

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

40th Legislative Day

May 12, 1989

Speaker Keane: "The House will come to order. The House will come to order. Will the Members please rise. Our guests in the balcony may wish to rise. We'll be led in prayer by Representative Rice, Representative Rice."

Rice: "Unto thee O'Lord, do I lift up to my soul? Oh my God I trust in Thee, let me not be ashamed. Let not my enemies triumph over me. Yeah! let none. Dear Lord give us strength and courage. That we have gathered here this morning to do the business of the state. With your pleasure and thy blessings we shall do our very best, we ask this in his name. Amen."

Speaker Keane: "We'll be led in the pledge by Representative Gordon Ropp."

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

Speaker Keane: "Roll Call for Attendance. Representative Matijevich do you have any excused absences?"

Matijevich: "Yes, Mr. Speaker. On this side of the aisle excused absences do to official business are Lou Jones, Andy Young and Paul Williams."

Speaker Keane: "Representative Kubik, do you have any excused absences?"

Kubik: "Yes, Mr. Speaker. On this side of the aisle would the record reflect that Representative Daniels, Pullen and Stange are excused today."

Speaker Keane: "Mr. Clerk, take the record. Being 106 voting present a quorum is present. Representative Matijevich could you repeat the Democrats."

Matijevich: "Lou Jones, Andy Young and Paul Williams."

Speaker Keane: "Mr. Clerk...109 Members. Let the record show

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that Representative Ronan and McGann are also excused absences. There being 107 Members present we have a quorum. Mr. Clerk, take the record. Consent Calendar."

Clerk O'Brien: "Consent Calendar, Third Reading, Second Day. House Bill 1049, a Bill for an Act to amend relating to certain blood donations. Third Reading of the Bill. House Bill 1447, a Bill for an Act to amend the Hospital Licensing Act. Third Reading of the Bill. House Bill 1619, a Bill for an Act concerning asbestos abatement. Third Reading of the Bill. House Bill 2293, a Bill for an Act providing for a system of probation. Third Reading of the Bill. House Bill 2351, a Bill for an Act amends the Radiation Protection Act. Third Reading of the Bill. House Bill 2680, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Keane: "The question is 'Shall these Bills 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 these Bills there are 100 voting 'aye', none voting 'no', none voting 'present' and these Bills having received the Constitutional Majority are hereby declared passed. Alright, what we'll do to day are start with is special order of business government administration. We'll run through Bills. Hold one...we just notice alright, we'll go to order of civil law and we'll take those Bills that are on Second Reading. Either require amendment or not and move them to Third. The first Bill on that order of call is House Bill 101, Calendar page 21, Representative Cullerton. Take it out of the record. House Bill 123, Representative Ryder. Alright, House Bill 195, Representative Sutker. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 195, page 7 on your Calendar, a Bill

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for an Act to amend the Local Governmental and Governmental Employees Tort Immunity 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 247, Representative Preston. Take it out of the record. House Bill 359, Representative Stange. Out of the record. House Bill 749, Representative Phelps. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 749, page 27 on your Calendar, a Bill for an Act to amend an Act in relation to driving privileges. 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 1393, Representative Cullerton. Out of the record. House Bill 1450, Representative Countryman. Out of the record. House Bill 1483, Representative Kirkland. Out of the record. House Bill 1496, Representative Homer. Out of the record. House Bill 1514, Representative Preston. Out of the record. House Bill 1660, Representative Churchill. Out of the record. House Bill 1673, Representative Countryman. 1673 Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1673, page 11 on your Calendar. A Bill for an Act to amend the Illinois Administrative Procedure Act. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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

Clerk O'Brien: "Fiscal note is not filed."

Speaker Keane: "The Bill remains on Second Reading. House Bill

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Representative Homer did you want to go with 1496? Mr. Clerk, read the Bill. 1496."

Clerk O'Brien: "House Bill 1496, page 10 on your Calendar. A Bill for an Act to amend the Local Governmental and Governmental Employees Tort Immunity Act. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "The Chair would like to take this opportunity to welcome Congressman Hastert, who's in the back on the Republic side. One of the better looking men of the Congress. He was always mistaken for me when he was here. Representative Churchill."

Churchill: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. On a similar note, I guess it's fair to say that one of the big moments in a life of a family is the beginning of a new generation. And it's also a mark I guess, of a passing of time and a time for happiness. I'd like to share with all of you here the happiness of my friend and seat mate Larry Wennlund. Who at 12:21 a.m. this morning became the grandfather of his first grandchild 10lbs. 11ozs., 23 inches long Patrick Michael Granville. Please everybody say hi to Grandpa Wennlund."

Speaker Keane: "Congratulations. Alright, Mr. Clerk were there any more on House Bill 1496? Were there any Committee Amendments?"

