 'ayes', 56 'nos'. Representative Van Duyne's Motion fails. Further discussion? The Gentleman from Cook, Representative McNamara."

McNamara: "Thank you, Mr. Speaker, Members of the committee. To this Amendment. Let's not fool ourselves as to what this Amendment does. It is a tax increase without referendum. It is taxing every single unit of government outside of the City of Chicago, to support something that they had nothing to do with. They didn't have a mind or a decision within Chicago to establish those museums. So what are we doing, now? Can we in our communities go around and say 'wait a minute, we have a Village Hall in trouble. Chicago will you help us tax so that we can take our Village Hall or a Fire Department in trouble.' Do not be fooled by this Amendment. The 13 million dollars that comes out of the

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

39th Legislative Day

May 11, 1989

City of Chicago is picked up by the rest of the suburban area. Shall we continue this on into Dupage County in to Joliet so we can tax Joliet and the rest of this state, just so we can support the museums in Chicago? I urge that you defeat this Amendment. Thank you."

Speaker Giglio: "The Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, I wonder if the Sponsor would yield for a question?"

Speaker Giglio: "He indicates he will."

Ewing: "Representative, there's been a lot of noise and a lot of questions, but I'm not sure in my mind you indicated that the museums get part of their money from property taxes. Can you tell me how much of their budget comes from other sources?"

Cullerton: "Yeah, approximately, there are 7 museums and they all vary as to what percentage they get from property taxes. The average though is about 25 percent."

Ewing: "Where does the rest of money come from?"

Cullerton: "They raise it through fund raising efforts, donations."

Ewing: "Are the museums at all..."

Cullerton: "And adm...there's some admission fees, of course, too."

Ewing: "Is there any money going to the museums from state sources?"

Cullerton: "Well, the race track, Off Track Betting Parlors provide about 170 thousand dollars."

Ewing: "Out of the total budget of..."

Cullerton: "A hundred million."

Ewing: "Hundred million. So the only really tax monies involved here are the monies for the property tax and the money that we get from the race horses. There isn't any other state

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

39th Legislative Day

May 11, 1989

grants or state funding..."

Cullerton: "Well, there might be, I think there is a Museum Fund. But there's two separate Museum Funds. One is for museums throughout the entire state and there's another one that could be for these 7. But, I just don't know what those totals are. I don't know if it has anything to do with this Bill, but I can find that information out for you."

Ewing: "Well the other thing that you indicated, that this Bill is going to spread that property tax over to Cook County."

Cullerton: "That's correct."

Ewing: "It won't effect downstate?"

Cullerton: "No and if the previous speaker gave a misimpression I'm sure he'd be happy to correct it. It only affects Cook County. Just like the Botanical Gardens don't tax downstate, Brookfield Zoo doesn't tax downstate. This...the museums will not tax downstate. Just Cook County. It's the only county that would be taxed."

Ewing: "And you indicated two thirds of the visitors come from out of Cook..."

Cullerton: "Out of Chicago."

Ewing: "Out of the City of Chicago."

Cullerton: "Right."

Ewing: "You probably don't have any breakdown on where they come from."

Cullerton: "I don't think...I don't know."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I can certainly understand why a Representative from the City of Chicago would like this Amendment and why he would propose it. I think maybe it's a little flawed in the fact that he's trying to spread this over just Cook County. I'm sure that other two thirds of the visitors to the museums do not come from just Cook County. I think maybe his Amendment would be better if he tried to spread that property tax all

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

39th Legislative Day

May 11, 1989

over downstate, all over the rest of the state. Now that might make it a little harder to pass and it might even doom the Amendment, but that would be a fair Amendment that if just putting it to the Cook County residents who are already heavily taxed for other things, more than the rest of the state. I know, as a downstater my family visits the museums and maybe we should try and spread this tax, Representative Cullerton, all over the State of Illinois. And until you do that I would suggest that a 'no' vote for the Cook County people would be in line."

Speaker Giglio: "Further discussion? The Lady from Cook, Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment does indeed seek a tax increase without referendum and all the property owners in Cook County for facilities which are owned and by a government which is appointed only in the City of Chicago. It is indeed taxation without representation. It is to soak a larger area for the expenditures of such fine institutions as the Art Institute in Chicago. And it is to tax people who have no say in the use of those funds. Whether or not the Part District directly manages these facilities, the Part District does control the purse strings. That Part District is not chosen by anyone that is responsible to the voters of suburban Cook County and there is absolutely no excuse for them to be expected to see on their property tax bill a levy for the Chicago Park District. This is absolutely wrong and it should be defeated and I hope that people will vote against this Amendment whether or not it directly affects their area. It does affect how much money the Art Institute is going to be getting and I think that we should keep that in mind. And I think that we should vote resoundingly to defeat this Amendment. Thank you."

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

39th Legislative Day

May 11, 1989

Speaker Giglio: "The Gentleman from Cook, Representative Cullerton to close."

Cullerton: "Thank you, Mr. Speaker. I think it's been an informative discussion, because I think I'm getting some support from people, philosophically, that the tax base for the museums, which after all serves two thirds of the people that come in there and not from Chicago. The tax base should be expanded to include all of Cook. I don't think it should be expanded as Representative Ewing had said, to the whole state. I don't think the whole state should be required to be taxed to pay for museums, just like they're not being taxed to pay for The Botanical Gardens or for The Brookfield Zoo. But it certainly is fair that the county be the tax base. For those people from Chicago, I will once again remind you that because this is fair for the counties to pay more in property tax, but since we don't want the museums to get a windfall, we are lowering the property taxes in Chicago by about 13 million dollars. And overall the museums will get a little bit less money, but the museums and the Chicago Park District have indicated their support for the Amendment. So I would appreciate an 'aye' vote."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair we should have a Roll Call. All those in favor signify by voting 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question, there are 30 voting 'yes', 67 voting 'no' and 11 voting 'present' and the Amendment fails. Are there further Amendments? Mr. Cullerton."

Cullerton: "Mr. Speaker, I'd like to take the Bill out of the



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

39th Legislative Day

May 11, 1989

record and I'm going to prepare an Amendment that expands the tax base to the county, but has the County Forest Preserve District be the pass through agency as was requested by some of the Republicans. So, I'll take it out of the record now and then we'll offer that later on."

Speaker Giglio: "Mr. Clerk take the Bill out of the record. We're going to return back to House Bill Second Reading, Representative Keane, House Bill 1191. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1191, on page 28 of the Calendar, a Bill for an Act to amend an Act concerning the University of Illinois. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Were there any Floor Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Representative Keane, there's been a fiscal note requested or filed. The Bill will remain on the order of Second Reading. How about 1192? There's a fiscal note been requested on 92 (sic-1192) Representative Keane."

Keane: "Mr. Speaker, I don't think the Fiscal Note Act applies to 1192. There's no cost. I move to suspend the provisions of whatever the appropriate rule is on 1191 and 1192."

Speaker Giglio: "The Gentleman moves that the fiscal note for House Bill 1192 is not in order and on that question is there any discussion? The Gentleman from Dupage, Representative McCracken."

McCracken: "This is a very controversial matter and has been under consideration for some time. I don't think that you could reasonably conclude on the merits that there is not going to be necessarily any impact on state finances. I don't know what the hurry is in getting a decision from the

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

39th Legislative Day

May 11, 1989

affected as parties to whether or not that's true. There are some people from Cook County who live in Cook County represented here today who do not want this to happen. They want to know how much cost is associated with this. And I think that it would be improvident to hold the Fiscal Note Act not applicable."

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

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As the individual who did file The Fiscal Note, I would oppose the Gentleman's Motion. As the previous speaker indicated, this is a controversial matter. We are talking about a very, very large institution and a budget within in the State of Illinois. We fund that...a large portion of that facility and I don't think that anyone can reasonably conclude that there will not be a cost in this particular situation. I think we ought to know what we're talking about in terms of cost, if there is any cost at all. That's the purpose of the Fiscal Note. And I think that there's been a great deal of discussion on this issue and the bottom line is we ought to know what we're gaining or what we're losing in terms of the State of Illinois. So, I would appreciate your opposition to this particular Motion, only because I don't think there's any hurry on this particular matter. It will be discussed. It should be discussed. We're talking about a major issue of tremendous implication for our state and for the Chicagoland area and the people in the Chicagoland area. So I would oppose the Gentlemans Motion and move..."

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

Keane: "Thank you, Mr. Speaker. The Gentleman's request for a note is inapplicable, because there is no impact on the state. It's in fact...it's a negative impact on the state. The county will be picking up costs that the state

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

39th Legislative Day

May 11, 1989

presently have and for that reason the Gentlemans request for a fiscal note is not only out of form, but it's impossible...it's absolutely non-applicable. And I would ask that this...that my Motion be supported."

Speaker Giglio: "You heard the Gentlemans Motion. All those in favor...Representative McCracken."

McCracken: "Yes, we've just been advised that on 1192 there's not an impact. But, there may be one on 1191. We should divide the question or whatever and you've got a note, right or not?"

Speaker Giglio: "Well, Representative Keane."

Keane: "If the Gentleman would withdraw his request for the fiscal note on 92 I'd be happy to discuss 91 whenever that comes before us. I think the Bill that's before us, the House now is 1192 and on that Bill the fiscal note is inapplicable, simply because the state is making money by the Bill."

Speaker Giglio: "You heard the Gentleman's Motion. Representative Kubik...The Gentleman from Cook, Representative Kubik."

Kubik: "I'll withdraw the fiscal note."

Speaker Giglio: "The Gentleman moves to withdraw the fiscal note request. Are there further Amendments Mr...Representative Keane? Any further Amendments, Mr. Clerk?"

Clerk Leone: "House Bill 1192, a Bill for an Act to amend an Act in relationship to the founding and operation of the University of Illinois Hospital. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "There are no Motions filed. No further Amendments."

Speaker Giglio: "Third Reading. Representative Keane."

Keane: "Mr. Speaker, could we go to 1191 please?"

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

39th Legislative Day

May 11, 1989

Speaker Giglio: "Mr. Clerk, read the Bill, 1191."

Clerk Leone: "House Bill 1191, a Bill for an Act concerning the University of Illinois. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Any fiscal notes filed?"

Clerk Leone: "There is a request for a fiscal note and a pension impact note."

Speaker Giglio: "Representative Keane."

Keane: "To my understanding Mr. Speaker, those have been filed. Those have been filed."

Speaker Giglio: "Yes."

Clerk Leone: "Fiscal note has been filed as amended."

Speaker Giglio: "Representative Kubik."

Kubik: "Has the pension impact note been filed?"

Speaker Giglio: "Representative Keane."

Keane: "The pension impact note does not apply again simply because there's no impact on the pension system. It's a negative impact."

Speaker Giglio: "Representative Kubik."

Kubik: "Has the Gentleman made a Motion. Mr. Speaker."

Speaker Giglio: "Representative Keane. Representative Keane, do you understand that there's been a fiscal impact...Pension Impact Bill filed?"

Keane: "And the fiscal note has...fiscal impact note has been filed. And I move that the pension impact note does not apply or whatever the appropriate Motion is."

Speaker Giglio: "There's a state mandate's note request and an impact pension request and a fiscal note. And the fiscal note has been filed, Representative Keane."

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

39th Legislative Day

May 11, 1989

Keane: "Is there any other kind of note that can be filed?"

Speaker Giglio: "Two notes."

Keane: "Can I bunch these all together or do we take them one at a time?"

Speaker Giglio: "Representative McCracken."

McCracken: "We could ask for a corrections impact note. I wonder if this would increase the population of Stateville."

Speaker Giglio: "Alright, the Gentleman moves that the pension impact note and the State Mandate note do not apply. All those...any discussion? Hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair...Representative Kubik."

Kubik: "Mr. Speaker, I would like a Roll Call on that please."

Speaker Giglio: "The Gentleman asks for a Roll Call. All those in favor of the Gentlemans Motion that the impact does not apply and the Mandate Act does not apply and the note is inapplicable vote 'aye', those opposed 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 63 voting 'aye', 40 voting 'no' and the Gentleman's Motion carries. Mr. Clerk, Third Reading. Representative DeLeo in the chamber? Representative DeLeo. Representative McPike. Representative Giorgi. House Bill 2375, Toll Road Authority. Mr. Clerk, read the Bill. 2375, out of the record, Mr. Clerk. How about 2386. Representative Giorgi, you have about 6 Bill...6 Bills in line. You want to look at the sheet. Representative Giorgi to see which ones you'd like to have called or which you would like to have not called? Representative Shirley Jones. Miss Jones."

Jones, S.: "Yes, on that House Bill 1191, I would wish to vote 'no' on that Bill and I was pushed 'yes'."

Speaker Giglio: "Alright, the...let the transcript so reflect

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

39th Legislative Day

May 11, 1989

Representative Jones intention."

Jones: "Thank you."

Speaker Giglio: "Mr...Representative Giorgi, out of the record.  
How about 2397? Out of the record. 2398, out. 2417?  
2418? 2418, out of the record. Alright, we went through  
the list, here. We'll go back to some that were not in the  
chamber and we'll start at the top again. House Bill 38,  
Representative Young. Anthony Young. Out of the record.  
Representative Granberg. Out of the record.  
Representative Churchill, 1200. Out of the record.  
Representative Harris, 1497. Mr. Clerk, read the Bill."

Clerk Leone: "On page 31 of the Calendar, House Bill 1497, a Bill  
for an Act to amend an Act relating to compensation.  
Second Reading of the Bill. There are no Committee or  
Floor Amendments."

Speaker Giglio: "Third Reading. Alright, we went through the  
order of Second Reading on the...we went through the  
Special Order of Business on...we'll return to the order on  
Third Reading now, Special Order Government Administration.  
And those that want to come up and have their Bills heard  
that are on Second, we'd be happy to accomodate you if you  
return to the chambers. Representative Cullerton, 577.  
Out of the record. Representative McPike. Representative  
Cullerton...Cullerton. The next order of business, on the  
Special Order will be State and Local Government.  
Representative Giorgi, are you seeking recognition, Sir?"

Giorgi: "Yes Sir, Mr. Speaker. I'd like to call House Bill 2417.  
I understand there's an Amendment for it. Representative  
Saltsman has an Amendment that he wants to place on 2417."

Speaker Giglio: "2417? Mr. Clerk, read the Bill. Representative  
McCracken."

McCracken: "My goodness, it was just distributed. I was gonna  
get up and say it wasn't printed and distributed. Can you

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

39th Legislative Day

May 11, 1989

give us a minute to look at it?"

Speaker Giglio: "Alright, take it out of the record. This seems to be a slow day, Ladies and Gentlemen. Last Tuesday when we worked until 7:00 o'clock, we moved a number of Bills and we were out prior to 6:15. We're supposed to work until 7:00 o'clock tonight. Those that want to have Bills heard, please return to the chamber and we can move the order of business of the House, and perhaps, get out a little earlier. Representative McCracken are you ready on 2417? The Gentleman indicates he's not, Representative Giorgi. Did you inform him that you're the Dean of the House? Representative McCracken."

McCracken: "I promised Representative Parcells she would have an adequate opportunity to look at this Bill."

Speaker Giglio: "Representative Parcells, do you know that Representative Giorgi is Dean of the House?"

Parcells: "Are we...are we discussing the Amendment here?"

Speaker Giglio: "We're waiting for either you or Representative McCracken to look at the Amendment and Representative...I understand it's Representative Sieben's Amendment. Oh no, Saltsman. Well, we'd like to complete this order before we go into the next order of State and Local Government. That's the...Representative McCracken."

McCracken: "We're ready."

Speaker Giglio: "You're ready. Representative Giorgi, they understand and then they want to hold up the proceedings from the..."

Clerk Leone: "House Bill 2417, a Bill for an Act to amend the Motor Fuel Tax Law. Second Reading of the Bill. There're no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Saltsman and Sieben."

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

39th Legislative Day

May 11, 1989

Speaker Giglio: "Representative Saltsman on Amendment #1 to House Bill 2417."

Saltsman: "Thank you, Mr. Speaker. What this does is it allows the Part Districts, Forest Preserve Districts and Conservation Districts to levy road taxes for the roads that currently go through the Park and Forest Preserve Districts."

Speaker Giglio: "Any discussion on the Amendment? The Gentleman from Effingham, Representative Hartke."

Hartke: "Yes, thank you very much. I stand in opposition to this Amendment. It's an attempt that again last year and the year before I think Representative Ronan had the same type of Amendment. What it does is adds more miles to the already small amount that is available to distribute to counties and townships. The more miles you add into that formula the less dollars will come back to your counties and townships and I'm opposed to this Amendment."

Speaker Giglio: "Further discussion? The Gentleman...The Lady from Cook, Representative Parcels."

Parcels: "Thank you, Mr. Speaker. I believe, I remember this Bill as House Bill 2292 which failed in the Roads and Bridge Committee. And failed badly as I remember. And what it really is doing, it's been tried before in the past and it's always been defeated, because it is taking gas tax money from other areas and asking that the Forest Preserve District and the Part Districts and the Conservation District without a match, without a match, they can get these funds. Now, that isn't fair. Right now, if they will tax...they have huge taxing bodies and if they will tax and ask for an equal match they will get these funds. But they're saying 'we don't want the equal match, we're just gonna take it away from other people and we don't want to have to tax our taxing bodies for this money'. I think



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

39th Legislative Day

May 11, 1989

it's a bad Amendment. It was killed in the Road and Bridge Committee and it's opposed by numerous people, counties, municipalities. They would all be in trouble with this, because the money would come out of their pockets and I ask that you defeat this Amendment."

Speaker Giglio: "Representative Saltsman, to close."

Saltsman: "Yes, thank you, Mr. Chairman. This is very inexpensive. I think the total package would be about 250 thousand dollars for the whole state for something like 300 miles of road which covers Part Districts and Peoria, Danville. Just as many miles, practically, downstate as there is in the Forest Preserves in the northern part of the district. It was a pretty even balance between downstate Part Districts in the forest preserves of...the way that this money would be balanced and be distributed and they should be added onto the highway miles for repairs and so on and the parks need this very bad. I ask for the passage of Motion."

Speaker Giglio: "You heard the Gentlemans Motion. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair...there has to be a Roll Call. Mr. Clerk open up the Roll Call. All those in favor signify by voting 'aye', those opposed 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 43 voting 'yes', 62 voting 'no' and 3 voting 'present'. The Amendment fails. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Alright on the Special Order Calendar under State and Local Government appears House Bill 103. Representative Saltsman. 103, Mr. Clerk, read the Bill."

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

39th Legislative Day

May 11, 1989

Clerk Leone: "On page 18 of the Calendar, House Bill 103, a Bill for an Act to amend the State Mandates Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Giglio: "There is a fiscal note been requested Representative Saltsman. The Bill will remain on the order of Second Reading. Clerk doesn't have it in the Bill packet, Representative Saltsman."

Saltsman: "Well, I'll talk to the staff and see what happened. It's supposed to have been here."

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

Saltsman: "Take it out of the record for now."

Speaker Giglio: "Take it out of the record and we'll see. Representative Ackerman. House Bill 156. Are you ready Sir? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 156, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Ackerman on Amendment #1."

Ackerman: "Withdraw Amendment #1."

Speaker Giglio: "Withdraw Amendment #1, Mr. Clerk. Are there further Amendments?"

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

Speaker Giglio: "Representative Ackerman."

Ackerman: "Withdraw Amendment #2."

Speaker Giglio: "Withdraw Amendment #2. Further Amendments?"

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

Speaker Giglio: "Representative Ackerman."

Ackerman: "Thank you, Mr. Speaker. Floor Amendment #3 just adds

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

39th Legislative Day

May 11, 1989

two more categories to the Bill that would allow for the special plates. This is requested by the Secretary of State's Office. And I move for adoption of this Amendment."

Speaker Giglio: "Any discussion on the Amendment? All those in favor of Amendment #3 to House Bill 156 signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendments adopted. Are there further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Representative McNamara. On this order of business what the Chair would like to do is go through the Bills that are on Second Reading and try and move them to Third and then we'll go back to those that are on Third on this business and we'll try to pass them. Representative Johnson, 413. Out of the record. Representative Ryder, 509. Out of the record. Representative Williamson, 576. Mr. Clerk, read the Bill."

Clerk Leone: "On page 23 of the Calendar, House Bill 576, a Bill for an Act regulating fire works. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Giglio: "Third Reading. Representative Keane in the Chair."

Speaker Keane: "House Bill 729, Representative Olson, Bob Olson. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 729, a Bill for an Act to amend an Act to revise the law in relationship to counties. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Olson, on Floor Amendment 1."

Olson, B.: "Yes, this merely changes the maximum length of lease

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

39th Legislative Day

May 11, 1989

agreements between county boards and public building commissions from 40 years to 30 years."

Speaker Keane: "Any discussion on Amendment #1? There being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #1 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. House Bill 744, Representative Pullen. Out of the record. House Bill 757, Representative Countryman. Representative Countryman. Out of the record. House Bill 963, Representative Hensel. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 963, a Bill for an Act in relationship to Forest Preserve Districts. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Hensel on Floor Amendment #1."

Hensel: "Thank you, Mr. Speaker, Members of the House. Amendment #1 says that this Act takes effect upon becoming law and applies to all pending actions as well as those filed on or after its effective date. Just makes a Bill a lot better Bill and I'd ask for a favorable vote."

Speaker Keane: "Representative Cullerton on..."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Keane: "He indicates he will."

Cullerton: "This Bill is the Bill that has caused a lot of controversy out there in Kane County. Is that correct?"

Hensel: "You might call it that."

Cullerton: "Well we got the Governor out in a boat didn't we? Out in the Fox River?"

Hensel: "I believe he was out there, yes. I saw it in the

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

39th Legislative Day

May 11, 1989

paper."

Cullerton: "As I understood it, he would be for this Bill, the Governor would be?"

Hensel: "He indicated that, yes, to the people."

Cullerton: "Okay, now what is the effect of the Amendment?"

Hensel: "The effect of the Amendment would be that if this Act is signed by the Governor then it takes effect upon becoming law and it applies to all pending action as well as those filed on or after its effective date. Then, the Bill would have to be enforced."

Cullerton: "The pending actions that you're talking about are attempts to condemn land by the Kane County Forest Preserve District?"

Hensel: "No it doesn't effect the condemning of it. It just...then we get into the Bill aspect and I think we're just talking about the Amendment, now."

Cullerton: "Well, you said that the Amendment says that all pending actions and those filed on or after the affective date would be effected. And I just asked you what pending actions are we talking about?"

Hensel: "Well there are numerous actions that are pending that the Forest Preserve District has going. I'm not sure how many there are."

Cullerton: "What kind of actions are they?"

Hensel: "Pardon?"

Cullerton: "What kind of actions are they?"

Hensel: "Well they're asking the Forest Preserve District would like to take and purchase some property from presently about 27 home owners to be used for a bike trail and we feel it's an abuse of the imminent domain powers and also the condemnation powers that we've given them. There are, also, other pending actions among the Fox River Valley."

Cullerton: "Thank you."

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

39th Legislative Day

May 11, 1989

Speaker Keane: "Any further questions on Amendment #1? If not, the question is, 'Shall Amendment #1 to House Bill 963 be adopted?' Those in favor say 'aye', those opposed 'no'. The 'ayes' have it and Amendment #1 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. 977, Representative Hannig. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 977, a Bill for an Act to amend the Illinois Purchasing Act. Second Reading of the Bill..."

Speaker Keane: "We'll take it out of the record, Mr. Clerk. We have to find the...Representative Hannig we were having trouble finding the Amendments. House Bill 1043, Representative McAuliffe. Representative McAuliffe, you want to go with 1043? Municipal Code Political Activity. Out of the record. House Bill 1058, Representative Kirkland. Mr. Clerk, read the Bill. House Bill 1158."

Clerk Leone: "House Bill 1158 on page 5 of the Calendar, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill."

Speaker Keane: "Representative Pedersen can you hold off until we finish this Bill and I'll recognize you then."

Clerk Leone: "There are no Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have conferred with the Sponsor of this Bill and he's agreed to the adding of this Amendment on his Bill. What it does is amend the Human Rights Act to provide that the Act not prohibit the refusal to rent a housing accomodation to unmarried persons of the opposite sex."

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

39th Legislative Day

May 11, 1989

Speaker Keane: "Is there any discussion on Amendment #1 to House Bill 1158? If not the question is, 'Shall Amendment #1 to House Bill 1158 be adopted?' All those in favor, say 'aye'. All opposed 'no'. The 'ayes' have it and Amendment #1 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. House Bill 1338, Representative Hannig. Representative Hannig, do you wish to have 1338 called? Mr. Clerk, read the Bill. Representative Hannig, the Clerks tells me they have found 977, so if we could go to that order of business...I would be...let's go to 977. Mr. Clerk, read House Bill 977."

Clerk Leone: "House Bill 977, a Bill for an Act to amend the Illinois Purchasing Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. On House Bill 1338, Mr. Clerk, is there a fiscal note been filed?"

Clerk Leone: "House Bill 1338, a fiscal note has been requested. There is no fiscal note on file."

Speaker Keane: "Alright, take it out of the record. House Bill 1428, Representative Stern. 1428, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1428, a Bill for an Act concerning State sponsored commercials. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed and no further Amendments."

Speaker Keane: "Third Reading. House Bill 1429, Representative Stern. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1429, a Bill for an Act to amend the Park District Code. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

39th Legislative Day

May 11, 1989

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

Speaker Keane: "Representative Stern, on Floor Amendment 1."

Stern: "Just a moment folks, don't panic. Oh, I know what it was, 1429 permits Part Districts who are not...who do not reimburse their members of the board to give a lifetime pass on the golf course. And the Amendment clarifies who may receive that pass to a member who has served for at least one full term. So that it is not someone who has been appointed for a brief time. That's all."

Speaker Keane: "Any discussion on Amendment #1? There being none, the question is, 'Shall Amendment #1 to House Bill 1429 be adopted?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #1 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. House Bill 1434, Representative Edley. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1434, a Bill for an Act creating the position of Taxpayers Rights Advocate. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Edley on Floor Amendment #1."

Edley: "Yes, thank you, Mr. Chairman, Ladies and Gentlemen of the General Assembly. This is a simple Amendment, simply giving the legislation a starting date of January 1st, 1990. I ask for a favorable support."

Speaker Keane: "Is there any discussion on Amendment #1? There being none, the question is, 'Shall Amendment #1 to House Bill 1434 be adopted?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #1 is adopted. Any



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

39th Legislative Day

May 11, 1989

further Amendments?"

Edley: "No there's no further Amendments."

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. House Bill 1435, Representative Hasara. Mr. Clerk, out of the record. House Bill 1579, Representative Giglio. Mr. Clerk, read the Bill. 1579, Mr. Clerk."

Clerk Leone: "House Bill 1579, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 1745, Representative Mays. Out of the record. House Bill 1866, Representative Pullen. 1866, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1866, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 1868, Representative Pullen."

Clerk Leone: "House Bill 1868, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 1870, Representative Pullen. Out of the record. House Bill 1873, Representative Pullen. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1873, a Bill for an Act to amend the Illinois Alcoholism and other Drug Dependency Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Floor Amendments and any Motions filed?"

Clerk Leone: "No Motions filed and no further Amendments."

Speaker Keane: "Third Reading. House Bill 1879, Representative Pullen. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1879, a Bill for an Act in relation to

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

39th Legislative Day

May 11, 1989

the AIDS Registry Act. Second Reading of the Bill.

Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed and no further Amendments."

Speaker Keane: "Third Reading. House Bill 1889, Representative Wojcik. House Bill 1889, 1889. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1889, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed and no further Amendments."

Speaker Keane: "Third Reading. House Bill 1899, Representative Didrickson. Out of the record. House Bill 1944, Representative Mays. Out of the record. House Bill 1964, Representative Parcels. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1964, a Bill for an Act in regard to motor carrier safety. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. This Amendment puts this Bill in good form. It was acceptable to everyone in the committee and I think it will be acceptable to the Members of the House. Except that it had a very heavy fine. The fine for the things that were finable was entirely to heavy. It was at a 10,000 dollar fine. We've cut that in half to 5,000, which makes it agreeable to all of those who had a problem with the Bill and I think it's a good Amendment and I hope you will vote for Amendment #2 to

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

39th Legislative Day

May 11, 1989

House Bill 1964."

Speaker Keane: "Any discussion on Amendment #2? There being none, the question is, 'Shall Amendment #2 be adopted?' All those in favor vote 'aye', all those in favor say 'aye', all opposed say 'no'. The 'ayes' have it and Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. House Bill 2005, Representative Peterson. Out of the record. House Bill 2032, Representative Mays. Out of the record. House Bill 2345, Representative McPike. 2345, Representative McPike, do you wish that Bill called? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2345, a Bill for an Act to amend the Illinois Purchasing Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2394, Representative Myron Olson. 2394, Representative Olson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2394, a Bill for an Act to amend an Act relating to fire protection. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. Representative Olson, do you want to also go back, take 1896 back to Second Reading? Is there leave to return House Bill 1896 to the Order of Second Reading? Leave and Mr. Clerk, read the Bill a Second time."

Clerk O'Brien: "House Bill 1896, a Bill for an Act to amend the Illinois Vehicle Code. This Bill has been read a Second time, previously. Amendments #1 and 2 were adopted."

Speaker Keane: "Has an Amendment been filed? I'm sorry, Mr. Clerk, did...any Amendments filed? One and two have been

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

39th Legislative Day

May 11, 1989

adopted, Representative Olson. Alright, Third Reading.  
House Bill 2439, Representative McCracken. Mr. Clerk, read  
the Bill."

Clerk O'Brien: "House Bill 2439, a Bill for an Act to amend an  
Act in relation to advocacy for children. Second Reading  
of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. Representative...House Bill 2528,  
Representative Hasara. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2528, a Bill for an Act to amend...a  
Bill for an Act to amend the Illinois Act on the Aging.  
Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2579, Representative  
Pullen. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2579, a Bill for an Act to amend an  
Act creating the Department of Children and Family  
Services. Second Reading of the Bill. Amendment #1 was  
adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2589, Representative  
Hasara. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2589, a Bill for an Act to amend an  
Act in relation to the Department of Children and Family  
Services. Second Reading of the Bill. No Committee  
Amendments."

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

39th Legislative Day

May 11, 1989

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Hasara on Floor Amendment #1."

Hasara: "Thank you, Mr. Speaker. Amendment #1 was a suggestion by the committee members during committee. It simply tightens up the circumstances under which DCFS could disclose a child's AIDS status to a foster parent during a 48 hour temporary protective custody situation. It's fairly technical. As I said it tightens it up and it was a suggestion of the committee. I move for its adoption."

Speaker Keane: "Representative Cullerton."

Cullerton: "Yes, would you...answer a question?"

Hasara: "Certainly."

Cullerton: "Could you just briefly just tell me what the Bill does and how the Amendment changes it?"

Hasara: "Right, the Bill provides a mechanism for DCFS to disclose to a foster family when one of its wards has AIDS. That only applies to the 48 hour temporary protective custody situation."

Cullerton: "Okay, so...so give me an example."

Hasara: "Let's say a baby is born, the department knows that the mother has AIDS. The baby may be tested and the foster parents then may be notified, before they take the child, that the infant does have AIDS."

Cullerton: "Okay, then what does the Amendment do?"

Hasara: "The Amendment says that only the guardianship administrator may have the authority to say that this disclosure may be made. It tightens it up."

Cullerton: "Okay. Thank you."

Hasara: "Thank you."

Speaker Keane: "Representative Preston."

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

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

39th Legislative Day

May 11, 1989

House. We worked out some of the problems that originally occurred with this Bill, with Representative Hasara and the Department of Children and Family Services. And I believe this Amendment is in proper order."

Speaker Keane: "Representative Levin."

Levin: "Would the Lady yield?"

Speaker Keane: "She indicates she will."

Levin: "Okay. My recollection and I did not hear...I apologize, I didn't hear the very beginning of your presentation. My recollection and this is a response to a concern raised by the Joint Committee on Administrative Rules."

Hasara: "Yes, thank you for mentioning that, Representative. I failed to do that. This was a suggestion of JCAR, the Bill. The provisions for the Bill."

Levin: "Okay, and the concern that JCAR had was that there clearly was authority for permanent foster parents to be informed."

Hasara: "That's correct. As I mentioned this only applies to that 48 hour period and there was some question about whether or not the department had the authority during that time."

Levin: "There was a question raised by our committee as to whether or not the department had the authority in terms of a temporary foster parents and so what you're doing here is you're addressing that concern that was raised by the committee."

Hasara: "That is correct."

Levin: "Okay, thank you."

Speaker Keane: "The question is, 'Shall Amendment #1 to House Bill 2589 be adopted?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

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

39th Legislative Day

May 11, 1989

Speaker Keane: "Third Reading. House Bill 2590, Representative Olson. Read the Bill."

Clerk O'Brien: "House Bill 2590, a Bill for an Act to amend an Act in relation to service for children. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2613, Representative Hasara. House Bill 2613, Representative Hasara. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2613, a Bill for an Act to prohibit the disturbance of human skeletal remains. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2629, Representative Leitch." 2629. Out of the record. House Bill 2651, Representative Parcels. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2651, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. This Amendment removes the

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

39th Legislative Day

May 11, 1989

objections that the agriculture community and the construction industry had, because it seemed to them that it was subjective as to how much dirt and rocks were being dropped from a truck. So we have removed the mud, rocks or dirt being dropped from a truck which is agreeable with the construction community and the agriculture community and the Department of State Police and I ask for your 'aye' vote on this Amendment."

Speaker Keane: "Is there any discussion on Amendment #2? There being no discussion, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all opposed say 'no'. The 'ayes' have it and Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. House Bill 2665, Representative Deuchler. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2665, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Deuchler, on Floor Amendment 2."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment 2 deletes 100 million dollars for certificates of participation and inserts a ceiling of 125 million dollars. This puts the Bill in the shape that the administration desires."

Speaker Keane: "Is there any discussion on Amendment #2? There being none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all opposed 'no'."



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

39th Legislative Day

May 11, 1989

The 'ayes' have it and Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Is the fiscal note been filed?"

Clerk O'Brien: "Fiscal note has not been filed."

Speaker Keane: "The Bill will remain on Second Reading. House Bill...there's no fiscal note. The fiscal note has not been filed. I'm sorry, who filed, Mr. Clerk? Who filed the request for a fiscal note? Representative McCracken. Are you withdrawing your request for a fiscal note?"

McCracken: "Yes."

Speaker Keane: "Thank you. The fiscal note request has been withdrawn and the Bill it goes to Third Reading. House Bill 2710, Representative Weller. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2710, a Bill for an Act in relation to the development and management of underground...ground water resources. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2758, Representative Wennlund. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2758, a Bill for an Act relating to economy, and productivity in State Government. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2759, Representative Wennlund. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2759, a Bill for an Act creating the

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

39th Legislative Day

May 11, 1989

State Program Audit Report. Second Reading of the Bill.

No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. We'll go back now to House Bill 2629, Representative Leitch. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2629, a Bill for an Act to amend the Voluntary Payroll Deduction Act. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2797, Representative McPike. House Bill 20...take it out of the record, Mr. Clerk. House Bill 2798, Mr. McPike. Out of the record. We will now proceed to Third Readings on State and Local Government. House Bill 274, Representative Johnson. We are now on State and Local Governments Third Reading. House Bill 274, Representative Johnson. Out of the record. House Bill 316, Representative Cullerton. Out of the record. House Bill 575, Representative Wennlund. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 575, a Bill for an Act to amend an Act to revise the law in relation to counties. Third Reading of the Bill."

Speaker Keane: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill amends the Chapter 34 on County Government which adds in the term 'public library's' in the provision which prescribes that county boards can by reasonable rules and regulations, provide for necessary public grounds for schools. And adds the term 'public libraries' and it continues on with parks and playgrounds. It merely adds that term and provides that county boards

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

39th Legislative Day

May 11, 1989

can require reasonable ground space for public librarys. This affects public library districts in Illinois. It's suggested by the Illinois Association of Library Districts and the Secretary of State's Office."

Speaker Keane: "Is there any discussion on House Bill 575? Representative Matijevich, I'm sorry. Representative Matijevich."

Matijevich: "Could the Gentleman yield for a question or two?"

Speaker Keane: "He indicates he will."

Matijevich: "Could you explain to the Body the difference in current law and what you're attempting to do by this Bill?"

Wennlund: "Under current law, there's been some confusion in the courts as to whether or not the current provision of the Counties Act, it's Chapter 34, Section 2509 and includes public libraries. And, this Amendment will clarify it. Many counties have already provided for it. This provision makes it very clear that the counties were intended to be included with in that with respect to provisions of county ordinances that provide for necessary public grounds for public libraries as well as for schools and parks."

Matijevich: "Is it possible that libraries, because of...by the enactment of of this Bill could be involved in zoning or..."

Wennlund: "No, Sir. None whatsoever. No, these are...you see, the term under the existing statute, the term 'schools and parks' are already there. This merely adds public libraries to clarify that the counties in dealing with...requiring the necessary public ground also...public grounds also will include public libraries."

Matijevich: "Have the Home Builders or Realtors taken any position on this Bill?"

Wennlund: "Not to my knowledge, Sir."

Matijevich: "Alright, Mr. Speaker, on this Bill, my staff

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

39th Legislative Day

May 11, 1989

indicates to me that there may be some problems. We're not sure. Until we can clarify that I would urge the Members on this side of the aisle to vote 'present' on the Bill and then we'll take a harder look at it. I don't want to say in all certainty to the Representative that we are going to oppose the Bill. But at this time, we'd like to withhold our votes on the Bill."

Wennlund: "Mr. Speaker, I will take it out of the record."

Speaker Keane: "Out of the record. House Bill 875, Representative Terzich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 875, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Keane: "Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 875 amends the Vehicle Code to provide the Secretary of State shall issue for a vanity plate be special license plates to honorably discharged veterans. And what it will do is will honor all the veterans in the State of Illinois and they will be able to purchase a vanity plate indicating their service in the conflict that they were in."

Speaker Keane: "Is there any discussion on House Bill 875? There being none, the question is, 'Shall House Bill 875 pass?' All those in favor vote 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are 107 voting 'aye', none voting 'no' and none voting 'present' and this Bill having received the required Constitutional Majority is hereby declared passed. Mr. Clerk, we will go back to House Bill 2797, Representative McPike. Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2797, a Bill for an Act to amend the

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

39th Legislative Day

May 11, 1989

Illinois Savings and Loan Act. Second Reading of the Bill.

No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2798, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2798, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. We will now proceed to Third Readings. House Bill 962, Representative Hensel. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 962, a Bill for an Act to amend an Act relating to township purchasing. Third Reading of the Bill."

Speaker Keane: "Representative Hensel."

Hensel: "Thank you, Mr. Speaker, Members of the House. House Bill 962 amends the Township Purchasing Act. It provides that purchases in excess of \$10,000.00 shall be contracted for by advertising for bids. Right now, the limit is \$5,000.00 and I think with the inflationary figures that we've been getting, I think a \$10,000.00 limit is the proper place to be in. And I just ask for a favorable vote."

Speaker Keane: "Any discussion on House Bill 962? Representative Mautino,"

Mautino: "Thank you very much, Mr. Speaker. Will the Representative yield for a question?"

Speaker Keane: "He indicates he will."

Mautino: "Representative Hensel what category are we addressing with the \$10,000.00 bid? The increase of \$5,000.00, for

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

39th Legislative Day

May 11, 1989

example. Are you talking about election supplies? Are you talking about vehicles? Are you talking about chemicals? What does the...what are you going to classify in this increase?"

Hensel: "Well as it's stated in the existing statute, it says any purchase by a township for services, materials, equipment or supplies in excess of and all I did was changed it from 5,000 to 10,000 and then it continues other than professional services shall be contracted for in one of the following ways."

Mautino: "Well could you give me an example of why we should raise that provision that allows up to \$10,000.00 without bidding? That's what you're doing here."

Hensel: "That's correct."

Mautino: "Can you give me an example of a purchase that has to be done that way and that's of importance?"

Hensel: "Well there are different items that we regularly buy in townships and what happens if it comes up, say it..."

Mautino: "What are those...what are those items?"

Hensel: "Say it adds up to \$6,499.00, instead of putting it out for bids, they'll break it down into 2 categories, probably and buy one for 3,000 the other for \$3,492.00. So they're getting around it anyway, so all we're doing is just raising the limit."

Mautino: "So what you're telling me is you can't name an item of...in a category of 0 to \$10,000 that we're addressing with this question?"

Hensel: "It could be a copy machine for \$5498.00, you can buy a copy machine. But if you buy some accessories or say 4,900, but if you buy accessories for it, it might be 5,000 or 6,000. So instead of making two purchase orders for the standard copy machine and then putting in your sorters and your whatever, it brings it over 5,000. You can probably

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

39th Legislative Day

May 11, 1989

buy a copying machine for less than 10,000 with all the different accessories. So, I think it's an item that deserves looking into and I think it's good...good Bill."

Mautino: "In the...one other question, in the provisions included in the Township Act, who has the authority to do this? The Township Supervisor or do they need the advice and consent of the township trustees?"

Hensel: "Well the...has to be done by the...through the Township Purchasing Act and has to be let in the...published in newspapers or like that. And it's usually let out by the township board."

Mautino: "Now the point is, you're raising it to \$10,000. Who has the authority to do this without bidding, now? That's what I want to know."

Hensel: "The township board."

Mautino: "Then what is the necessity of the action? I can't quite...you know, I'm from...we have a lot of small townships where I come from and where I represent. I know of very few purchases that are over \$5,000. I have a concern when we start allowing individuals without competitive bidding with the tax payers money to go out and on their own, purchase items from selective providers. Some people get in trouble that way. Therefore, if that's what we're doing here and I know of very few purchases other than a vehicle or a large duplicating machine of some sort or a computer and I think those things should be put out on bid. I stand in opposition to increasing the authorization to 10,000."