Clerk O'Brien: "No Committee Amendments, no Floor 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 1749, Representative Sutker. Representative Sutker. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1749, page 11 on your Calendar, a Bill for an Act to amend act concerning powers of attorney. Second Reading of the Bill. Amendment#1 was adopted in

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committee."

Speaker Keane: "Out of the record. House Bill 2043, Representative Currie, Representative did you want this Bill read. 2043, out of the record. 2166, Representative Currie. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2166, page 38 on your Calendar. 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 O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2276, Representative McCracken. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2276, page 17 on the Calendar. It should be page 13 on the Calendar, a Bill for an Act to amend the Juvenile Court Act. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Amendment #1 would amend parental responsible law in cases where a court adjudicates a minor to have violated the Controlled Substance Act and would make available a fine on the parents of up to five thousand dollars. It would have to be done pursuant to the juvenile court, petition and summons of the parents which would be included in the hearing and proceeding. I move its adoption."

Speaker Keane: "Is there any discussion on Amendment #1 ? Representative Didrickson."

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Didrickson: "Yes, would the Sponsor yield for a question please?"

Speaker Keane: "He indicates he will."

Didrickson: "I don't have the amendment in front of me here Tom.

But I'm as curious as to what kind of penalties, for what kind of offenses that parents would be responsible?"

McCracken: "It would be controlled substance violations possession."

Didrickson: "If I have one marijuana cigarette is that a five thousand fine?"

McCracken: "No, no, no that's a maximum."

Didrickson: "But that's up to the judges discretion?"

McCracken: "Right."

Didrickson: "So it could be, according to the way this is drafted?"

McCracken: "Yes."

Didrickson: "Thank you."

Speaker Keane: "Representative Countryman."

Countryman: "Will the Sponsor yield?"

Speaker Keane: "He indicates he will."

Countryman: "This is a fine to be imposed upon the parents is that correct?"

McCracken: "Yes."

Countryman: "And its what act would the judge would have to fine that the parents did, before he could fine them for some act of the minor?"

McCracken: "On page 4, of the Amendment lines 24 thru 34, going on to page 5 ofthe Amendment. The Bill outlines the finding that would be required to be made before the court could impose the fine. That would be that parent made reasonable or did not make reasonable efforts, and was unable to prevent the commission of the act. If the court found that the parent could not demonstrate that, then then the court would have jurisdiction to assess a fine."

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Countryman: "Alright, so you're shifting the burden from the state really to the parent to prove that he, he couldn't do anything. Is that right?"

McCracken: "Yes."

Countryman: "Where else in the law do we impose a vicarious liability for criminal type fines other than in this Amendment?"

McCracken: "Well, this is quasack criminal it isn't criminal. But it is ... Yes, there I mean there are many cases of vicarious liability conspiracy things of that nature."

Countryman: "But it...where someone has no other knowing of intensional conduct."

McCracken: "No, no, no. The parent is to demonstrate by a ponderance that he or she made reasonable efforts, or that he or she was unable to prevent the minor's violation."

Countryman: "That's what worries me the language that he or she was unable to prevent the minor's violation. If the child's out of control in particularly addicted to some sort of drug, narcotic, cocaine or something like that and the parent really has no control over them. This fine could still be imposed is that correct?"

McCracken: "No, if the court found that the parent did not have control. then it would not be imposed. That's the point of the findings required to page 4 and 5. If the parent or legal guardian demonstrates by a perponderous that after making reasonable efforts, he or she was unable to prevent the minor's violation, or that the...and it's a conjunctive use of the term or was otherwise without fault then there's no liability."

Countryman: "Did this go through committee?"

McCracken: "No, it did not."

Countryman: "Alright, what does the underling Bill do?"

McCracken: "Specifies the duties of a guardian ad litem in the

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juvenile court.

Countryman: "So the Bill is rather nebulous and the Amendment's really going to become the better part of the Bill. Is that right?"

McCracken: "Well it will be added on. This This does not delete the Bill."

Countryman: "Was this a subject matter of a Bill that we heard in committee?"

McCracken: "No it wasn't. It first came to my attention after committees had concluded."

Countryman: "Okay. Thank you."

Speaker Keane: "Representative Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. That's infrequent that I take exception to my good friend Representative McCracken, former colleague as a prosecutor. But as Chairman of the House Judiciary II Committee, this concept that I have not before seen. Its not a matter that was brought to us in committee. Its a far reaching concept that would say where a juvenile is being where there is a petition filed alleging delinquency petition. With respect to the juvenile who is allege to possessed controlled substance or cannabis. That the parents may be required by the court to pay the court five thousand dollars. In fact the language here dosen't indicate even what that payment is, whether it is a fine or whether it is some form of restitution or what is. Is a novel of concept here to fore unknown the Criminal or Juvenile Court Act, in so far as I am aware. It is a far reaching idea that should not be considered for the first time on Second Reading with an Amendment to a Bill which is totally unrelated and which has to do with simply adopting uniform standards and duties for guardian ad litem and juvenile court cases. I don't think this is the pertinent way to go about making these

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kind of public policies decisions. None of our staffs have a had time to review this concept. No one in the public has been put on notice that this issue would be before us. We've had no opportunity to consider the implication of it. It hasn't so far as I know no president in the Criminal Law or in the Juvenile Court Act. For all those reasons I must stand and urge all of you vote 'no' on the Amendment."