Hensel: "Well, I might just mention that we've given this figure and power to Part Districts and other entities of government and I think this is just being...giving the townships put in line with the ones that we've already given this figure and granted them the power."

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

39th Legislative Day

May 11, 1989

Mautino: "I just want to mention that I oppose those increases as well. There has to be some control somewhere. You know, very few people attend a township meeting, if any at all. And you're saying too...and if you have a strong township supervisor, you're saying to that individual 'you can go out and contract for anything that's operating here, because most items are under \$10,000.' I disagree with that philosophy."

Hensel: "Well they still have to answer to the supervisor or the assessor can go out and buy it, but it has to be approved by the township board. Thank you."

Speaker Keane: "Gentlemen, Gentlemen. Representative Homer. Representative Homer."

Homer: "Mr. Speaker, Mr. Speaker, thank you. Will the Gentleman yield?"

Speaker Keane: "He indicates he will."

Homer: "Representative Hensel, what was the origin of this Bill? Who came to you for this Bill?"

Hensel: "I didn't hear the question."

Homer: "Who proposed this Bill?"

Hensel: "The supervisor from Winfield Township came to me and asked me if it would be possible to present this Bill."

Homer: "What about the Township Officials Organization, are they supporting this Bill or taking a position on it?"

Hensel: "I don't think they've taken any position on it. I haven't heard from them that they're opposed to it."

Homer: "What's the evil that you're trying to correct? In other words, what's the problem your township supervisor is having under current law?"

Hensel: "Well there's no evil to it. I mean I think over the years with the inflation, why \$5,000 limit doesn't allow you to purchase some of the items like I mentioned. A copy machine without accessories could be less than \$5,000. But



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

39th Legislative Day

May 11, 1989

if you want to buy all the accessories, it might be up around 6,000 or more. So, what they're doing is they're going to get around the 5,000 anyway, so why don't we just move it up to 10 and make everything legal and then they don't have to advertise. And they're still answering to the people through the board of trustees when they have to approve it."

Homer: "How are they getting around it now?"

Hensel: "Well, they can issue two purchase orders, one for less than 5 and another one for less than 5 and then their up to about 8, 9,000 which is less than 10."

Homer: "Mr. Speaker, to the Bill. I had no real position on this Bill until Representative Mautino started asking a few questions. I guess, if my township officials or the Township Officials Organization of the state had come to us and said 'we need to increase this amount that had been set at 5,000 to 10,000 because a lot of township officials are bogged down with paper work or having a hard time administering their services under the current law 'I'd take an honest look at it, but no one's contacted me and as I understood the Sponsor there was just one township supervisor in his district that made a request of him. And, I don't criticize him for introducing a Bill at the request of a constituent, but I think that what he's asking us to do in the absence of a request by the township officials, is to encourage potential abuse that this very law was designed to prohibit. This Bill has flex...this law has flexibility in it, currently. It allows for a contract without bid, in the case of an emergency, when authorized by the board of trustees. So if there is an emergency purchase, there's already a provision to go out without bids. If there is no emergency, then what's so wrong with requiring the township to advertise for bids to

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

39th Legislative Day

May 11, 1989

let others have an opportunity to bid on these contracts in excess of \$5,000? There just has not been a compelling case made for the approval of this Bill and in the absence of that and in the absence of support by the township officials for whom this Bill...about whom this Bill would be directed, I would suggest that a 'no' vote would be the proper vote."

Speaker Keane: "I'd like to remind the Members, this Bill was on Short Debate. Representative Hasara."

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

Speaker Keane: "He indicates he will."

Hasara: "Representative, I have a question. Does advertising for bids mean the same as bidding under the Bill? In other words, are you saying that the item does not need to be bid at all or that it does have to be bid, but you don't have to advertise in the paper."

Hensel: "Well, I'm not changing that part of the statute. It remains the same. All I'm doing is raising the limit and the section that it's being changed it says that the, shall be contracted for in one of the following ways: 1. By a contract left to the lowest responsible bidder after advertising for bids in the newspaper published within the township. Or if no newspaper is published within the township, then in one published within the county. Or if no newspaper is published within the county, then in a newspaper having general circulation within the township. Or 2. By a contract without advertising for bids in the case of an emergency if authorized by the board of trustees of the township. So the answer to your question, yes, it has to be let out in the newspaper if there is some available in your township. But all I'm doing is changing the amount, I'm not changing the way that they contract or the way they purchase."

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

39th Legislative Day

May 11, 1989

Hasara: "Okay, so as a point of clarification, what we're saying then is these items do not need to be bid at all. It does not say that..."

Hensel: "Up to \$10,000, right."

Hasara: "Right, okay, I just wanted to make sure, cause I see a difference there. You could say you have to get bids, but you don't have to advertise in the newspaper and that means something totally different than saying you do not have to bid at all."

Hensel: "If this Bill passes...yeah. If this Bill passes you could do that, unless it's over \$10,000."

Hasara: "Right, thank you."

Speaker Keane: "Representative Terzich."

Terzich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I support this Bill. These things have been put in there for a number of reasons and certainly inflation has already hit every one of us throughout the state and certainly this warrants the support of the House. Similarly, we're not talking about any big amount. We should let government operate in an efficient manner and certainly this warrants our support."

Speaker Keane: "The question is, 'Shall House Bill 962 pass?' Those in favor, vote 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 44...44 voting 'no', I'm sorry, 44 voting 'aye', 57 voting 'no', 2 voting 'present' and the Bill fails. House Bill 1042, Representative Parcels. House Bill 1053, Representative Satterthwaite. Representative Satterthwaite, on House Bill. Mr. Clerk, read the Bill. I'm sorry, House Bill 1153, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1153, a Bill for an Act to amend certain Acts in relation to support orders. Third Reading

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

39th Legislative Day

May 11, 1989

of the Bill."

Speaker Keane: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, the Bill simply requires the registration of the Social Security number for the person who is obligated to make a child support payment. We find that in some cases if this is not done it becomes difficult, particularly if the person obligated to pay, moves out of state or may go from job to job and if that number is not available it's difficult to track. I think that many other states are now doing this and would hope that the Membership would give their approval for the passage of House Bill 1153."

Speaker Keane: "Is there any further discussion on House Bill 1153? There being none, the question is, 'Shall House Bill 1153 pass?' All those in favor, vote 'aye', all those opposed, vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this Bill, there are 108 voting 'aye', 1 voting 'no' and none voting 'present' and the Bill having received the required Constitutional Majority is hereby declared passed. We'll go back to House Bill 1042, Representative Parcels. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1042, a Bill for an Act to prohibit the use of live animals. Third Reading of the Bill."

Speaker Keane: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. This Bill deals with just one thing and that is The Dray's Test which is used on rabbits for cosmetic and household products only. It has nothing to do with pharmacology. It has nothing to do with medical tests to help us cure various and sundry diseases. The Dray's Test was the only test for many years, but it is no longer the only test. It is cruel. What they do to the rabbits is very cruel. They strap their eyes open, put

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

39th Legislative Day

May 11, 1989

their heads in blocks and every time a new product has a new flavor added to it or a new little bit of color or whatever, they blind and maim rabbits. It's a very cruel thing. In recent years new tests have come out and, as a matter of fact, over 100 cosmetic companies now do not use any Dray's Test, at all, on their animals. The most recent being Avon just announced last month and it's probably the single, largest cosmetic company in the United States and they just announced last month that they are going to no longer use animals, because they have found that not only is the rabbit's eye not the same as human eye, it doesn't tear the same, it isn't quite the same in any respect and therefore they're going to the Eyetex Test. There are four or five tests out there that are superior, that in the end are cheaper to use than live animals and so they are actually superior to this Dray's Test which has been cruel and inhumane and very bad and not necessary anymore. I would ask for your 'aye' vote. This Bill came out of committee with 12 positive votes. I had good testimony there from people who have worked with this and I would remind you that the biggest cosmetic companies, over 100 of them, are no longer using this test. I don't think it's necessary in our state. I would ask for your 'aye' vote on House Bill 1042."

Speaker Keane: "Representative Ropp."

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

Speaker Keane: "She indicates she will."

Ropp: "Representative in all due respect to your intentions here, is this not a potential first step in the proposal by Animal Right's people to not do anything with animals?"

Parcells: "No, Sir. It is not. I have already stated publicly that this is the only step I am taking. When you say potential, I suppose anything is a potential for someone

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

39th Legislative Day

May 11, 1989

else, but not for me, Sir. This is a test that is no longer needed. It's cruel and inhumane and I would like to see it done away with. And I think that...I think that medical testing on animals and pharmacology is very necessary and therefore, I do not see this as a first step in that direction."

Ropp: "Well it may not be your intention to be a first step, but I think there is some potential intention by other people that, 'well, now we have our foot in the door and we can add to this.' I'm not, necessarily, one who wants to do harm to animals really for harms sake, but I sometimes think that we may go overboard in regards to what we're attempting to do through many forms of researches to provide health, safety and security for human beings. And to me, the health and safety of human beings, though may even at the sacrifice of some rabbit or some rat or some mouse, is certainly more important and even more humane if it provides that ultimate safety and security for human beings. Because, I think the lives of people are certainly more important than, maybe, saving a few mice or rabbits or the case might be. So I would hope that the Body would give this some consideration that this could very well be the first attempt to have many to follow that would say 'okay, we're not going to use these kinds of animals', because in fact, I think human life is certainly more important and sometimes we may have to use animals even monkeys in order to provide safety for people."

Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Keane: "She indicates she will."

Black: "Yes, I have one question Representative, if you might. What is the Food and Drug Administration's position on the

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

39th Legislative Day

May 11, 1989

Dray's Test?"

Parcells: "I'm glad you asked that question. The Food and Drug Administration really does not have any priority over this, now. It's been passed out...it has been stated to you perhaps, that they insist on this test. That is not true. They do not insist on any test. They insist that cosmetic companies are safe and that's all they require and they do not say that they have to have this test. I have this in testimony. I can tell you of Bills where, for instance, in an emergency room, they will never look to see when you come in with a bad eye from cosmetics, they don't look to see what's happened with a rabbit on this test. But the Food and Drug Administration has no right or they do not have any opinion on this. They just say, 'we want safe products and whatever you can do to validate that your product is safe is okay with us.'"

Black: "Well, thank you very much, Representative. Mr. Speaker to the Bill. I think the Sponsor of this Bill is certainly well intended. And I think the legislation is certainly that that deserves some additional thought. But let me quote from you if I might, from the US Food and Drug Administration's statement to the Maryland Governors Task Force to study animal testing. And the date on this is not 10 or 20 years old, it's April 17th, 1989. And I quote, 'with respect to the Dray's Test, it is the Food and Drug Administration's position that the Dray's eye irritancy test is currently the only meaningful and reliable method for evaluating the hazard or safety of a substance introduced into or around the eye.' Now given that statement, Ladies and Gentlemen, I would not be able to vote for that Bill, at this time, because of obvious ramifications of someone who stands before you wearing glasses and using eye drops. I want to make sure those

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

39th Legislative Day

May 11, 1989

compounds are thoroughly tested before they go into my eye.

Thank you."

Speaker Keane: "Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. As a pharmacist, I would share the previous Speaker's concern. However, that's not one of the products that this Bill is talking about. This Bill deals with cosmetics and household products and we support the continued use of pharmaceuticals and their testing and the most efficient and proper test possible. That's not what this Bill addresses. The Ladys Bill is a good Bill and I stand and ask for an 'aye' vote."

Speaker Keane: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Bill and no deference to the Sponsor. However, there were people who wanted to come into the committee and testify against the Bill and bring out some points that were talked about today. But they're other points and they were unable. One of the previous speakers alluded to the FDA test. Yes, that's true and this is the only one that's really comparable to the human tests that we need to have tested, because there are a lot of products and they mention about household products. Yes, shampoo, that we wash our hair with, soap, that we wash our face with and these products have to be tested in case they do get in our eyes in our childrens eyes, that they have to be fool proof so there's no damages done. I think one of the other speakers, also, talked about...there's no other state that has eliminated this provision and I think the right place for this Bill to go would be to go back in the Interim Study and talk about it and really have some more input from people on both sides of the issue. So I would ask my colleagues to vote 'no' or



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

39th Legislative Day

May 11, 1989

vote 'present' on this Bill."

Speaker Keane: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The existence of this Bill reminds me of a British veterinarian who turned out to be a very fine author. And, in seeking titles for his books, he looked at a very simple poem and used the lines from that poem as the titles for his books. The poem which consists of only four lines says: 'All things bright and beautiful, all creatures great and small, all things wise and wonderful. The Lord God made them all.' In honor of one of God's small creatures, the British veterinarian would support this Bill and so do I."

Speaker Keane: "Representative Kubik, please."

Kubik: "What about the Irish? Mr. Speaker, Ladies and Gentlemen of the House, I think that it's important that we keep this issue in perspective. Some of the opponents of this legislation have talked about medical testing, have talked about testing of soaps and other products. We're talking about a very specific kind of testing here. Testing, which has to...as Representative Parcells points out, has been ruled...is not being used by the majority of these cosmetic companies. And, the reason they're not using them is because it's an outdated inhumane test. So, it's obvious that what we ought to do is to support the Lady's Bill because it makes a lot of sense. I don't think that this is in deference to a earlier speaker. I don't think this is the opening of another stream of legislation with regard to medical testing. This is strictly with regard to cosmetics and it has no ramifications with regard to medical testing. So this is just to stop an inhumane practice. It makes a lot of sense and with all due respect to the opponent, they have raised a lot red herrings in

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

39th Legislative Day

May 11, 1989

this debate. Please support this Bill. It's a humane and good Bill."

Speaker Keane: "Representative Goforth."

Goforth: "Move the previous question."

Speaker Keane: "The previous question has been moved. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the question's been moved. Representative Parcels, to close."

Parcels: "Thank you, Mr. Speaker. I would like to further what Representative Kubik said. This is not a foot in the door. If somebody wanted to come here and say, 'no animal testing ever', they could come and do that without my passing this Bill. This Bill is very specific. We're talking one test on one very kind, gentle animal a rabbit, which is absolutely unnecessary. In a letter written by Honorable Barbara Boxer in the House of Representatives, to the Food and Drug Administration, the question was asked, 'does the FDA have any authority to require testing for cosmetics prior to marketing of these products by U.S. manufacturers?' The answer from the FDA came back: The Federal Food, Drug and Cosmetic Act does not give FDA the authority to require cosmetic manufacturers or distributors to test their cosmetic products or ingredients for safety or make such data available to FDA if the tests have been conducted. Now the cosmetic companies, I have many more of those, but I'm not going to take your time, I am telling you it is not necessary or there would not be. The simple proof is there are 100 over 100 cosmetic companies, one right close here in the State of Illinois, Avon, who has given up this kind of testing. It is not necessary. Those companies would not give it up if it was necessary. So it not necessary and I ask for your 'aye' vote. The people that are cosponsors on this Bill and that whole committee were very skeptical. There was good testimony on both

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

39th Legislative Day

May 11, 1989

sides of this Bill and it came out with 12 positive votes and I'd ask for your 'aye' vote on House Bill 1042."

Speaker Keane: "The question is, 'Shall House Bill 1042 pass?' All those in favor, vote 'aye', all those opposed, vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill...Representative Mulcahey votes 'no'. On this Bill there are 50 voting 'aye', 25 voting 'no', 20 voting 'present'. Representative Parcells."

Parcells: "Mr. Speaker could I have this on consideration postponed?"

Speaker Keane: "Consideration postponed, leave."

Parcells: "Thank..."

Speaker Keane: "Representative Ewing for what purpose do you rise Representative Ewing for what purpose do you rise?"

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, for the purpose of an introduction, I have standing at my desk a former State Representative, James Houton from Dwight and I asked him if he represented Livingston County down here and he said, 'no, he represented the whole state.' He was one of the Republicans that came down here on the bed sheet ballot in 1960 and I'd like this Body to recognize him."

Speaker Keane: "Welcome, Representative Houton. House Bill 1159, Representative Kirkland. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1159, a Bill for an Act to amend the Illinois Human Rights Act. Third Reading of the Bill."

Speaker Keane: "Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker. This Bill amends the Human Rights Act in about 3 different ways. First, it provides that the Director of Human Rights or his designee may issue subpoenas in relation to investigations instead of having to request a member of the Human Rights Commission to do so. Also, provides that if a complainant requests in

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

39th Legislative Day

May 11, 1989

writing that a federal agency investigate a charge of discrimination, the department shall consider the charge filed with it to be withdrawn. In that case, then the federal agency would carry on the investigation. An Amendment to the Bill would allow the state agency to return to the Bill after the federal...returned to the case after a federal investigation, under appropriate circumstances. And, thirdly, it creates the Human Rights Services Fund to provide that the department may charge for specified services and deposit funds received for such services in the funds to use at its discretion. I ask for passage of the Bill."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall House Bill 1159 pass?' All those in favor vote 'aye', those opposed, vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 103 voting 'aye', none voting 'no', 1 voting 'present' and the Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1164, Representative McAuliffe. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1164, a Bill for an Act regarding drivers license and the privilege of driving. Third Reading of the Bill."

Speaker Keane: "Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker. This is the Secretary of State's Annual Clean-up Bill for their Drivers Services Section, sponsored by myself and Representative Ronan. I know of no opposition."

Speaker Keane: "Is there any discussion on House Bill 1164? There being none, the question is, 'Shall House Bill 1164 pass?' All those in favor, vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have

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

39th Legislative Day

May 11, 1989

all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 109 voting 'aye', none voting 'no', none voting 'present' and the Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1207, Representative Ewing. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1207, a Bill for an Act to amend an Act concerning the State's Capital project's needs. Third Reading of the Bill."

Speaker Keane: "Representative Ewing."

Ewing: "Is this on the first Amendment?"

Speaker Keane: "It's on Third Reading."

Ewing: "Mr. Speaker, I have filed an Amendment to the Bill. I don't know if it's been distributed."

Speaker Keane: "It has not."

Ewing: "I'd like to just hold it, then, and take it back to Second Reading."

Speaker Keane: "Alright, take the Bill out of the record. House Bill 1224, Representative Leitch. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1224, a Bill for an Act to provide for the licensing and regulation of food service. Third Reading of the Bill."

Speaker Keane: "Representative Leitch."

Leitch: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. What this Bill simply does is clarify the authority of Public Health Departments to continue licensing food establishments and inspecting them. It arises out of a local dispute which resulted in a court decision, which threw this into some confusion. I know of no opposition to the Bill now that it's been amended and has the approval of the Urban Counties Council and others and the Health Department people, as well. I'd ask for a favorable Roll

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

39th Legislative Day

May 11, 1989

Call."

Speaker Keane: "Is there any discussion on House Bill 1224?

There being none, the question is, 'Shall House Bill 1224 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 108 voting 'aye', none voting 'no', none voting 'present' and House Bill 1224, having received the required Constitutional Majority is hereby declared passed. House Bill 1261, Representative Cowlshaw. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1261, a Bill for an Act to amend the Illinois Library System Act. Third Reading of the Bill."

Speaker Keane: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1261, which is cosponsored by Representative Leverenz and myself amends the Illinois Library System Act—library systems, only. And increases the annual per capita grant from a \$1.3219 to \$1.38 and the annual area grant from \$46.4583 to \$48.739. The amount of money that would be required to provide the funds for these very minimal increases for library systems, which incidentally do not have the power to tax are included in the budget of the Secretary of State. I move for the approval of House Bill 1261."

Speaker Keane: "Is there any further discussion on House Bill 1261? Representative Homer. Representative Homer."

Homer: "Thank you, Mr. Speaker. What is the fiscal impact, Representative Cowlshaw?"

Cowlshaw: "I'm sorry, Representative, I don't have that...I don't have that exact figure here and I do apologize. I will be more than pleased to provide it to you. I, frankly didn't expect this Bill to be called today and that

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

39th Legislative Day

May 11, 1989

information is back in my office."

Homer: "Well, okay, I...you said it was minimal, I mean, can you just give me a ball park figure on what's minimal?"

Cowlishaw: "Just a moment please, Representative. Representative I honestly do not know the answer to your question. If there were someone from the Secretary of State's Office available to provide that figure to you, that would be very helpful, but apparently there's no one on the floor, at the moment who works with the Secretary of States Office. I am assured... and, once again, I would be glad to provide you with that figure which I have in my office in the Stratton Building, and I frankly just plain don't remember it. And rather than give you a figure that is decidedly wrong, I would prefer not to give any number at all. But, I would point out that, in fact, this...that this is a really very minimal kind of increase. It is more or less the traditional increase that we provide to library systems comparable to one we provided last year and isn't, of course, included in the Secretary of State's Budget. Someone from the Secretary of State's Office has arrived. So I presume that we can get an answer to your question if you are willing to wait."

Speaker Keane: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, the Democratic analysis indicates that it's about 1.4 million for the increase a 5 percent increase."

Homer: "Okay, well, Mr. Speaker I am going to vote for the Bill. I think these library systems need the increased funding, but I just wanted a clarification as to what the definition on the other side was of 'minimal impact.' We've heard a lot of haranguing about that issue. And, you know, I represent the City of Pekin, where that distinguished orator and U.S. Senator, Everett Dirksen resided and what

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

39th Legislative Day

May 11, 1989

was it that he said? 'A million here and a million there and pretty soon you're talking real money.' So I just wanted a clarification as to that. But I think this is money well spent and I would support the Bill."

Cowlshaw: "Thank you, Mr. Speaker. I do now have an answer to that question and I do apologize for not having it more promptly. Someone from the Secretary of State's Office tells me that the total increase for these, both the per capita and area grants for the library systems throughout the state, would come...these increases would cost approximately \$830,000 and that is in the Secretary of State's Budget. It is also in the Governor's Budget. But the answer to your question is approximately \$830,000."

Speaker Keane: "Representative Mays."

Mays: "Thank you very much, Madam (sic-Mr.) Speaker. In support of the Bill, the people may notice that this is bipartisan sponsorship and it is in the budget. We don't do this Bill then we can't spend the money that's already been allocated in the Secretary's budget. So I move...I support the passage."

Speaker Keane: "Representative Cowlshaw, to close."

Cowlshaw: "Thank you, Mr. Speaker and thank you for your patience while I tried to get the answer to that question. Library systems as I mentioned in the opening, have no power to tax. They are totally reliant upon the state. I think this is a good Bill. Representative Leverenz and I have sponsored this...co-sponsored this same Bill every year for the last 3 or 4 years. Representative Leverenz and I request your approval of House Bill 1261."

Speaker Keane: "The question is, 'Shall House Bill 1261 pass?' All those in favor, vote 'aye', all those opposed, vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk,



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

39th Legislative Day

May 11, 1989

take the record. On this Bill, there are 106 voting 'aye', 1 voting 'no', none voting 'present' and House Bill 1261, having received the required Constitutional Majority, is hereby declared passed. House Bill 1305, Representative Parke. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1305, a Bill for an Act to amend the Park District Code. Third Reading of the Bill."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1305 amends the Park District Code to allow the board of a Part District Commissioners to enter into a multi-year contract for professional services that will not exceed more than 3 years. This has been suggested by the Illinois Association of Park Districts. I ask for a favorable vote on the Bill."

Speaker Keane: "Is there any discussion on House Bill 1305? There being none, the question is, 'Shall House Bill 1305 pass?' All those in favor, vote 'aye', all those opposed, vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 108 voting 'aye', none voting 'no', none voting 'present' and House Bill 1305, having received the required Constitutional Majority is hereby declared passed. House Bill 1312, Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1312, a Bill for an Act to amend an Act concerning fire protection. Third Reading of the Bill."

Speaker Keane: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In 1987, Public Act 85-603 was passed, which established guidelines and regulations for fire protection districts and this legislation would improve and clarify those procedures as was prescribed in that Public Act.

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

39th Legislative Day

May 11, 1989

This makes a number of changes dealing with rules and regulations concerning vacancies, elections and removal of fire commissioners, methods of appointment of the fire department chief, occurrence of seniority, treatment of persons with military service and makes provisions for addressing problems with disputes on...and disputes, burdens of proof and pay suspensions to reinstatements. And also sets guidelines for determining disability and reinstatements. This Bill has been worked on for quite a few months now and it is an agreed Bill between the Illinois Association of Fire Protection Districts and the Association of Fire Fighters of Illinois. So, I would ask for the passage of House Bill 1312."

Speaker Keane: "Is there any further discussion? There being none, the question is, Shall House Bill 1312 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 107 voting 'aye', 0 voting 'no', 2 voting 'present'. And House 1312 having received the required Constitutional Majority is hereby declared passed. Representative McAuliffe, for what purpose do you rise?"

McAuliffe: "It's an error, Mr. Speaker. I was not suppose to pass that Bill, we passed before. I'd like to take it back, and reconsider the vote it passed by."

Speaker Keane: "Are we talking about House Bill 1164?"

McAuliffe: "1164, yeah."

Speaker Keane: "House Bill 1164, Mr. Clerk. The Gentleman moves to reconsider the vote by which we passed. House Bill 1164. Is there leave to reconsider the vote by which we passed. House Bill 1164? Representative Breslin."

Breslin: "Thank you, Mr. Speaker. A question of the maker of the Motion."

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

39th Legislative Day

May 11, 1989

Speaker Keane: "Proceed."

Breslin: "Representative, why weren't we supposed to pass the Bill?"

McAuliffe: "The Secretary of State's Office asked me to hold the Bill because they have some measures in the Senate and they're not sure what's going to happen to it in the Senate. So, they might want to amend this Bill."

Breslin: "Thank you."

Speaker Keane: "Any further questions? Is there leave? Leave and the Bill is on Third Reading. Leave is granted by the use of the Attendance Roll Call and the Bill will be returned to Third Reading. House Bill 1349, Representative Hultgren. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1349, a Bill for an Act to amend an Act concerning fire protection. Third Reading of the Bill."

Speaker Keane: "Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is intended to address a situation which exists in some downstate counties where certain rural areas are not currently provided with fire protection. It doesn't force any area into a fire district, but rather creates a situation whereby the county can, after referendum, adopt a comprehensive fire protection plan so that unincorporated rural areas will then receive fire protection. The areas which are added to fire protection districts would be subject to the current tax levies, but again no comprehensive fire protection plan could be enacted by any county until there was a referendum approved by the voters. I'd be glad to answer any questions, and would ask for a favorable roll call."

Speaker Keane: "Is there any further discussion on House Bill 1349? There being none, the question is, "Shall House Bill

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

39th Legislative Day

May 11, 1989

1349 pass'? All those in favor, vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 108 voting 'aye', none voting 'no' and none voting 'present'. And House Bill 1349, having received the required Constitutional Majority is hereby declared passed. House Bill 1401, Representative Wait. Representative Wait. Let the record show that Representative Balanoff would have voted 'aye'. wishes to vote 'aye'. On this question, whether House Bill 1349, there are 109 voting 'aye', 0 voting 'no', 0 voting 'present'. And this Bill, having received the required Constitutional Majority is hereby declared passed. House Bill 1401, Representative Wait. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1401, a Bill for an Act in relation to livestock. Third Reading of the Bill."

Speaker Keane: "Representative Wait."

Wait: "Thank you, Mr. Speaker. This is an administrative Department of Agriculture Bill. It cleans up some language with regards to the Swine Bill...Swine Disease here, Disposal Act for Swine and there doesn't seem to be any controversy on it and I'd ask for a favorable vote on this."

Speaker Keane: "Is there any further discussion on House Bill 1401? There being none, the question is, 'Shall House Bill 1401 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 109 voting 'aye', 0 voting 'no', 0 voting 'present'. And this Bill having received the required Constitutional Majority is hereby declared passed. The next Bill is House Bill 1479, Representative Peterson. Mr. Clerk, read the Bill."

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

39th Legislative Day

May 11, 1989

Clerk O'Brien: "House Bill 1479, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. Representative Peterson."

Peterson: "Thank you, Mr. Speaker. House Bill 1479 as amended, provides the violations of the Criminal Code, the Cannabis Control Act and the Illinois Control Substances Act for which a contract school bus driver can be denied a school bus driver's permit must be identical to those violations for which a school bus driver employed directly by a school district can be denied a permit. Currently, we have some slight differences between these two particular groups of people. This Bill as amended, would make them identical. I know of no opposition and I ask for your support."

Speaker Keane: "Any further discussion on House Bill 1479? There being none, the question...Representative Williams."

Williams: "Yes, would a question to the Sponsor?"

Speaker Keane: "He says, he'll yield."

Williams: "Okay, I just wanted to know, is it true that under your Bill would a violent...conviction for a violent crime, would it preclude you from becoming a bus driver in this Bill?"

Peterson: "Representative, would you repeat the question, I didn't hear it."

Williams: "Would a conviction of an offense for a violent crime, would it prevent you from becoming a bus driver under this Bill?"

Peterson: "Yes. What this is doing Representative is making the law that governs those drivers that work for a school board the same as those who work for a private contractor. We have...we've got the same job, the same function, but we have two different parts of the law governing them as far as criminal violations."

Williams: "Okay, now then, in other words...originally, the Bill

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

39th Legislative Day

May 11, 1989

excluded violent crimes. That was restored, is that correct?"

Peterson: "That was a mistake and it's been restored, correct. The Amendment itself was drafted by the Cook County State's Attorney's Office and they agreed with the Amendment and agreed with the Bill as amended."

Williams: "Thank you."

Speaker Keane: "There being no further discussion, the question is, shall House Bill 1479 pass?' All those in favor, vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 109 voting 'aye', none voting 'no' and none voting 'present', and House Bill 1479 having received the required Constitutional Majority is hereby declared passed. House Bill 1553, Representative Wojcik. Mr. Clerk, read...Out of the record. House Bill 1567, Representative Harris. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1567, a Bill for an Act to amend the Illinois Purchasing Act. Third Reading of the Bill."

Speaker Keane: "Representative Harris."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1567 amends the Illinois Purchasing Act. It prohibits a person or business entity convicted of a felony from doing business with the State of Illinois or any State Agency for 1 year from the date of conviction for such felony. I'd be happy to answer any questions or give you the background of the Bill and I ask for a favorable vote."

Speaker Keane: "Is there any further discussion on House Bill 1567? There being none, the question is, 'Shall this Bill pass?' All in favor, vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have

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

39th Legislative Day

May 11, 1989

all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 107 voting 'aye', 0 voting 'no', none voting 'present' and House Bill 1567, having received the required Constitutional Majority is hereby declared passed. House Bill 1576, Representative Hallock. Representative Hallock. Out of the record. House Bill 1674, Representative Countryman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1674, a Bill for an Act to amend the Illinois Administrative Procedure Act. Third Reading of the Bill."

Speaker Keane: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill provides that the Joint Committee on Administrative Rules 'may' rather than 'shall' evaluate the rules of each agency on a periodic basis rather than at least once every five years and that the Joint Committee 'may' develop rather than 'shall' is scheduled for periodic evaluation. Effectively what it does, is it gives the Joint Committee on Administrative Rules much more discretion in reviewing these rules rather than the mandatory once every five years make it flow with the work schedule that's available to the Joint Committee."

Speaker Keane: "Representative Flinn."

Flinn: "I stand in support of the Gentleman's Motion for passage of the Bill."

Speaker Keane: "Is there any further, is there further discussion? Being none, the question is, Shall House Bill 1674 pass? All those in favor, vote 'aye' all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 106 voting 'aye', 0 voting 'no', none voting 'present' and the

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

39th Legislative Day

May 11, 1989

Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1896, Representative Olson, Myron Olson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1896, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Keane: "Representative Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1896 came to us from The Conference Of The Chief Judges Of The State of Illinois, relative to possible suspension of driving privileges for failure to pay fines. During negotiations with the Secretary of State, it was agreed that it would be amended, that it would be prohibited from renewing and reissuing rather than suspension. And in Amendment #2 we took out unnecessary language which is in conflict with the non-renewal approach developed in cooperation with the Secretary of State. I'd be happy to answer questions."

Speaker Keane: "Is there any further discussion? There being none, the question is, 'Shall House Bill 1896 pass?' All those in favor, vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 107 voting 'aye', 1 voting 'no', 1 voting 'present' and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1966, Representative Black. Representative Black, 1966. Mr. Clerk. Out of the record. House Bill 1978, Representative McCracken. Out of the record. House Bill 2035, Representative Parcels. 2035? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2035, a Bill for an Act to create the State Laboratory Review Board. Third Reading of the Bill.

Parcels: "This creates a Laboratory Review Board. It directs



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

39th Legislative Day

May 11, 1989

the Board to establish a fee policy for laboratories operated by or for executive departments of State Government to develop a quality assurance program and to review certain contractual and equipment expenditures and to examine other matters relating to the state laboratories. This Bill came out of the Legislative Audit Commission because when we were doing the various boards and going through their audits, we discovered there is duplication, there is overlap, there is some boards, or some of the labs that are way, have way more than they can handle and they're very slow with coming up with their results and there's other boards that are doing duplicative work and we thought if we had this laboratory review board they could better organize the labs, perhaps save the state money, perhaps share knowlege with the various boards and we thought this would be a good way to begin to try to avoid that duplication and overlap. And, I would ask for your 'aye' vote on the Bill and I'll be happy to answer any questions."

Speaker Keane: "Representative Williams."

Williams: "Yes, Representative Parcels, does this particular board, now he's going to take 7 Members. Will the Members be paid?"

Parcels: "Will they be what?"

Williams: "Will the Members of the board be paid?"

Parcels: "No."

Williams: "Okay, will they receive expenses?"

Parcels: "I believe the intention was to have them receive expenses, but that's all."

Williams: "Okay and the other Administrative costs, is there any sort of cost involved with this particular Legislation other than their expenses?"

Parcels: "We're hoping that, eventually, it will save us money

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

39th Legislative Day

May 11, 1989

because it will avoid the duplication and overlap that the Boards now have. It kind of brings them all up to date so that down the line we would hope it would actually save money. But, there would be no other expense other than their expenses while they're meeting to come up with this."

Williams: "Okay, and the money that they in fact do save, where would that go? Back to the General Revenue Fund or would it go back to the operation of this Board?"

Parcells: "No, the Board, once the Board comes up with their decisions the Board would probably disband. Once they got the laboratories organized, and working the way that they think would be better, if they can get the cooperation of the various labs from State Government that there'd be no more reason for the Board probably and then either the agencies who have the money or eventually, yes it would go back to the general fund I assume because they could possibly request less funds in the appropriations process."

Williams: "Is the the disbanding of this Board included in the Bill?"

Parcells: "As I remember, it was not. Let me look here."

Speaker Keane: "Is there any further discussion? If not, the question is, 'Shall House Bill 2035 pass?' All those in favor, vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 108 voting 'aye', 2 voting 'no', none voting 'present'. And this Bill, having received the required Constitutional Majority is hereby declared passed. Representative Parke, House Bill 2123. Alright, we're going to go back and pick up some on this order, on this call, the State and Local Government, Second Reading for Amendments. Representative Mays, on 1745, Mr. Clerk, read the Bill. Second Reading."

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

39th Legislative Day

May 11, 1989

Clerk Leone: "On Page 33 of the Calendar, House Bill 1745, a Bill for an Act creating the office of Inspector General, Second Reading of the Bill. There are no Committee Amendments or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 1944, Representative Mays."

Clerk Leone: "House Bill 1944, a Bill for an Act to amend the Illinois Governor's Council on Health and Physical Fitness Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2032, Representative Mays. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2032, on Page 8 of the Calendar, a Bill for an Act to limit the creation of organizational units by State Government Agencies. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. We will now proceed to Civil Law, Order of Civil Law. Bills on that order. We will do House Bill, Second Reading. Move them to Third. Appearing...first Bill on that order of call is House Bill 18, Representative Stern. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 18, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 37, Representative Kirkland. House Bill. Out of the record. House Bill 359, Representative Stange. House Bill 611, Representative Stern. Mr. Clerk, read the Bill."

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

39th Legislative Day

May 11, 1989

Clerk Leone: "House Bill 611."

Speaker Keane: "Representative Stern. Excuse me, did you want this Bill called? Yes, read the Bill."

Clerk Leone: "House Bill 611, a Bill for an Act concerning the determination of death. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 1106 (sic - 1107), Representative Frederick. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1107, on Page 5 of the Calendar, House Bill 1107, a Bill for an Act to amend certain Acts in relationship to domestic violence. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 is a clarifying Amendment which deletes some unnecessary language."

Speaker Keane: "Excuse me, Representative. Representative Homer, for what purpose do you rise.?"

Homer: "We don't have that Amendment, Mr. Speaker. Has that Amendment been printed and distributed?"

Speaker Keane: "It has been printed and distributed."

Homer: "#2 has been?"

Speaker Keane: "The Chief Clerk tells me that it's been distributed...printed and distributed."

Homer: "Can we get the Chief Page to bring us a copy, please?"

Frederick: "Okay, yes. Mr. Speaker, I believe they found the Amendment. What it does is to delete some unnecessary language and add descriptive phrases which are designed to

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

39th Legislative Day

May 11, 1989

provide protection for high risk adult."

Speaker Keane: "Representative Frederick, just give them a minute."

Frederick: "Pardon me."

Speaker Keane: "We'll give them a minute to gather themselves."

Frederick: "Okay."

Speaker Keane: "Alright, I think we're ready now, Representative Frederick."

Frederick: "Alright, actually, Floor Amendment #2 really is a clarifying Amendment. It deletes some language and adds a phrase or two which is designed to protect high risk adults with disabilities. I move adoption of the Amendment."

Speaker Keane: "Is there any discussion on the Amendment? There being none, the question is, 'Shall Amendment #2 be adopted?' All those in favor, say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. Representative Kirkland, we'll go back to House Bill 37. House Bill 37. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 37, a Bill for an Act to amend the Marriage and Dissolution of Marriage Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 1483, Representative Kirkland. Mr. Clerk, read the Bill. No, I'm sorry, out of the record. House Bill 1489, Representative Terzich. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1489, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

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

39th Legislative Day

May 11, 1989

Representatives Bernard Pedersen and Terzich."

Speaker Keane: "Representative Pedersen on Amendment #1."

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have received the permission of Sponsor to put this Amendment on the Bill. What it does, allows a man who claims to be the father, but who is not the husband of the mother, to seek an injunction against an abortion."

Speaker Keane: "Representative Flowers."

Flowers: "Mr. Speaker, would the Gentleman yield for a couple of questions please?"

Speaker Keane: "He indicates he will."

Flowers: "Representative Pedersen, I have a concern. How can one claim to be the father. According to your Legislation, it doesn't say, he has to be the father, all he has to do is claim to be the father."

Speaker Keane: "Well that's to be determined by the court."

Flowers: "Okay, what if Representative Pedersen, I was raped, and the rapist do not want me to have an abortion? He is the father. What do I do then?"

Pedersen: "Well, how did the rapist know? I mean if that happened to a woman I can't imagine that she would devuldge it to the rapist."

Flowers: "Pardon me."

Pedersen: "I said I can't imagine a woman would want to devulge that to the rapist."

Flowers: "But, as a result of me...forget about devulging it. The fact of the matter is, he raped me. He knew that I was 13 years old. I was not pregnant before then and, as a matter of fact, it was my cousin that did it. Now what am I to do? I want to have an abortion and my cousin that raped me doesn't want me to have one. What do I do?"

Pedersen: "Well, the Bill provides for these things being decided by the judge, by the court."

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

39th Legislative Day

May 11, 1989

Flowers: "That's not in this...that's not in your legislation.

Your legislation says that if a man claims to be the father, he can stop me from having an abortion."

Pedersen: "Yeah, if he knew, which would be doubtful."

Flowers: "So, the rapist knows that he is the father of my child and he's going to stop me from having an abortion because he doesn't want me to."

Pedersen: "My point is if the rapist was aware of it, which I doubt, I mean, he might be able to go to the judge, but that doesn't mean the judge would grant him any rights."

Flowers: "But what about my rights? Another question, Representative Pedersen. I have a slight problem here. My husband, who thinks he's the father, wants me to have an abortion and my man, who knows he's the father doesn't want me to have an abortion. Now, what do I do."

Pedersen: "Well, I think the answer is the female controls that situation. She shouldn't even tell all these people about these things."

Flowers: "That's not the point. The fact that..."

Pedersen: "And if that comes up, if that happens, and you go to court... the purpose of this legislation is to sort it all out just like you do any other problem and have the judge decide it."

Flowers: "Madam Speaker, I mean Mr. Speaker, Ladies and Gentlemen of the House, this is a very bad Amendment. It leaves too many unanswered questions here. There's too many women out here that are being raped by their cousins, their husbands, their boy friends, a one night date and just strangers in this city. So, on a very serious note, Ladies and Gentlemen, I would urge the defeat of Amendment #1 to House Bill 1489. Thank you."

Speaker Keane: "Representative Johnson."

Johnson: "I don't want to...I'm not going to give the same speech

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

39th Legislative Day

May 11, 1989

that I gave on discharge, but I think it's important just as a technical...as some technical matters to point out this Bill is not as some of the opponents would characterize it. First of all, with respect to the issue of parentage, the Bill clearly provides in lines 15 through 17 of the Bill that by a perponderance of the evidence, as a threshold matter there has to be a determination of paternity. So, that really eliminates the possibility of mischevious lawsuits being filed intended to harass a mother. Secondly, it doesn't, contrary to the assertion of some of the opponents, It doesn't give a carte blanche right or any kind of a right to an absolute veto by the father. It, simply, provides that there's a judicial determination of the interest of the child and the possibility of weighing the interest of both the mother and the father. So, we're not...we don't have a situation where we're skating on thin Constitutional ice or violating 'Roe versus Wade,' not withstanding the thought of a number of people that that's not good law. It doesn't venture into any of those areas at all. It simply provides for a hearing weighing the interest of a human life if left uninterrupted could continue on for 80 or 90 or 100 years, and makes the statement as a matter of public policy in the State of Illinois that before you terminate a life of 70 or 80, 90 or 100 years and all the rich benefits that that human life can enjoy not only for itself but for people around it that there ought to be at least the opportunity for the father of that child as well as the mother to have their rights considered and ultimately the best interest of the child to be considered at a hearing where a number of factors can be considered. There's no veto. There's no possibility of obtaining an injunction under unconstitutional circumstances and most particularly, with



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

39th Legislative Day

May 11, 1989

respect to Representative Flowers well placed questions, there's no possibility under this Bill that's so tightly drawn, that somebody who claims to be a father can enjoin an abortion simply on that alone. There has to be a number of threshold criterion met, first, and I would say that now we're here considering not the question of whether Representative Pedersen had a fair hearing in Committee, but the question of whether this ought to be good public policy of the State of Illinois. I don't even think it's a question of Pro-Life versus Pro-Choice. It's simply a question of justice inequity and whether you consider that a child or a human being has two parents. I submit, that it does. If you don't think that's correct, you ought to vote no. But if you think that that is correct and that this Bill narrowly drafted as it is meets some public policy objectives that most people in Illinois believe in, you ought to vote yes."

Speaker Keane: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Sponsor yield for a question?"

Speaker Keane: "He indicates he will."

Levin: "Representative, was this Bill presented in committee? Was this presented as a Bill in Committee?"

Pedersen: "Yes it was."

Levin: "And, did it have a full and fair debate in committee?"

Pedersen: "Well, that's a question of interpretation, I guess."

Levin: "Alright, you know you came to...was it the Judiciary I Committee?"

Pedersen: "Yes."

Levin: "And you presented the Bill?"

Pedersen: "Yes."

Levin: "And do you have any witnesses?"

Pedersen: "I had a witness that came in from Washington. An

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

39th Legislative Day

May 11, 1989

outstanding lawyer on the issue."

Levin: "And that witness got to testify?"

Pedersen: "He was not allowed to testify before the Committee because we had the holocaust event that day. He was allowed to...three Members stayed over and listened to his testimony."

Levin: "But you got to present the Bill, and you got a vote on the Bill? You got a vote on the Bill?"

Pedersen: "I did."

Levin: "You came back another day and you were able to get a vote on the Bill? And what was the vote?"

Pedersen: "I think it was 5 to 5."

Levin: "So the Bill had a hearing and it did not come out of Committee..."

Speaker Keane: "Excuse me, Excuse me, Gentlemen. Excuse me. Representative Levin, excuse me. Representative Piel, for what purpose do you rise?"

Piel: "Mr. Speaker, would you have the Gentleman discuss the Amendments and not the Bill. With the procedure of the Bill...the Bill is on the House Floor. Now, now we're trying to amend the Bill. If he wants to speak on the Bill, on Third Reading, fine. But, would you have him speak on the Bill and not the procedures that happened in Committee?"

Speaker Keane: "Your point is well taken. Please, confine your remarks to the Bill."

Levin: "Okay, Mr. Speaker, I think one of the things is important is that this was presented in Bill form. It had a full hearing. It had a fair hearing and it did not make it out and then it was presented on discharge motion and it failed. And so hear we have the Third reincarnation of this proposal before this Body. I would point out Mr. Speaker, Ladies and Gentlemen of the House, that this

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

39th Legislative Day

May 11, 1989

Legislation does not affect the spouses. If you look at the Amendment, the current law is that a spouse has the right to go in to seek injunctive relief. So, what we're talking about here, is not the spouse. We're talking about somebody who's not married to this woman. We're talking about rapists. We're talking about somebody, you know who is not married to the woman, giving that person the right to go into court and I think that could probably be pretty much any man in the State of Illinois to say, 'I father that child.' I think there's a line to be drawn, some place. And I think that line to be drawn is between legitimacy and illegitimacy. And, whether you're pro-life or pro-choice, this Bill, this Amendment doesn't make any sense. It crosses that line. It ought to be defeated."

Speaker Keane: "Representative Stephens."

Stephens: "Mr. Speaker, I would point out that in the case of the unmarried couple, the mother to be is also unmarried, as would be the father who would seek injunctive relief in the court and let the court decide. This Bill, this Amendment to the Bill is quite simple. It simply recognizes the fact that it takes a mother and a father to create a child, and they both have rights, and we have recognized the woman's rights and we have ignored the father's rights. This Bill simply gives that father a right to petition the court for assistance in protecting the life of his unborn child. It's as simple as that. If you believe that it takes a mother and a father to create a child, then you should vote yes on this Amendment."

Speaker Keane: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker. I question the germaneness of this Amendment. Would you please rule on the question of germaneness?"

Speaker Keane: "We'll do that and I'll get back to you."

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

39th Legislative Day

May 11, 1989

Bowman: "Thank you, very much."

Speaker Keane: "Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. Will the Sponsor yield to a question?"

Speaker Keane: "He indicates he will."

Currie: "Representative Pedersen, in addition to giving these unmarried men an opportunity to go to court and interfere with the privacy rights of a woman as announced in 'Roe versus Wade,' your proposed change would say that any father, husband or not, could go to court at any time during pregnancy to request this injunction. The statute you are altering, presently provided that the individual could go to court only after viability. My question to you is, are you familiar with morning after birth control pills? Are you familiar with intrauterine devices? Are you familiar with the operation of those devices, Representative?"

Pedersen: "Well, I guess I've heard about them."

Currie: "You've heard about it. But my question, Representative, would be whether...since as I understand the way those devices operate, they operate as a board of agents as to whether someone couldn't go into court and ask the judge to enjoin a woman from use of an intrauterine device, from use of a morning after birth control pill. It looks to me, Representative, as if that's what your proposed Amendment would do."

Pedersen: "I believe that that is so off the wall, that I can't believe that you even mentioned it."

Currie: "Well, to the Amendment, Mr. Speaker, if I might, I don't think that's off the wall at all as an interpretation. I think it's off the wall indeed as a way in which this General Assembly might make mischief for the people of our state. I think this is a wacko proposition. It's clearly

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

39th Legislative Day

May 11, 1989

unconstitutional. The courts have clearly held that we can not so invade a woman's right to privacy. The idea that we would give people the opportunity to go to court and ask a court to say to a woman, 'you may not use an intrauterine device, you are banned from the morning after a birth control pill,' is absolutely incredible. I urge a strong defeat on this unusual proposition."

Speaker Keane: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker. Would the Sponsor yield for a question or two please?"

Speaker Keane: "He indicates he will."

Didrickson: "Representative Pedersen, I understand that this Bill was discussed and defeated in Judiciary Committee and one of the primary reasons was because we would be having court setting policy in such situations. Is that your intent?"

Pedersen: "I can't, I'm sorry I didn't hear you."

Didrickson: "One of the reasons this Bill was defeated in Judiciary Committee, I understand, is that because we would be having courts setting policy in such situations. Is that your intent...that the Judicial System would be setting policy?"

Pedersen: "Well, I think what we're talking about here is that we're not giving the father the right to veto the situation. We're just saying that we would allow the court to take these situations on a case by case basis just like you do in divorce and lots of other family problems and all sides of the issue would be presented and then a Judicial determination would be made. For example, if there was a woman who decided she didn't want to have a baby because the summer season was coming up and she wouldn't look good in her bathing suit. That might be an issue that would...that they would think was frivolous, and maybe they would decide against her on that basis."

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

39th Legislative Day

May 11, 1989

Didrickson: "I guess, your response to Representative Currie with regards to her off the wall comments I would just offer for that one also."

Pedersen: "Well, that was an actual case that I was quoting."

Didrickson: "But to proceed. So you would also, envision that the whole appeal process would be available on an individual case by case basis, Sir."

Pedersen: "Well, to the extent that it's now down in family problems, I guess so."

Didrickson: "Okay, so then, your answer is yes. How do you define father?"

Pedersen: "I think that Representative Johnson answered that earlier."

Didrickson: "Could you, as a Sponsor answer that for me?"

Pedersen: "No, I'm incapable of doing that."

Didrickson: "Your incapable of defining father?"

Pedersen: "Yes,..."

Didrickson: "But isn't that the crux of the whole legislation in this Amendment?"

Pedersen: "I think that the father, as a general proposition will be determined by the court and upon whatever that evidence and threshold and whatever he was talking about a little while ago."

Didrickson: "So, you have a hard time defining father, and yet that's the genesis of this whole piece of legislation. So, in order to prevent..."

Pedersen: "Well, I don't think I'd go far, Representative. I mean, if we really gotta dig it out, why, we'll run it past you, again."

Didrickson: "Okay, to the Bill. I, too, rise in opposition to this piece of Legislation. It was defeated in Judiciary. You're clearly putting the court system into making policies in the State of Illinois, and I would further add

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

39th Legislative Day

May 11, 1989

that the Sponsor of this Amendment doesn't even know how to define father and that happens to be the crux of the whole issue here. It clearly, is a piece of legislation that shouldn't go any further. I urge a no vote."

Speaker Keane: "Representative Williams."

Williams: "Thank you, would the Speaker...would the Sponsor yield?"

Pedersen: "Sure."

Williams: "Now, you stated here that in fact, that this is a pro-life thing but in a sense, do you know, at present, isn't it true that there is a presumption in favor of the husband of a wife being the father?"

Pedersen: "No, I wouldn't...I'd never make that presumption."

Williams: "No, I'm talking about in a court of law. Isn't there a presumption that when a child is born to a married couple that that father is...that the husband is the father of the child? If their married in a married situation isn't that the presumption that the court of law makes?"

Pedersen: "I'm not the...is that right? I don't know."

Williams: "Then, in essence, where...just a short circuit, it is the presumption of the court that the husband is the father. In essence now, what you're saying is that anyone who makes the claim, now this is supposedly, this really should be labeled a anti-family Bill. Because what you do is, if anybody who makes a claim. If I don't like your family situation, I want your wife. I've never been with her before. I've made all types of come-ons to her and, all of a sudden now, she's pregnant and I want to split up your family. All I have to do is make a claim and you're in court. Is that correct?"

Pedersen: "Well, that sounds a little far out to me."

Williams: "That's what your Bill says. If it sounds far out, then your Bill's far out."

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

39th Legislative Day

May 11, 1989

Pedersen: "I think what we're talking about is..."

Williams: "No, I'm asking you a question. Isn't it true that all you have to do is make a claim? You don't even have to be with the woman. You don't never have to see her. You just have to claim that you impregnated her and now you're in court. Is that correct?"

Pedersen: "The court has to find that he is the father before anything else."

Williams: "But I'm asking you to get to court, is it all you have to do is make a claim?"

Pedersen: "The same way you make, claim anything else in court."

Williams: "But the difference here is that in fact you are going to destroy a family. You are going to send somebody to a paternity lawsuit. They may later find out that it is the husband's child. Now, the family's distraught. Everybody's torn apart because I'm in court fighting about some joker on the street who walked in and said I claim to be the father of that child and they're now destroying the family. Is this what you want to do?"

Pedersen: "Representative. But Representative, we've had paternity lawsuits for...since time began, as far as I know. I read about it in the paper all the time."

Williams: "How many paternity lawsuits have you gotten started by fathers?"

Pedersen: "What?"

Williams: "How many father oriented paternity lawsuits are you talking about?"

Pedersen: "Well I'm just talking about paternity. You're talking about paternity lawsuits."

Williams: "I'm talking about a paternity lawsuit where, in one instance, the mother is seeking child support and, another instance, you got a guy trying to destroy a family."

Pedersen: "Well Representative, I think this would enhance



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

39th Legislative Day

May 11, 1989

families. I mean, you have a lot of young couples who get pregnant and this would...and many times within a matter of a few months or within a year, the young man is able to get a job and able to make a living and he goes out and they get married and they work together and this would enhance that situation."

Williams: "So he would have to wait or he'd have wait...the mother would have to wait until this guy gets a job before he is able to pay for it, right? But, he stopped her from having her abortion or whatever she might have wanted to do. Now, all of a sudden, this guy is sitting there saying, you can't have one, I don't have a job but you can't do anything about it and you got to have this baby."

Speaker Keane: "Gentlemen, we don't want to, we'll go through the orderly debate process."

Williams: "I'm sorry."

Speaker Keane: "Representative Pedersen. Representative Pedersen."

Williams: "I have another question. A different question."

Speaker Keane: "Hold on. Representative Pedersen, did you wish to make a response?"

Pedersen: "Yes, all I'm saying is that if you're talking about a young couple like that, this would enhance marriage because they would have to talk about it. And, I think that when you talk, it always makes things better."

Williams: "Now, you stated this doesn't..."

Speaker Keane: "Representative, Representative Williams, do you have any further questions?"

Williams: "Yes I do. You stated that this particular Bill does not prevent...does not allow a father to stop an abortion?"

Pedersen: "That's correct."

Williams: "If, in fact, they issue an injunctive release against the abortion, what has occurred?"

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

39th Legislative Day

May 11, 1989

Speaker Keane: "Representative Pedersen."

Pedersen: "Well we're not talking about an absolute veto right. What we're talking about is that these various aspects of the case will be considered and weighed in the court and a decision will be made."

Williams: "Would the judge have the veto right in this particular case?"

Pedersen: "Well, the judge is going to make a decision. I mean he's going to weigh the right just like he does in divorce and lots of other family problems. In fact, abortion is the only place you can't do this sort of thing."

Williams: "To the Bill. I rise in opposition to this Bill, basically, because I see this as an anti-family Bill. I see this as an attempt to let anyone invade upon the family and, to go further, to allow the doctors to make a decision that is once held by the woman. You give the doctor the absolute veto or the court the absolute veto right to intercede on the relationship between a woman and her doctor to make a determination based upon the claim of some third party who may have no other motive in mind but to break up a family, to destroy the family, to go in and, in essence, just stop any orderly process. I think that you just can't let other third parties invade into the family and we shouldn't do this. This, in essence, is not a pro-choice. It's not a pro-life. This is an Anti-Family Bill Amendment and we should defeat this Amendment."

Speaker Keane: "Representative Bowman, we have an answer to your inquiry. The Amendment is germane. Representative Bowman."

Bowman: "May I speak briefly to the Bill?"

Speaker Keane: "You've already spoken once."

Bowman: "No I just made an inquiry to the Chair. I did not speak."

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

39th Legislative Day

May 11, 1989

Speaker Keane: "Oh, before...you, could put your light on and I'll get back to you. Representative Wolf. Representative Wolf."

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

Speaker Keane: "The Gentleman has moved the previous question. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the previous question has been moved. Representative Pedersen to close."

Pedersen: "Thank you, Mr. Speaker. I think we've really covered the aspects of this, various aspects of this Bill. All this Amendment would do would provide that the trial court would be designated the arbitor between competing rights and interests just as it resolves disputes and dissolution and custody actions. Trial courts have long balanced competing rights and the state has a legitimate interest in protecting the rights of fathers and their children and this is not anti-marriage, it's not anti-family. It really is protective of the family and would enhance our marriage institution in this state and I urge an 'aye' vote."

Speaker Keane: "The question is, 'Shall Amendment #1 to House Bill 1489 pass?' Those in favor vote 'aye', those opposed vote 'no'. Voting is open. As soon as I announce it I will get back to you, Representative Bowman. Oh, you want to explain your vote? Representative Bowman, to explain his vote."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The problem with...one of the many problems of this Amendment is that it does not require the father, who is not married to the mother, does not require the father to assume any responsibility for the child once it is born. At least in a marriage context, there is an automatic assumption of responsibility for the child once it's born that is not present here. That is one of the many defects

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

39th Legislative Day

May 11, 1989

of this Amendment."

Speaker Keane: "Representative Stern, to explain her vote."

Stern: "Oh, Mr. Speaker to explain my vote. I think the timing on this Amendment is mischievous. As we all know 'Roe versus Wade' is being reconsiderreconsidered or considered, debated on the U.S. Supreme Court. I think it' would be veryjudicious of this Body to simply keep this kind of Amendment and this kind of Bill in obeisance until the Supreme Court has spoken and we can pass a cooling off period. Tempers run very high on this subject. It is a very emotional and personal topic and I would ask the Representative to withdraw his Amendment. I would also ask for more red votes."

Speaker Keane: "Representative Satterthwaite, to explain your vote."

Satterthwaite: "No, Mr. Speaker, simply to ask for a verification should the Amendment appear to pass."

Speaker Keane: "Thank you. Have all voted? Representative Homer."

Homer: "Thank you, Mr. Speaker. I'm opposing this Amendment and I'm a Legislator, who has voted pro-life, I think, fairly consistently and has received the awards from the various groups. And, I even supported the Bill a few years ago that allowed the husband of a impregnated wife to go into court and seek an injunction, because I put myself in the place of such a husband and think I had a legitimate right to contest my wife's decision should she want an abortion. But now, I put myself in the position of a father of a daughter, who's become impregnated by someone and my wife and I and my daughter trying to determine what we were going to do with the situation, and getting served with papers that her boyfriend has now gone into court to seek an injunction against one of the options that we may,

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

39th Legislative Day

May 11, 1989

otherwise, have contemplated. I think that's unconscionable. I think it's absurd and I think to give standing to such a putitive father...and in this case, the Bill was so loosely draft..."

Speaker Keane: "Bring your remarks to a close."

Homer: "Thank you. This Bill is worded in such a way that there doesn't even have to be determination that the claimant is the father. All it says is anyone who claims to be the father can go into court. That's absurd. I would urge a no vote."

Speaker Keane: "Representative McCracken."

McCracken: "Yes thank you. In explanation of my vote, as well, the Bill requires that where the person claims to be the father, before anything else is done, the court must find the claimant to be the father. Then, and only then, will it consider the equities and balance those competing interests in making a decision. If the father can not meet that threshold requirement or the claimant can not meet that then the case falls. More importantly though, the reason this doesn't say husband is because our Supreme Court of the United States, that bulwark in defense of our traditional values and liberties, has told us that the State does not have a legitimate interest in protecting the relationship of husband and wife only because the person is a father. What that means is this: We can not limit this Bill to husbands. We can not tell the courts or our citizens, they can not rely on the fact that husbands can be protected. We don't have an adequate interest in this according to our Supreme Court. That's an awful decision."

Speaker Keane: "Please bring your remarks to a close."

McCracken: "But in an attempt to make this Bill Constitutional, we are required to use the father standard rather than the husband standard."

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

39th Legislative Day

May 11, 1989

Speaker Keane: "On this there are 47 'ayes'...Clerk, take the record. On this there are 51 'ayes', 48 'no's'. There's been a request for a verification...Poll of the Absentees."

Clerk Leone: "Poll of those Members not voting. Jane Barnes, Cullerton, DeLeo, Ewing, Mautino, Ronan, Santiago, and Wait.'

Speaker Keane: "Call of the Affirmative votes. Poll of the Affirmative votes."

Clerk Leone: "Poll of the affirmative. Ackerman, Barger, Black."

Speaker Keane: "Mr. Clerk, hold on. Representative Satterthwaite."

Satterthwaite: "In order to hasten the verification, it would be helpful if people who's names are called would raise their hands and show that they are actually in the Chamber."

Speaker Keane: "Continue, Mr. Clerk."

Clerk Leone: "Bugielski, Capparelli, Curran."

Speaker Keane: "Can you hold on, Mr. Clerk. Representative Wojcik."

Wojcik: "I just like to have leave to be verified."

Speaker Keane: "Is there leave for Representative Wojcik to be verified? Leave has been granted. Representative Stephens, for what reason do you rise?"

Stephens: "Mr. Speaker, I think that the Lady has made a good point, and we on this side of the aisle would concur that in future verifications if you would raise your hand and wave at us we'd sure appreciate that and we would cooperate with your request, and we hope that you will do the same for us in the future."

Speaker Keane: "Continue with the Roll Call."

Clerk Leone: "Doederlein, Farley, Flinn, Giglio, Giorgi, Goforth, Granberg, Hallock, Hannig, Harris, Hartke, Hasara, Johnson, Keane, Krska, Kubik, Laurino, Leitch, McAuliffe, McCracken, McGann, McNamara, Mulcahey, Novak, Bob Olson, Myron Olson,

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

39th Legislative Day

May 11, 1989

Parke, Bernard Pedersen, William Peterson, Petka, Piel, Pullen, Regan, Ryder, Sieben, Stephens, Tate, Terzich, Weaver, Weller, Wennlund, Williamson, Wojcik, Zickus and Mr. Speaker."

Speaker Keane: "Representative Satterthwaite."

Satterthwaite: "Representative Harris."

Speaker Keane: "Representative Harris. Is the Gentleman in the Chambers? Remove him from the Roll Call."

Satterthwaite: "Representative Ewing."

Speaker Keane: "Representative Ewing is not voting."

Satterthwaite: "Okay, Representative Laurino."

Speaker Keane: "Representative Laurino. Is Representative Laurino in the Chambers? Remove him from the Roll Call."

Satterthwaite: "Representative Van Duyne."

Speaker Keane: "Representative Van Duyne is voting 'present'."

Satterthwaite: "Representative Flinn."

Speaker Keane: "Representative Monroe Flinn. Is Representative Flinn in the Chambers. Remove Representative Flinn from the Roll Call."

Satterthwaite: "Representative Krska."

Speaker Keane: "Representative Krska. Is Representative Krska in the Chambers? Remove him from the Roll Call."

Satterthwaite: "Representative Novak."

Speaker Keane: "Representative Novak. Is he in the Chambers? Remove him from the Roll Call."

Satterthwaite: "Representative Farley."

Speaker Keane: "Representative Farley. Is Representative Farley in the Chambers? Remove him from the Roll Call."

Satterthwaite: "Representative Giglio."

Speaker Keane: "Representative Giglio. Representative Giglio. Is he in the Chambers? Remove him from the Roll Call. Put Representative Novak back on the Roll Call."

Satterthwaite: "No more."

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

39th Legislative Day

May 11, 1989

Speaker Keane: "He has returned to the Chambers. Representative Stephens, we would like to verify the negatives please. Representative Satterthwaite are you finished with your."

Satterthwaite: "Representative Regan."

Speaker Keane: "Representative Bob Regan. Representative, he's in the back of the Chambers. Have you completed?"

Satterthwaite: "We've finished."

Speaker Keane: "Representative Stephens. Representative Stephens has requested a verification of the negative vote. Mr. Clerk, poll the negative votes."

Clerk Leone: "Poll the Negative. Balanoff, Bowman, Breslin, Brunsvold, Churchill, Countryman, Cowlshaw, Currie, Davis, DeJaegher, Deuchler, Didrickson, Dunn, Edley."

Speaker Keane: "Representative Stephens."

Stephens: "Poll of the Absentees."

Speaker Keane: "We've already polled the absentees. Continue with the Poll, Mr. Clerk."

Clerk Leone: "Flowers, Virginia Frederick, Hoffman, Homer, Hultgren, Shirley Jones, Kirkland, Klemm, Kulas, Lang, LeFlore, Levin, Martinez, Matijevich, Mays, McPike, Morrow, Parcels, Preston, Rice, Richmond, Ropp, Saltsman, Satterthwaite, Shaw, Steczo, Stern, Sutker, Trotter, Turner, White, Williams, Wolf and Wyvetter Youngue. No further."

Speaker Keane: "Representative Ewing, for what purpose do you rise? Representative Ewing."

Ewing: "Mr. Speaker, how am I recorded?"

Speaker Keane: "You are recorded as not voting."

Ewing: "Would you please vote me yes."

Speaker Keane: "Vote Representative Ewing, 'aye'. Representative Harris wants to vote 'aye'. Representative Stephens, any questions of the Negative Roll Call?"

Stephens: "Well, yes, Mr. Speaker, I do. And first of all, I



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

39th Legislative Day

May 11, 1989

want to recognize that there were two people who responded by waving at our request to have yourself identified. One from each side of the aisle and to those of you who know that you did that, we thank you."

Speaker Keane: "Proceed with the Roll Call please. With your verification."

Stephens: "Representative Richmond."

Speaker Keane: "Representative Richmond. Representative Richmond. Gentleman's not in the Chamber. Remove him from the Roll Call."

Stephens: "Representative LeFlore."

Speaker Keane: "Representative LeFlore. Representative LeFlore is in his seat."

Stephens: "Representative Morrow."

Speaker Keane: "Representative Morrow. Representative Morrow is in the center aisle."

Stephens: "Representative Preston."

Speaker Keane: "Representative Preston. Is Representative Preston in the Chambers. Remove him from the Roll Call."

Stephens: "Representative Trotter."

Speaker Keane: "Representative Trotter. Is Representative Trotter, is in his seat."

Stephens: "Well, in that case, Representative Balanoff."

Speaker Keane: "Representative Balanoff is in..."

Stephens: "It's so much easier when they sit in their chairs. Representative Ropp."

Speaker Keane: "Representative Ropp. Representative Ropp in the Chambers? Remove him from the Roll Call."

Stephens: "Representative Martinez."

Speaker Keane: "Is Representative Martinez in the Chamber? Representative Martinez, remove him from the Roll Call."

Stephens: "Representative Anthony Young. Excuse me."

Speaker Keane: "Representative Young is not voting."

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

39th Legislative Day

May 11, 1989

Stephens: "Excuse me. Representative Shaw."

Speaker Keane: "Is Representative Shaw in the Chambers?  
Representative Shaw. Remove him from the Roll Call."

Stephens: "Representative Turner."

Speaker Keane: "Representative Turner is in the aisle."

Stephens: "None further."

Speaker Keane: "On this, on Amendment #1 there are 47 voting  
'aye', 43 voting 'no', 4 voting 'present'. Representative  
Mautino votes 'aye'. Any other people wish to...Alright on  
Amendment #1, there are 48 voting 'aye', 43 voting 'no', 4  
voting 'present' and the Amendment is adopted. Any further  
Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. House Bill 1514, Representative  
Preston. Out of the record. House Bill 1741,  
Representative Cullerton. Out of the record. House Bill  
2276, Representative McCracken. Mr. Clerk, read the Bill.  
Mr. Clerk, take the Bill out of the record. House Bill  
2630, Representative Countryman. Out of the record. We'll  
now go to Civil Law, Third Readings. House Bill 776,  
Representative Countryman. We're on Third Readings on  
Civil Law. House Bill 776. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 776, a Bill for an Act to amend an Act  
providing for the dissolution of corporations in certain  
cases. Third Reading of the Bill."

Speaker Keane: "Mr. Countryman. Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. This Bill was introduced at the suggestion of the  
Illinois Supreme Court. We have two processes for  
dissolution of a corporation under Illinois law. This  
would bring them both into the same, the same mode. And  
this one would allow an action to dissolve a corporation,  
which is deemed to have abandoned it's corporate franchise

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

39th Legislative Day

May 11, 1989

by the Attorney General rather than the Clerk of the Court shall cause to be published a notice in a newspaper of general circulation; and the Attorney General is to mail out the follow up notice, not the Clerk of the Court; and it's to ride for publication for two rather than three successive weeks. As I said a moment ago, it will make one procedure for corporate dissolution rather than the two inconsistent procedures we have at the present time."

Speaker Keane: "Does anyone stand in opposition? There being no one in opposition, the question is, 'Shall House Bill 776 pass?' All those in favor, vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Vote Representative Mulcahey 'aye'. Have all voted who wish? The Clerk will take the record. On this Bill, there are 107 'ayes', none voting 'no', none voting 'present' and this Bill, having received the required Constitutional Majority is hereby declared passed. House Bill 1764, Representative Churchill. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1764, a Bill for an Act to amend the Illinois Power of Attorney Act. Third Reading of the Bill."

Speaker Keane: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill makes a minor change in the Power of Attorney Act. Currently, the Power of Attorney Act prohibits a physician from acting under a power of attorney and what this says is that a physician may act under a power of attorney provided that the physician is not involved with the patient's treatment and care. I think it's pretty simple to understand and I think that everybody can understand why a doctor who's not treating somebody should have the right to be acting under power of

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

39th Legislative Day

May 11, 1989

attorney."

Speaker Keane: "Any further discussion on House Bill 1764. There being none, the question is, 'Shall Bill 1764 pass?' All those in favor, vote 'aye', all those opposed vote 'no.' The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 107 voting 'aye', 1 voting 'no', none voting 'present'. House Bill 1764, having received the required Constitutional Majority is hereby declared passed. Representative. House Bill 1713, Representative Countryman. Take the Bill out of the record. House Bill 1777, Representative Hasara. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1777, a Bill for an Act to amend the Probate Act. Third Reading of the Bill."

Speaker Keane: "Representative Hasara."

Hasara: "Thank you, Mr. Speaker. House Bill 1777 makes various changes in the Probate Act pertaining to guardians. Basically, this statute clarifies standards of changes in guardianship and improves access to the courts and insures that all guardians receive notice."

Speaker Keane: "Is there any further discussion on House Bill 1777? There being none, the question is, 'Shall House Bill 1777 pass?' All those in favor, vote 'aye', all those opposed, vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 108 voting 'aye', 0 voting 'no', 0 voting 'present', and House Bill, 1777 having received the required Constitutional Majority is hereby declared passed. House Bill 1881, Representative McCracken. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1881, a Bill for an Act to amend the Probate Act. Third Reading of the Bill."

Speaker Keane: "Representative McCracken."

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

39th Legislative Day

May 11, 1989

McCracken: "Thank you, Mr. Speaker. Ladies and Gentlemen, this Bill would clear up what has been a recent anomaly in appellate law regarding the rights of adopted children to take pursuant to probate. This Bill would make it clear that all instruments executed before 1955, or the date in 1955 specified, would treat the adopted child as not an heir for purposes of the Probate Act unless a contrary intent appears in the will itself or The document. The reason for these presumptions...excuse me. There are also presumptions which can overcome or evidentiary requirements which can overcome the presumption that the child was not intended to take under the Will for those instruments executed before 1955. This is necessitated by a recent appellate court decision which has thrown pre-1955 law into an utter state of confusion. It is not an overstatement to say that prior to that appellate court decision, everybody in Illinois thought that the law prior to 1955 was as it is that the adopted child would not take under the Will unless a contrary intent was demonstrated. This appellate opinion flipped the presumption. This returns the presumption to it's state prior to that appellate court decision which as I say had uniformly been the rule that prior to 1955 the adopted child did not take unless a contrary intent was clearly manifested. And, I move its adoption."

Speaker Keane: "Representative Dunn."

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

McCracken: "Yes."

Dunn: "We had considerable debate yesterday about an Amendment to an adoption Bill relating to adoption rights both from the biological parents and the adopting parents. Is that Amendment on this Bill, now?"

McCracken: "No it's not. There are two Bills. Representative Cullerton and I are handling both of them. This is not

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

39th Legislative Day

May 11, 1989

that Bill."

Dunn: "So this, I'm reading as fast as I can, this Bill seems to say that the adopted child is deemed to be born to the adopting parents. Is that formalized law which we all thought was the case, anyhow?"

McCracken: "The...you're right. However, this is not that Bill. This Amendment and this language is required to return to the State of the law the pre 1955-presumption."

Dunn: "And that's all this Bill does?"

McCracken: "Yes."

Dunn: "Thank you."

Speaker Keane: "Is there any further discussion? There being none, the question is, 'Shall House Bill 1881 pass?' All those in favor, vote 'aye', all those opposed, vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 107 voting 'aye', 0 voting 'no', 0 voting 'present', and House Bill 1881 having received the required Constitutional Majority is hereby declared passed. We will now go to the order of business on Special Order criminal law. I'm sorry, pardon me. Before we do that, we will go back to House Bill 1713 on Civil Law Call. Representative Countryman. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1713, a Bill for an Act to amend an Act relating to claims and actions against descendents estates. Third Reading of the Bill."

Speaker Keane: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. This Bill amends the Probate Act to establish a new claim period for publication and notice requirements. The reason we need to do this is the United States Supreme Court in an opinion involving the Oklahoma Probate Claim Act determined that it was unconstitutional because it

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

39th Legislative Day

May 11, 1989

didn't provide adequate notice to potential creditors, and therefore, did not bar claims. What this Bill does is require that in order to bar claims that the executor or administrator of an estate must reasonably attempt to ascertain the address of known creditors and that those creditors would be required to be mailed a notice of the probate proceedings similiar to that which we now publish. However, that notice does not have to be mailed by certified mail. If they don't file a claim then the claim would be barred 3 months from the date of mailing or actual delivery. Notice by publication would be continued as it is in the existing law and they would bar those claims, then, which could not be ascertained by the executor or administrator within 6 months. Provisions are in there so that no claim could be barred if it were covered by a liability insurance and I move for it's passage."

Speaker Keane: "Representative Dunn."

Dunn: "Would the Sponsor yield for a question?"

Speaker Keane: "He indicates he will."

Dunn: "I don't see a definition in the legislation about what is reasonable on the part of the Representative with regard to ascertainment of the claimant's address. Is there a definition and if not, how do we know whether the Representative has been reasonable or not?"

Countryman: "Well, there isn't a definition, but those are fairly established standards within the case law of the state that they can tell what's reasonable ascertainable. I could give you an example of something like that, and that is if you were the executor of an estate and you kept receiving bills from, you know a credit card company that said that the decedents, whose your...the decendent in that estate had owed a bill, you should give him notice of that death. If you had some sort of notice from them then you should

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

39th Legislative Day

May 11, 1989

give them notice. The theory here is that the creditors are no longer are confined to the local area but maybe somewhere else. A Oklahoma case involved a hospital which the executor knew had a claim for last illness expenses because the decedent had died at that hospital and, yet, they waited the Oklahoma period of time and when they didn't file the claim, they said they were barred and that's what gave rise to the claim. So I think reasonably ascertainable is sufficiently defined in the case."

Dunn: "The real reason I asked the question is because, not so much the situation you're talking about, now...every once in a while, in the state, there is someone who may ultimately come forward and say, 'I drove the decedent to or the doctor, the dentist's office and there was an understanding that I would be paid.' Most Representatives and most estates like to avoid those situations. So, what I'm getting at is how much effort is required to notify a claimant who's going to file a claim that will result in a contest? That seems to be kind of a self defeating thing that is a step backward from the current law. And...I also like to know if the...what the position of the Illinois State Bar and Chicago Bar Association are on this Legislation?"

Countryman: "Well I can answer that second question first. It's the Chicago Bar Association's Bill. And for that reason, it was their draft. Matter of fact, I had a earlier version, I think it was House Bill 196, which I didn't even call in committee because this version was drafted better, in my judgment and I went with this version. To answer your other question is, if the executor is given some notice that this person has a potential claim then I think they have an obligation to mail. That's something which we haven't had in the law before, but The United States



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

39th Legislative Day

May 11, 1989

Supreme Court has said in this Tulsa creditor's case, of some nature, here. Tulsa Professional Collection Services versus Pope that we have an obligation to do that in order to have a constitutional bar that claim in a decedent's estate. And, you well know, I know you do, but for the other Members of the House that in...we want to probate estates in order to bar claims. This says that if you know that somebody potentially, has a claim then you have to mail, effectively, the same notice that's published in the paper to them. I don't think it's an unreasonable standard and I don't think it's something that isn't ascertainable and yeah, it might cause a few extra claims to be filed in the state but that's exactly, I guess why the Supreme Court ruled the way they did."

Dunn: "This is a U.S. Supreme Court case?"

Countryman: "Yes, it's Tulsa Professional Collection Services Incorporated versus Pope, 108 Supreme Court, 1340, decided in 1988."

Dunn: "Now if we're stuck with it, I guess we're stuck with it. But this will, certainly leave the door open. The door, for years and years has been shut as to claimants, who don't get a claim filed within the statutory period. This will, always, leave that door open a little crack for a claimant to come in and say I should have receive noticed at the threshold. It would have been reasonable to notify me. Now, you must consider my claim. I have some reservations about this Bill."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall House Bill 1713 pass?' All those in favor, vote 'aye', all those opposed, vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, take the record. On this Bill, there are 103 voting 'aye', 1 voting 'no', 1 voting

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

39th Legislative Day

May 11, 1989

'present', and House Bill 1713, having received the required Constitutional Majority is hereby declared passed. We want to go back to clear up one that was left on State and Local Government. Third Reading Bill. It's House Bill 1576 on Page 51 of the Calendar. Representative Hallock. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1576, a Bill for an Act in relationship to Coroners. Third Reading of the Bill."

Speaker Keane: "Thank you, Mr. Speaker, Members of the House. This Bill which is sponsored by The Illinois Coroners Association, it tries to eliminate the need for two lists of potential jurors with regard to coroners inquest. It's a good Bill. It passed the committee, 14 to 0. I would ask for your support."

Speaker Keane: "Any discussion on House Bill 1576. There being none, the question is, 'Shall House Bill 1576 pass? All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 110 voting 'aye', 0 voting 'no', 0 voting 'present', and House Bill 1576, having received the required Constitutional Majority is hereby declared passed. We will now go to Civil Law, the order of...the special Order of business, Civil law...Criminal Law 4:00 p.m. and we will do Second Reading Bills. Bills on Second Reading. House Bill 433, Representative Petka. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 433, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 648, Representative McCracken. Out of the record. House Bill 779, Representative Novak. Mr. Clerk, read the Bill."

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

39th Legislative Day

May 11, 1989

Clerk Leone: "House Bill 779, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is offered by Representative Michael Tate."

Speaker Keane: "Has Amendment #2 been printed and distributed? It has not. Take the Bill out of the record. House Bill 983, Representative Brunsvold. Out of...Representative Brunsvold, do you want to call House Bill 983? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 983, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Homer, on Amendment #2."

Homer: "Thank you, Mr. Speaker. This was an Amendment that was suggested in committee and what it does is to take an enhancement of a sentencing provision for escape with a dangerous weapon back to the penalty that's current law. The Bill would have increased it from a Class II to a Class I. The Judiciary Committee did not think that was warranted and so this Amendment would return that provision to current law. I don't think it's controversial and would move for its adoption."

Speaker Keane: "Any discussion on Amendment #2? There being none, the question is, 'Shall Amendment #2 be adopted?'"

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

39th Legislative Day

May 11, 1989

All in favor, say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. House Bill 1847, Representative Countryman. Mr. Clerk, read the Bill."

Clerk Leone: "On page 7 of the Calendar..."

Speaker Keane: "Out of the record. House Bill 1858, Representative Petka. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1858, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Johnson."

Johnson: "Yes, Mr. Speaker and Members of the House, this Amendment is one that's designed to tighten up the Bill a bit to address some of the concerns people had. It deals with approximate cause and deals with interjecting a negligence standard into the Bill. I think it's...in light of the overall mission, the Bill is relatively uncontroversial and I would move its adoption."

Speaker Keane: "Any discussion on Amendment #2? There being none, the question is, 'Shall Amendment #2 be adopted?' All those in favor, say 'aye', all those opposed, 'no'. The 'ayes' have it and Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. House Bill 1871, Representative Pullen. Out of the record. House Bill 1880, Representative Pullen. Mr. Clerk, read the Bill."

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

39th Legislative Day

May 11, 1989

Clerk Leone: "House Bill 1880, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 1882, Representative Regan. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1882, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Regan."

Regan: "Has the Amendment been printed and distributed, yet? Maybe we can save some time."

Speaker Keane: "It has been printed and distributed."

Regan: "Okay, Amendment #2 on House Bill 1882 is strictly to overcome some problems with one of the Members in Jud. II Committee and under their auspices, I had it drawn to solve the problem. I urge its passing."

Speaker Keane: "Is there any discussion on Floor Amendment #1? Any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #1 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. House Bill 1883, Representative Regan. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1883, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

39th Legislative Day

May 11, 1989

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. House Bill 1884, Representative Regan. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1884 on page 8 of the Calendar, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Regan, on Amendment #2."

Clerk Leone: "Thank you, Mr. Speaker, Members of the House. Amendment #2 strictly rewords the wording so that this package of Bills refers to the same way in each Bill and I urge its adoption."

Speaker Keane: "Representative McCracken."

McCracken: "What does this Bill do as amended? Ritual brutality? I love it. I'm all for it."

Speaker Keane: "Is there any further discussion on Amendment #2? There being no further discussion, the question is, 'Shall Amendment #2 to House Bill 1880 (sic-1884) be adopted?' All those in favor, say 'aye', all opposed, 'no'. The 'ayes' have it and Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #3 offered by Representative Regan."

Speaker Keane: "Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. Amendment #3 simply reworks the wording so it makes a little better sense and I urge its adoption."

Speaker Keane: "Is there any discussion on Amendment #3? There

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

39th Legislative Day

May 11, 1989

being no discussion, the question is, 'Shall Amendment #3 be adopted?' All in favor, say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #3 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. House Bill 2115, Representative Regan. 2115. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2115, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2693, Representative Stephens. Representative Stephens. Representative Stephens, House Bill 2693. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2693..."

Speaker Keane: "Mr...take it out of the record. On Criminal Law Third Reading, appears House Bill 189, Representative Young. Out of the record. House Bill 1503, Representative Countryman. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1503, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Keane: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill simply increases the penalty of reckless driving from a Class B Misdemeanor to a Class A Misdemeanor. Class B Misdemeanor is punishable by a fine of up to \$500, Class A Misdemeanor is punishable by a fine up to \$1,000 and up to one year in a county jail."

Speaker Keane: "Is there any further discussion on House Bill 1503? There being no further discussion, the question is,

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

39th Legislative Day

May 11, 1989

'Shall House Bill 1503 pass?' All in favor, vote 'aye', all opposed, vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 100 voting 'aye', none voting 'no', 6 voting 'present' and this Bill having received the required Constitutional Majority is hereby declared passed. We will now go to the order of business, Drug Enforcement and take Bills on Second Reading and move them to...for Amendment to Third. The first Bill on Drug Enforcement...order of Drug Enforcement is House Bill 58, Representative LeFlore. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 58, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 62, Representative Martinez. Representative Martinez. Out of the record. House Bill 95, Representative Davis. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 95, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Davis, on Floor Amendment 1."

Davis: "Thank you, Mr. Speaker. Amendment #1 simply states that a Board of Education with the approval of a principal can excuse the rule of having no beepers in a particular



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

39th Legislative Day

May 11, 1989

school. It gives the school board the right to have an excuse not to have that particular rule at that school. And that Amendment was requested by Helen Satterthwaite because some research groups use beepers with children and also some children use beepers for medical purposes and certainly the school board and the principal would be knowledgeable of that fact and therefore this Amendment would give them an ability to excuse the rule."

Speaker Keane: "Any further discussion on Amendment #1? There being none, the question is, 'Shall Amendment #1 be adopted?' All in favor, say 'aye', all opposed, 'no'. The 'ayes' have it and Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. House Bill 1360, Representative Santiago. Read the Bill."

Clerk O'Brien: "House Bill 1360, a Bill for an Act to create the offense of criminal drug conspiracy. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 1746, Representative Santiago. Read the Bill."

Clerk O'Brien: "House Bill 1746, a Bill for an Act to amend the Illinois Controlled Substance Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 1863, Representative Santiago. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1863, a Bill for an Act to amend the

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

39th Legislative Day

May 11, 1989

Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2313, Representative Santiago. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2313, a Bill for an Act to amend the Illinois Controlled Substance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. The next order is Order of Easements and Conveyances. We'll first take the...provide the Bills that are on Second Reading. On that order is House Bill 187, Representative Matijevich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 187, a Bill for an Act concerning transfer of property rights in Lake County by the state. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. This Amendment just merely says that the land would revert to the state if it was not to be used...if ever ceased to be used for public purposes. In other words, if the community decided to sell it at a large gain to the community, that would be a wrong thing to do since they're buying it for a dollar. Therefore, if it wasn't going to be used for public purposes, it would revert to the state. That's all the Amendment does."

Speaker Keane: "Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House,

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

39th Legislative Day

May 11, 1989

let me explain why I'm going to oppose this Amendment and all further Amendments. I've been negotiating with DCCA. The Bill started out as a Bill where I was trying to get property which is 160 acres and for 23 years, I believe, or 26 years, The Department of Transportation has not used it, nor will they use it. Originally, it was going to be for a realignment of Route 41 in the City of North Chicago. But, it's never going to be used for that purpose. And originally, the Bill was a means to try to get the property conveyed to the City of North Chicago. All that the City of North Chicago, through its Economic Development Commission, could afford was a million dollars. The property is worth a lot of money. And so, I've been...I've been negotiating with DCCA, and if we can negotiate with DOT, Amendment #7 is what I want and that will put...transfer the property from DOT to DCCA for the purposes of Economic Development. DCCA's in the business of economic development and I would appreciate if both sides of the aisle would resist all Amendments, adopt Amendment #7 and I'll continue to negotiate if Senator Geo-Karis is going to handle it in the Senate and we're going to try to get something. It just happens that this is in a school district of mine that, right now, in the last 8 years, has lost assessed evaluation. And, if we can develop that property, it could mean a lot to the school district and the City of North Chicago. And, I think...I sense that DCCA would...is in favor of this if they can negotiate with DOT. So, I'd appreciate, in fact, I would like to have her withdraw it, because it's going to be in the hands of the state for economic development. It's not going to go to the City of North Chicago."

Speaker Keane: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. The reason this Amendment was

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

39th Legislative Day

May 11, 1989

put on in the first place is that all of these others do have a reverter clause and there was no reason not to have it here. Also we had heard, as IDOT had heard, that this was going to be used for economic development even though it was being transferred for one dollar. IDOT says the land is worth probably 3 and 1/2 million and the most important part is IDOT not only still wants it, they need it. They know that they will be using this land in the future and they'd still like to have it, which is the reason they want to transfer or the Sponsor would like to transfer it from IDOT to DCCA. Because IDOT then will have no control over it, but they say they still need the land and they will be using it in the future. I would still...I don't mind withdrawing this Amendment, but I think this whole issue has to be discussed and I would ask the Sponsor of the Bill if I withdraw this Amendment, what is it he intends to do with it down the line?"

Speaker Keane: "Representative Matijeovich."

Matijeovich: "Well, I thought I made that clear. If we can't reach that agreement between IDOT and DCCA, I don't have a Bill, then. But, my intent is to transfer to DCCA for economic development. We've got to get DCCA to go along with it. You know, if not, let's face it, Governor Thompson would veto it and I'm not...I promise you I will not override a veto. We've got to negotiate the whole thing, but, surely, we don't need a reverter clause if we accept Amendment 7, because there's nothing to revert."

Parcells: "Well Amendment 7 is the Amendment that gives it to DCCA from IDOT. I think that's a terrible mistake at this time if they're in negotiations. I think we ought to hold this off until the negotiations are done, because, from what I hear, IDOT is still opposed to giving up this land that is rightfully theirs."

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

39th Legislative Day

May 11, 1989

Matijevich: "I promise you I will continue to negotiate. I've always been a person of my word. Every Bill I've ever had and Adeline...Senator Geo-Karis, rather, is going to negotiate too. If we can't...we can't negotiate, we won't have a Bill."

Parcells: "Well, then...but, you still want this dollar price tag?"

Matijevich: "Oh no, that's out of it. North Chicago gets nothing, nothing. North Chicago is out of the Bill with Amendment 7."

Parcells: "This land would then...the state would get, if in fact IDOT says 'yes we'll give it up', then North Chicago would pay the 3 1/2 million dollars?"

Matijevich: "Then...no, North Chicago is out of it. Then the state is going to be in the business of economic development of this property. In other words, it's vacant property, it's not being used for anything, it's not going to be used for anything and it's prime for economic development. And, I will...North Chicago will be completely out of it. There will be no conveyance to the City of North Chicago. It will be in DCCA."

Parcells: "Oh, so you're changing the whole Bill then?"

Matijevich: "Yes, yes."

Parcells: "Well that makes sense, except that I think that IDOT has informed me and maybe they've changed their mind in the meantime, but they informed me that they still want that property. That they're not going to use it tomorrow or next week, but they do have plans for it in the future and they don't want to give it up, even though, in fact, it would be very fine for economic development."

Matijevich: "They haven't used it for 26 years and I can't see them using it at all."

Speaker Keane: "Representative Parcells, what is your wish?"

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

39th Legislative Day

May 11, 1989

Parcells: "I'd just as soon vote on it in case Amendment #7 is not adopted, then we...I don't think we should be giving it away for a dollar without a reverter clause."

Matijevich: "Well...I don't like to dialogue..."

Speaker Keane: "Representative, Represent...yes, Representative Matijevich"

Matijevich: "I never like to dialogue...but if Amendment #7 is adopted, there's no such thing as a reverter clause. It will be adopted. All you have to do is get a majority..."

Parcells: "Alright, I'll withdraw Amendment #1."

Speaker Keane: "Amendment #1 is withdrawn. Any further Amendments?"

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

Speaker Keane: "Representative Stephens. Out of the...take it out of the record. It's withdrawn. Any further Amendments?"

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

Speaker Keane: "Representative Parc...withdraw Amendment #3."

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

Speaker Keane: "Withdraw Amendment #4."

Clerk O'Brien: "Floor Amendment #5, offered by Representative Stephens."

Speaker Keane: "Representative Stephens, on Amendment #5."

Stephens: "Thank you, Mr. Speaker. Amendment 5 provides that the property will be conveyed to the City of North Chicago for the fair appraised value of the property as determined by IDOT. And my question John, I'd appreciate your response on this, I have not read and I apologize, Amendment 7. And would you please tell us...could you please tell me that...would Amendment 7, that you say will be adopted,

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

39th Legislative Day

May 11, 1989

cover this issue?"

Matijevich: "Yes and under Amendment 7 the property won't be conveyed to the City of North Chicago. So, we don't need that Amendment either. He's showing you the Amendment. It will now be transferred from DOT to DCCA for the purpose of economic development. But DCCA, still, is holding out and we're trying to negotiate. I think, in the end, DCCA will realize this is property that should be developed."

Stephens: "Okay, John I don't...I don't want to debate Amendment 7 before we get to it, but I understand that IDOT still is not in the position to concur with that Amendment. I would withdraw Amendment 5 and maybe we can discuss this a little bit more when your Amendment comes up."

Speaker Keane: "Amendment #5 is withdrawn. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Matijevich."

Speaker Keane: "Representative Matijevich."

Matijevich: "This one, I withdraw too. This is the one where I was going to..."

Speaker Keane: "Alright, withdraw Amendment #6. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Matijevich."

Speaker Keane: "Representative Matijevich."

Matijevich: "Thank you. I would move to adopt Amendment 7 which, now, becomes the Bill. This would provide that the trans...transfer the 160 acres in question, be transferred from the Department of Transportation to DCCA for the purposes of economic development and I'd appreciate your support on the adoption of the Amendment."

Speaker Keane: "Any discussion on Amendment #7? If not, the...Representative Parcels."

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

39th Legislative Day

May 11, 1989

Parcells: "I would just like to ask the presenter of the Amendment, one more time, have you talked to IDOT, lately? As of yesterday, I was told they still want the property."

Matijevich: "Yes, that doesn't surprise me. DCCA, I believe, has approached DOT and DCCA...I told DCCA I thought I should go ahead with the Amendment because of time problems. DCCA seemed very interested, but they didn't want to, naturally, be in the position of going against DOT. So, as I said, I think we will still have to talk to DOT. But, without moving with the Bill, I don't want to hold the Bill up, I think, eventually, DOT's going to realize this property will never be used for that purpose, never. And so, why not put it into economic development."

Parcells: "Well, your idea of economic development, of course, is excellent if IDOT doesn't want it. But my understanding, IDOT also uses this for flood control, right now. They said it's very important for flood control. But, let me see if I understand you correctly, because I don't want to object to your Amendment. I have the greatest respect for you. But your intention is, if IDOT says 'we want that land, we're going to use it, we need it'. That you're not going to move the Bill?"

Matijevich: "Well, I'm going to try to pass the Bill, but then it goes to the Senate. But, as I said, if the eventuality is that DOT is still stubborn then we can't move the Bill. But, we think that IDOT will be making a big mistake. That property was not purchased for flood control. It's in my backyard. I know it was purchased to put a realignment of Route 41, which never came about and never will come about."

Parcells: "Yes, but they do intend to use it and their engineers say it is flood control and I would just hate to take something away from that department against their will at



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

39th Legislative Day

May 11, 1989

this point. And, I suppose, but...for that reason I'd have to either object to the Amendment or ask you to hold it on Third until they have come to an agreement."

Matijevich: "No I'm not going to hold it. I'm...Senator Geo-Karis and I are still going to negotiate it. That's been done here before. Everybody does it. Why can't we?"

Speaker Keane: "Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. Representative you talk about the use of this land for economic development and I think that that's probably something that we ought to consider, favorably. I think that this Amendment is something that some of us ought to consider supporting, because there are public lands held around the state and I know in my district we've got some acreage in the City of Maryville that we are very interested in. Making sure that everybody wins, is what we're concerned with. And what I call everybody winning is, the proper use of the land, the state not losing dollars and the possibility and, maybe, the probability of some private enterprise economic development which could the benefit people of the state and the people of your area. And I hope that when these other Bills come up, that maybe you'll look favorably. And, so I rise in support of this Amendment."

Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker. The previous speaker said pretty much what I had asked to address the Body on and that is that, I think, the Representative has a good Amendment and a good Bill. Now, I know there are problems with it on this side of the aisle and maybe on the other side as well. But, I think everyone in this Chamber, regardless of what side of the aisle that you sit, needs to address this issue. For example, I've talked to John. I know he's a man of his word. We talked just last night.

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

39th Legislative Day

May 11, 1989

How many thousands of acres in the State of Illinois are owned by various and a sundry state agencies and off the tax rolls. I don't know that we can even hazard a guess at how many thousands of acres are off the tax rolls and owned by one agency or another. I'd like to see that report. John and I have talked about it. I think we need to see that report. And is that land owned by those state agencies is that the highest and best use of the land? I think the Gentleman has a good Amendment. I think he has a good Bill. I think it's more than that. I think it's a concept that this General Assembly needs to look into and I certainly intend to support the Gentleman's Amendment and Bill."

Speaker Keane: "The question is, 'Shall Amendment #7 to House Bill 187 be adopted?' All those in favor, say 'aye', all opposed, 'no'. The 'ayes' have it and Amendment #7 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. House Bill 26...there's been a request for a fiscal note filed. Representative Matijevich, there's been a request for a fiscal note filed and the Bill will remain on Second committee...on Second Reading. Representative Matijevich."

Matijevich: "I would move that the Fiscal Note Act does not apply. There's no fiscal impact, now, on the Bill. So, I would move..."

Speaker Keane: "Alright, the Gentleman has moved that the Fiscal Note Act does not apply because of the Amendment #7. All those in favor of the Motion, vote 'aye'...Representative McCracken."

McCracken: "Thank you. I suppose that's a good point, because it's not going from one local or one entity to another in the sense that a different level of government is going to

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

39th Legislative Day

May 11, 1989

be owning the property. But the whole point of the Amendment was to avoid the issue. It's just putting off the day of reckoning. What I'd like to do by means of the fiscal note is determine how much we're talking about. And by that I mean this, is it 3 1/2 dollars million that we're talking about? This Bill, as amended by #7, may not immediately have the effect of causing a conveyance. But certainly the whole intention of Amendment #7 is to avoid IDOT's intransigence on this issue. IDOT doesn't want to give up the property. They don't want to sell the property. By conveying jurisdiction to another branch, which may be amenable to the idea, what he seeks to do, eventually, is to have that property used for a purpose IDOT doesn't want. I would just like to know how much is the property worth? How much are we talking about? And that's the purpose of the fiscal note. So, I rise in opposition to the Motion."

Speaker Keane: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I think the question of a fiscal note, in this case, is totally inapplicable. Only because, the Fiscal Note Act is intended to deal with the legislation as written. If we, in the Legislature wish to know how much the land is worth, how much the property may be sold for if in fact, it would be sold for in the free market. The procedure in the Legislature which is already provided for in the rules is to provide for an appraisal at such time that this property would be transferred to the local unit of government. However, because it's not happening, we're transferring it from one jurisdiction to another, not only are appraisals unnecessary, but use of a fiscal note at this point is just not necessary either. And Representative Matijevich has a good point."

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

39th Legislative Day

May 11, 1989

Speaker Keane: "The Motion is that the fiscal note does not apply. All those in favor of the Motion, say 'aye', all opposed...Representative Kubik...all those opposed, say 'no' and the Motion is adopted. Third Reading Representative Johnson on House Bill 2664. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2664, a Bill for an Act relating to state property. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Johnson."

Johnson: "This is a Amendment that I agreed to put on my Bill at the request of the Department of Central Management Services. It expands entities eligible to participate in surplus property program to include educational and charitable groups. I move its adoption."

Speaker Keane: "Any discussion on Amendment #1? There being none, the question is, 'Shall Amendment #1 be adopted?' All in favor, say 'aye', all opposed, 'no'. The 'ayes' have it and Amendment #1 is adopted. Any further Amendments?"

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

Speaker Keane: "Representative Johnson."

Johnson: "Thank you, Mr. Speaker. This Amendment allows that department to exchange a parcel of real estate owned by the state and leased to a private party for a similar parcel, located in a parking lot serving the B.D. Hunter Building at Second and Cook in Springfield. This is also at the request of CMS."

Speaker Keane: "Any discussion on Amendment #2? There being

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

39th Legislative Day

May 11, 1989

none, the question is, 'Shall Amendment #2 be adopted?'

All in favor, say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #2 is adopted. Any further Amendments?"

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

Speaker Keane: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #3 is a piece of legislation that Representative...former Representative O'Connell has handled in the past and what the Bill...what the Amendment basically does is allow that if there are any artifacts on public land that those artifacts would revert to the Department of Historic Preservation. I move the adoption of Amendment #3."

Speaker Keane: "Is there any discussion on Amendment #3? There being none, the question is, 'Shall Amendment #3 be adopted?' All in favor, say 'aye', all opposed, 'no'. The 'ayes' have it and Amendment #3 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. We will now go back to Drug Enforcement, the order of Drug Enforcement and House Bill 62 on page...Calendar page 18, Representative Martinez. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 62, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. We will now go to Easements and Conveyances, House Bills Third Reading. House Bill 1136,

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

39th Legislative Day

May 11, 1989

Representative Giglio. Representative Giglio. Out of the record. House Bill 1789, Representative Stephens. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1789, a Bill for an Act in relation to transfers of various property rights. Third Reading of the Bill."

Speaker Keane: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. A few years ago, we sold to the...the State of Illinois sold to the City of Maryville in Madison County some acreage and for use as they saw fit. And they have...it has a reverter clause in it and they've...the city has asked me to put this...a portion of this land in a position that if they wanted to sell a certain amount of acreage, about 3 acres along Interstate...excuse me, Highway 159, that they would be allowed to do so and the entire proceeds from that sale and it would be a sale that would...at the fair market value, that those proceeds would then revert to the state. But the portion that they did not sell, that they could leave as a little league baseball park as they have developed it to this date. And so, I would be glad to answer any questions. I think it's a good Bill. As I mentioned earlier, a Bill where the state wins, the city wins and there's a chance for some economic development which is good for all. So it's a win, win situation and I would move for the Bill's passage."

Speaker Keane: "Is there any debate on House Bill 1789?  
Representative McPike."

McPike: "Does the Gentleman yield?"

Speaker Keane: "He indicates he will."

McPike: "Who owns the land now?"

Stephens: "The City of Maryville."

McPike: "And they're just...you're just requesting that they

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

39th Legislative Day

May 11, 1989

convey this land to a private developer?"

Stephens: "That's all this does. What this would do Representative is allow them to sell a portion of it, if they choose, by a vote of their city council, to a private developer for a fair market value and that that...the proceeds of that sale would come to the Treasury of the State of Illinois."

McPike: "The proceeds of this sale would come to the state?"

Stephens: "Yes, Sir, we think that that's fair."

McPike: "The village now owns it?"

Stephens: "Yes, Sir."

McPike: "Yeah, why do we need legislation to allow the village to sell their own property?"

Stephens: "Because we conveyed it to them for the price of one dollar."

McPike: "Oh I see."

Stephens: "About 2 years ago."

McPike: "Oh I see, the state conveyed it...I see. And the money's going to come back to us?"

Stephens: "Yes, Sir."

Speaker Keane: "Any further discussion? If not the question is, 'Shall House Bill 1789 pass?' All in favor...all those in favor, vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this Bill, there are 107 voting 'yes', none voting 'no', none voting 'present' and House Bill 1789, having received the required Constitutional Majority is hereby declared passed. House Bill 1865, Representative Petka. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1865, a Bill for an Act concerning Will County. Third Reading of the Bill."

Speaker Keane: "Representative Petka."

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

39th Legislative Day

May 11, 1989

Petka: "Thank you, Mr...thank you, Mr. Speaker, Members of the House. House Bill 1865 seeks to have a conveyance of an easement back from the Department of Transportation back to an individual land owner. In the 1930's, the Department of Transportation when it was building Illinois Route 59, obtained a cite easement for the amount of one dollar. The Department of Transportation no longer needs such a cite easement in order for this local development of land to occur, at the intersection of Route 52 and Route 59. A release of the cite easement has been suggested by the Department of Transportation in consideration for one dollar. I move for passage of the Bill and I would be happy to answer any questions."

Speaker Keane: "Is there any discussion on House Bill 1865? There being none the question is, 'Shall House Bill 1865 pass?' All those in favor, vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this Bill, there are 106 voting 'aye', none voting 'no', none voting 'present' and House Bill 1865 having received the required Constitutional Majority is hereby declared passed. We will proceed from the beginning of the Special Calendars and consider Bills that have been taken out of the record earlier today. Representative Breslin, in the Chair."

Speaker Breslin: "Okay, Ladies and Gentlemen, we're going to run through this list one more time from the top and pickup Bills that did not get called on the Special Order. So, go back to your first...go back to your first page that deals with Special Orders. We'll try to do it as quickly as possible and in an orderly fashion pick up Sponsors that may have been passed over. On the Special Order of Government Administration appears House Bill 34,



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

39th Legislative Day

May 11, 1989

Representative Hicks-Cullerton. Out of the record. House Bill 38, Representative Young. Out of the record. House Bill 165, Representative Granberg. Mr. Granberg. Out of the record. House Bill 494, Representative Balanoff. Out of the record. House Bill 1194, Representative Keane. House Bill 1200, Representative Churchill. Out of the record. House Bill 1497, Representative Harris. Mr. Harris. Representative Harris, you're not here now, but do you want to call this Bill? It's on Second. Has it...read the Bill, Mr. Clerk.'

Clerk O'Brien: "House Bill 1497..."

Speaker Breslin: "Representative Harris, it has already been done and is not marked on this Calendar. The next Bill is House Bill 1990. Out of the record. House Bill 2106. Out of the record. House Bill 2160, Representative McPike. Clerk read the Bill."

Clerk O'Brien: "House Bill 2160, a Bill for an Act to amend an Act in relation to Chicago Park District. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker Breslin: "Do you want it moved to Third? Move it to Third Reading, Mr. Clerk. House Bill 2375, Representative Giorgi. Representative Giorgi has a whole series of Bills here. Is the Gentleman in the chamber? Out of the record. We'll go up to Representative McPike's Bill. House Bill 2674, Representative McPike, you want to call this Bill? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2674, a Bill for an Act to amend an Act in relation to the Chicago Park District. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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

39th Legislative Day

May 11, 1989

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker Breslin: "Third Reading. Ladies and Gentlemen, we'll now go to the Special Order on State and Local Government. Those Bills appearing on Second Reading. First Bill, House Bill 103, Representative Saltsman. Clerk, read the Bill."

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

Speaker Breslin: "Representative Saltsman, what's your pleasure?"

Saltsman: "Madam Speaker, I wonder if Representative McCracken can waive the Mandates Act. Hold it over."

Speaker Breslin: "Okay, out of the record. House Bill 211, Representative McNamara. Clerk, read the Bill."

Clerk O'Brien: "House Bill 211, a Bill for an Act in relation to financial planning. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. This Bill has been read a Second time, previously, and Amendment #1 was filed."

Speaker Breslin: "There's a request for a fiscal note, Representative McNamara. Have you filed that yet? You're supposed to have that, Mr. Clerk, according to the Sponsor. Representative McNamara did you, file a fiscal note? Out of the record. House Bill 413, Representative Johnson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 413, a Bill for an Act to amend the AIDS Confidentiality Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 509, Representative Ryder. Representative Ryder. Out of the record. House Bill 744, Representative Pullen. Representative Pullen. Out of the record. House Bill 757, Representative Countryman. Out of the record. House Bill 762,

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

39th Legislative Day

May 11, 1989

Representative Hannig. Clerk, read the Bill."

Clerk O'Brien: "House Bill 762, a Bill for an Act to amend the Illinois Purchasing Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Representative Hannig there is a request for a fiscal note on this Bill, so the Bill remains on the order of Second Reading. The next Bill is House Bill 1043, Representative McAuliffe. Representative McAuliffe. Out of the record or you gonna call this Bill? Out of the record. House Bill 1435, Representative Hasara. Out of the record. House Bill 1553, Representative Wojcik. Out of the record. We'll go back, now, to those Bills on the order of Third Reading. If you want to call your Bill be prepared. The first Bill is House Bill 274, Representative Johnson. Mr. Johnson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 274..."

Speaker Breslin: "Representative Johnson."

Johnson: "This is a Bill I addressed yesterday. It's one of the more boring issues that's before the General Assembly."

Clerk O'Brien: "A Bill for an Act to amend the Illinois Drainage Code. Third Reading of the Bill."

Johnson: "See, Jack doesn't even want to hear it. Sorry Jack."

Speaker Breslin: "Go ahead, Representative Johnson."

Johnson: "I don't blame him, I'd rather hear him read off numbers than reexplain this Bill. But this isn't a significant Bill, I don't mean to make light of it. Countryman's light's going on, so I'm going to take it out of the record. Actually this Bill, simply, is an Illinois State Bar Association Bill. It makes technical and I think noncontroversial changes in the Drainage Code and brings it up to the recommendations of the appropriate sections of

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

39th Legislative Day

May 11, 1989

the Illinois State Bar Association respecting that. The head of that is probably the leading expert in the state in the area of drainage laws with a firm in Champaign-Urbana and she had asked that I be one of the Sponsors of this Bill and I would ask for your support. Oh, there's an Amendment that I would ask that it be returned to Second for purposes of an Amendment by Representative Giorgi."

Speaker Breslin: "You heard the Gentleman's request. Does he have leave? Hearing no objection, he has leave. Are there any Amendments filed Mr. Clerk?"

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

Speaker Breslin: "Representative Johnson."

Johnson: "This is an Amendment that is a Technical Amendment, recommended by the Bar Association to bring this up to cure some of the technical deficiencies that the staff saw."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 1 to House Bill 274. Does anyone rise in opposition? Representative Countryman."

Countryman: "No, I want to talk on the Bill."

Speaker Breslin: "Representative Giorgi on the Amendment. Representative Giorgi."

Giorgi: "Only to support Johnson's Motion for the Amendment and for the Bill."

Speaker Breslin: "Very good. The question is, 'Shall Amendment 1 be adopted?' All those in favor, say 'aye', opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Johnson now asks leave for immediate consideration of this Bill amended the same day. Does he have leave? Hearing no objection, by

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

39th Legislative Day

May 11, 1989

use of the Attendance Roll Call, he has leave. You've heard what the Bill does are there any questions on the Bill? Representative Countryman."

Countryman: "Well, I just want to point out, Representative Johnson's telling me not to ask anything up here, but this Bill changes the current method of appointment of drainage commissioners who are now appointed by the Circuit Court to the County Board. And I just think people ought to be aware that. If you're a downstate Legislator such as I, we have a lot of drainage districts and there are a couple of things I found out since I've been practicing law and been in the Legislature. And there's a...there are things that people don't settle easily and...one of them is drainage disputes if you're farmer and they're important matters. So, I think it's important for this Body to know and recognize that this Bill changes the manner of appointment away from the Circuit Court and to the County Board which could throw it into some highly political situations. And for that reason, I don't plan to support the Bill."

Speaker Breslin: "Representative Johnson to close."

Johnson: "I didn't think I could give a very good address as to why this Bill should pass, but Representative Countryman's given me that. I think probably most people here believe that the County Board who reflects the will of the people, probably would do a better job of making those appointments and the circuit judges who are immune from the political process and immune from the scrutiny of the voters would and I would suggest that that's a particularly good reason to vote for what was otherwise a fairly noncontroversial, but significant Bill in the area of drainage law. And for those reasons and for the reasons that Representative Countryman gave me, I would ask for your favorable vote."

Speaker Breslin: "The question is, 'Shall House Bill 274 pass?'"

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

39th Legislative Day

May 11, 1989

All those in favor, vote 'aye', all those opposed, vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 101 voting 'aye', 7 voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 575, Representative Wennlund. Clerk read the Bill."

Clerk O'Brien: "House Bill 575, a Bill for an Act to amend an Act to revise the law in relation to counties. Third Reading of the Bill."

Speaker Breslin: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. Is Representative Keane on the floor?"

Speaker Breslin: "He's not."

Wennlund: "Pull it out of the record."

Speaker Breslin: "Out of the record. House Bill 1553, Representative Wojcik. Out of the record. House Bill 1576, Representative Hallock. Do you want to call this Bill? This Bills on Third Reading. We passed it already, okay. Representative Giorgi did you ever request to go back to your Bill's on the previous order. No, okay. Then, now, we're going to move...oh, we have one Bill here, 1338, Representative Hannig's Bill. Mr. Clerk, has the fiscal note been filed on that Bill? 1338. You indicated that it hadn't been filed yet, but the Sponsor says he filed it today."

Clerk O'Brien: "The fiscal note is filed on House Bill 1338."

Speaker Breslin: "Okay, then I'll call that Bill, Mr. Clerk. House Bill 1338."

Clerk O'Brien: "House Bill 1338, a Bill for an Act in relation to the purchase of food by state agencies. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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

39th Legislative Day

May 11, 1989

Clerk O'Brien: "No Motions filed. Floor Amendment...the Calendar's in error, there was not a Amendment adopted in committee. Floor Amendment #1, offered by Representative Ropp."

Speaker Breslin: "Representative Ropp. Is the Gentleman in the chamber? Representative Ropp. The Gentleman is not in the chamber. Representative Hannig, what is your pleasure? Representative Hannig."

Hannig: "Yes, I would move to table Amendment...that Amendment."

Speaker Breslin: "The Gentleman has moved to table Amendment #1 to House Bill 1338. On the question, is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be tabled?' All those in favor, say 'aye', opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is tabled. Are there any further Amendments?"

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

Speaker Breslin: "Representative Ropp. The Gentleman is not in the chamber. Representative Hannig, what is your pleasure?"

Hannig: "Could we table this Amendment as well?"

Speaker Breslin: "The Gentleman moves to table Amendment #2. On the question, the Gentleman from Dupage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. Has a fiscal note been filed on this yet?"

Speaker Breslin: "Mr. Clerk, has the fiscal note been filed?"

Clerk O'Brien: "Fiscal note is filed."

Speaker Breslin: "It is filed, Sir."

McCracken: "Alright, thank you."

Speaker Breslin: "You've heard the Gentlemans Motion to table Amendment 2. All those in favor, say 'aye', all those

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

39th Legislative Day

May 11, 1989

opposed, say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is tabled. Are there any further Amendments?"

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

Speaker Breslin: "Representative Ropp. He's not in the chamber. Representative Hannig what is your pleasure? The Gentleman moves to table Amendment #3. Is there any discussion? Hearing none, the question is, 'Shall Amendment 3 be tabled?' All those in favor, say 'aye', opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is tabled. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. We'll now move to State and Local Government Special Order. The first Bill is House Bill 2005, Representative William Peterson. Do you wish to call this Bill? Out of the record. House Bill 2006, Representative Peterson. Out of the record. House Bill 2031, out of the record. Okay, we'll go back, then, to the Bills that are Third Reading on this order. The first Bill is Myron Olson's Bill. Is he here? Myron. Representative Olson. House Bill 8...excuse me, that Bill has already passed. House Bill 1966, Representative Black. Clerk, read the Bill. Out of the record. House Bill 1978, Representative McCracken. Out of the record. House Bill 2035, Representative Parcells. Have we passed that Bill Mr. Clerk? It's not recorded on my Calendar, if we have."

Clerk O'Brien: "Yes we have."

Speaker Breslin: "Okay, we have passed it. House Bill 2123, Representative Parke. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2123, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Speaker Breslin: "Representative Parke."



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

39th Legislative Day

May 11, 1989

Parke: "This Bill, 2123, allows management personnel to make suggestions and receive recognition. This is a...but to not receive monetary awards. This is on a Bill, it relates to the Employee Award Suggestion Bill to protect confidentiality of information shared with this board so that no one who makes the suggestions can be prosecuted. This is to protect the confidentiality of the information shared with the board."

Speaker Breslin: "The Gentleman has moved to pass House Bill 2123. On the question, is there any discussion? This Bill is on Short Debate. Does anyone rise in opposition? Hearing...Representative Williams has a question. Proceed, Representative Williams."

Williams: "Yes, I just wanted to know, have you talked to AFSCME or any of the other groups that may be affected by this Bill? Would this affect AFSCME or would it affect any employee's unions or rights as it involves their...cause I'm not quite certain exactly what you're trying to do as it involves the...other a non-AFSCME oriented sort of employees?"

Parke: "This would not affect AFSCME. The union initiative on this does not apply."

Williams: "Okay, thank you."

Speaker Breslin: "The question is, 'Shall House Bill 2123 pass?' All those in favor, vote 'aye', all those opposed, vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this question there are 110 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority is hereby declared passed. House Bill 1899 appears on this order, Representative Didrickson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1899, a Bill for an Act to amend the

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

39th Legislative Day

May 11, 1989

Asbestos Abatement Act. Second Reading of the Bill.

Amendment #1 was adopted in committee."

Speaker Breslin: "Are there any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker Breslin: "Third Reading. Agreed Resolutions. A much better response than when I took over."

Clerk O'Brien: "House Joint Resolution 44, offered by Representative Peterson. House Joint Resolution 46, Kubik. House Joint Resolution 47, Kubik. House Joint Resolution 48, Kubik. House Joint Resolution 49, Kubik. House Resolution 434, Johnson. 436, Weller. 438, Stephens. 439, Hicks. 440, Wyvetter Younger. 441, Steczo. 442, Kubik. 443, Ryder. 444, Didrickson and 445, Black."

Speaker Breslin: "Representative Matijevich moves the adoption of the Agreed Resolutions. All those in favor, say 'aye', opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it and the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 45, offered by Representative Curran."

Speaker Breslin: "Committee on Assignments. Death Resolutions."

Clerk O'Brien: "House Resolution 435, offered by Representative Zickus, with respect to the memory of Gus J. Spero. House Resolution 437, offered by Representative Martinez, with respect to the memory of Frank Morado Sr."

Speaker Breslin: "Representative Matijevich moves the adoption of the Death Resolutions. All those in favor, say 'aye', opposed, 'nay'. In the opinion of the Chair the 'ayes' have it and the Death Resolution is adopted. Corrected Committee Report."

Clerk O'Brien: "House Bill 2144 was recorded out of the Committee on Appropriations in error. The Bills on the Calendar on the Order of Second Reading."

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

39th Legislative Day

May 11, 1989

Speaker Breslin: "Representative Parke, for what reason do you seek recognition?"

Parke: "Thank you, Madam Speaker. I was off the floor when House Bill 1713 was called inadvertently. I did not get a chance to vote on it. Would the record show that I would have voted 'yes' on House Bill 1713? Thank you."

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

Piel: "Could I ask a question, Madam Speaker? I just heard a changed Committee Report. Could the Clerk give that Committee Report back to us one more time? Or what was just said in reference to a...he said there was a Committee Report that was changed."

Speaker Breslin: "It's already left the position of...the possession of the Clerk. We'll try to get it back. Come to the well and they'll have a copy of it for you."

Piel: "Is it an amended Committee Report?"

Clerk O'Brien: "It was a Corrected Committee Report. John has one back there, a copy of it."

Piel: "John who, I've got one John in front of me and one behind me? Which..."

Clerk O'Brien: "John Arthur. I understand the Bill wasn't in Appropriations Committee and it was...the number was mistakenly included."

Piel: "Okay, fine. Thank you very much."

Speaker Breslin: "There being no further business to come before this House, Representative McPike moves that the House stand adjourned until 9:00 o'clock tomorrow morning. Nine o'clock tomorrow morning. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and this House stands adjourned until 9:00 o'clock. Excuse me, Ladies and Gentlemen there might be a correction on our starting time tomorrow, so you might want to wait a

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

39th Legislative Day

May 11, 1989

minute. You might get to sleep in an extra half hour.  
Nope, no change, 9:00 o'clock. Nine to three, but if you  
do your work well, we'll be out by three."

STATE OF ILLINOIS  
86TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 11, 1989

HB-0018	SECOND READING	PAGE	123
HB-0034	SECOND READING	PAGE	13
HB-0034	OUT OF RECORD	PAGE	176
HB-0037	SECOND READING	PAGE	125
HB-0040	SECOND READING	PAGE	13
HB-0058	SECOND READING	PAGE	160
HB-0062	SECOND READING	PAGE	173
HB-0075	MOTION	PAGE	12
HB-0095	SECOND READING	PAGE	160
HB-0103	SECOND READING	PAGE	74
HB-0103	OUT OF RECORD	PAGE	178
HB-0156	SECOND READING	PAGE	74
HB-0187	SECOND READING	PAGE	162
HB-0211	SECOND READING	PAGE	178
HB-0274	THIRD READING	PAGE	179
HB-0413	SECOND READING	PAGE	178
HB-0433	SECOND READING	PAGE	154
HB-0515	SECOND READING	PAGE	44
HB-0575	THIRD READING	PAGE	90
HB-0575	THIRD READING	PAGE	182
HB-0576	SECOND READING	PAGE	75
HB-0594	HELD ON SECOND	PAGE	3
HB-0594	MOTION	PAGE	4
HB-0611	SECOND READING	PAGE	124
HB-0729	SECOND READING	PAGE	75
HB-0762	SECOND READING	PAGE	179
HB-0776	THIRD READING	PAGE	146
HB-0779	SECOND READING	PAGE	155
HB-0875	THIRD READING	PAGE	92
HB-0890	SECOND READING	PAGE	45
HB-0962	THIRD READING	PAGE	93
HB-0963	SECOND READING	PAGE	76
HB-0977	SECOND READING	PAGE	79
HB-0977	MOTION	PAGE	78
HB-0983	SECOND READING	PAGE	155
HB-1042	THIRD READING	PAGE	100
HB-1107	SECOND READING	PAGE	124
HB-1136	OUT OF RECORD	PAGE	173
HB-1153	THIRD READING	PAGE	99
HB-1158	SECOND READING	PAGE	78
HB-1159	THIRD READING	PAGE	10
HB-1164	THIRD READING	PAGE	108
HB-1164	MOTION	PAGE	114
HB-1191	SECOND READING	PAGE	65
HB-1191	SECOND READING	PAGE	68
HB-1192	SECOND READING	PAGE	67
HB-1192	MOTION	PAGE	65
HB-1207	THIRD READING	PAGE	109
HB-1217	SECOND READING	PAGE	45
HB-1218	SECOND READING	PAGE	45
HB-1224	THIRD READING	PAGE	109
HB-1261	THIRD READING	PAGE	110
HB-1305	THIRD READING	PAGE	113
HB-1312	THIRD READING	PAGE	113
HB-1338	SECOND READING	PAGE	182
HB-1338	OUT OF RECORD	PAGE	79
HB-1349	THIRD READING	PAGE	115
HB-1360	SECOND READING	PAGE	161
HB-1401	THIRD READING	PAGE	116
HB-1428	SECOND READING	PAGE	79
HB-1429	SECOND READING	PAGE	79
HB-1434	SECOND READING	PAGE	80
HB-1435	OUT OF RECORD	PAGE	179
HB-1476	SECOND READING	PAGE	45

STATE OF ILLINOIS  
86TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 11, 1989

HB-1479	THIRD READING	PAGE	117
HB-1489	SECOND READING	PAGE	125
HB-1497	SECOND READING	PAGE	70
HB-1503	THIRD READING	PAGE	159
HB-1567	THIRD READING	PAGE	118
HB-1576	THIRD READING	PAGE	154
HB-1579	SECOND READING	PAGE	81
HB-1621	SECOND READING	PAGE	46
HB-1674	THIRD READING	PAGE	119
HB-1713	THIRD READING	PAGE	150
HB-1732	HELD ON SECOND	PAGE	4
HB-1745	SECOND READING	PAGE	123
HB-1746	SECOND READING	PAGE	161
HB-1764	THIRD READING	PAGE	147
HB-1774	HELD ON SECOND	PAGE	5
HB-1777	THIRD READING	PAGE	148
HB-1789	THIRD READING	PAGE	174
HB-1847	OUT OF RECORD	PAGE	156
HB-1858	SECOND READING	PAGE	156
HB-1863	SECOND READING	PAGE	161
HB-1865	THIRD READING	PAGE	175
HB-1866	SECOND READING	PAGE	81
HB-1868	SECOND READING	PAGE	81
HB-1873	SECOND READING	PAGE	81
HB-1879	SECOND READING	PAGE	81
HB-1880	SECOND READING	PAGE	157
HB-1881	THIRD READING	PAGE	148
HB-1882	SECOND READING	PAGE	157
HB-1883	SECOND READING	PAGE	157
HB-1884	SECOND READING	PAGE	158
HB-1889	SECOND READING	PAGE	82
HB-1896	SECOND READING	PAGE	83
HB-1896	THIRD READING	PAGE	120
HB-1899	SECOND READING	PAGE	185
HB-1944	SECOND READING	PAGE	123
HB-1964	SECOND READING	PAGE	82
HB-1990	SECOND READING	PAGE	47
HB-1990	OUT OF RECORD	PAGE	177
HB-2032	SECOND READING	PAGE	123
HB-2035	THIRD READING	PAGE	120
HB-2061	HELD ON SECOND	PAGE	6
HB-2061	MOTION	PAGE	7
HB-2115	SECOND READING	PAGE	159
HB-2123	THIRD READING	PAGE	184
HB-2160	SECOND READING	PAGE	177
HB-2313	SECOND READING	PAGE	162
HB-2345	SECOND READING	PAGE	83
HB-2394	SECOND READING	PAGE	83
HB-2398	OUT OF RECORD	PAGE	70
HB-2417	SECOND READING	PAGE	71
HB-2439	SECOND READING	PAGE	84
HB-2528	SECOND READING	PAGE	84
HB-2578	SECOND READING	PAGE	89
HB-2579	SECOND READING	PAGE	84
HB-2589	SECOND READING	PAGE	84
HB-2590	SECOND READING	PAGE	87
HB-2613	SECOND READING	PAGE	84
HB-2629	SECOND READING	PAGE	90
HB-2651	SECOND READING	PAGE	87
HB-2664	SECOND READING	PAGE	172
HB-2665	SECOND READING	PAGE	88
HB-2674	SECOND READING	PAGE	177
HB-2710	SECOND READING	PAGE	89
HB-2758	SECOND READING	PAGE	89

STATE OF ILLINOIS  
86TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 11, 1989

HB-2759 SECOND READING	PAGE	89
HB-2797 SECOND READING	PAGE	92
HB-2798 SECOND READING	PAGE	93
HR-0437 RESOLUTION OFFERED	PAGE	186
HJR-0046 RESOLUTION OFFERED	PAGE	186

SUBJECT MATTER

HOUSE TO ORDER-SPEAKER BRESLIN	PAGE	1
PRAYER-FATHER OSSOLO	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
COMMITTEE REPORTS	PAGE	2
CONSENT CALENDAR THIRD READING	PAGE	8
INTRODUCTION MILDRED WALTER	PAGE	11
INTRODUCTION HELEN RHOADES	PAGE	12
REPRESENTATIVE KEANE IN THE CHAIR	PAGE	75
INTRODUCTION JAMES HOUTON	PAGE	107
REPRESENTATIVE BRESLIN IN THE CHAIR	PAGE	176
AGREED RESOLUTION	PAGE	186
DEATH RESOLUTIONS	PAGE	186
CORRECTED COMMITTEE REPORT	PAGE	186
ADJOURNMENT	PAGE	187