Speaker Keane: "Representative Matijevich."

Matijevich: "Mr. Speaker and Members of the House, I'm advisory Member on the...DASA and I put my name on this Amendment. I realize that it is a drastic step. And I think many of us read the headlines where the drugs are. Mr. Bennett has indicated this move as a first attempt to really try to in a strong way to do something about our drug problem. I think we must all admit that the drug problem with young people in our country is a major major problem. And I think all of us will admit that this is a drastic move. But when it comes to young people there has to be some corolation as between the problems of young people and their parents. Those who ought to have control over what their doing. Yes, it is a drastic step. Yes it is not one that any of us like to propose. But something, something got to be done we have to take some drastic measures. So, I think that this is something that I reluctantly advocate but, because we severity of the problem throughout the country, we've got to do something and therefore I stand in support of the Amendment."

Speaker Keane: "Any further discussion? The question is, 'Shall...'"

McCracken: "Mr. Speaker..."

Speaker Keane: "Yes Representative, Representative McCracken close."

McCracken: "Yes just, just to address some of the points raised

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in debate. There is a current parental responsibility law. It does impose vicarious liability upon parents. Right now it extends to, for example having a beer party in the parents home. The parents can be held liable for that. The parents can be liable under current law for damages caused by vandalism by under age perpetrators. So this concept of parental responsibility or what has been referred to is vicarious liability is not a new concept. What is new is that's being applied to drug offenses. Its historically it had not been applied to drug offenses. It had been limited to drinking beer at home, it had been limited to vandalism, but the concept itself is not new. This is not a criminal proceeding. This a proceeding in juvenile court. I acknowledge that it is a fine that's the whole point. It's, it's a fine to promote deterrence to promote parental responsibility. It can not be enacted where the parent can show that he had made reasonable efforts to control the child. And it cannot be enacted where the parent can show that otherwise at fault. So I don't believe that this is a drastic departure from current practices current concept defundamental fairness. What is different is that it's applying to the drug laws now. That we are making parents responsible for their juvenile children's drug offenses. And I don't know I suppose you could call that drastic if, if you want, but its certainly is not something that does not have respectable support in our community. Representative Matijevec makes a good point. Our newest drug Czar are supports this concept. And this concept is not entirely new to the juvenile court system as I have indicated. So I think it's something we should be doing. The courts are to make the decision about the exact fine. I just don't think it's an unreasonable burden to place on parents given us the state of our

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problem with drugs. So I move its adoption."

Speaker Keane: "The question is 'Shall adoption...' Shall House... 'Shall Amendment #1 be adopted.' Those in favor, vote 'aye', those opposed vote 'no', voting is open. Representative Stern to explain your vote."

Stern: "Mr. Speaker, to explain my vote. This may or may not be a concept who's time has come, but I think it is, it is far too hurried to decide that in these few minutes on Second Reading. I...my vote 'no' is against the hast in which were doing this. I think it is a very big item and big issue and I, I urge you to vote 'no' and lets wait and see and talk about it and hear some testimony and discuss it a little more. It is a very big item. It dosen't look like I have been very effect either does it?"

Speaker Keane: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 71 voting 'aye', 30 voting 'no', 4 voting 'present' and Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. We'll go back to House Bill 2043, Representative Currie. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2043, page 37 on the Calendar, a Bill for an to amend the Right of Conscience 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 2547, Representative Cullerton. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2547, page 17 on the Calendar, a Bill for an Act to amend the Court Reporters Act. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

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Homer."

Speaker Keane: "Representative Homer."

Homer: "Thank you, Mr. Speaker, Ladies and Gentlemen. Amendment #1 is offered behalf of court reporters in few counties in this state where the judges are interpreting the current Juvenile Court Act. In such a way as to deny these court reporters a transcript fees. In cases where there is an appeal from a ruling that a child is a neglected or dependent child. Some counties the judges even without express statutory authority are going ahead awarding the fees and other counties the judges are saying there isn't specific authority. And that they lack authority to order the fees. This Bill simply provides the specific authority. I know of no opposition. It's primarily a clarification Bill. And I would ask for support for the Amendment."

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. Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Representative Cullerton 10...on House Bill 101. Representative Cullerton, House Bill 101. Out of the record. We'll go back and pick up House Bill 1749, Representative Sutker. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1749, page 11, a Bill for an Act to amend concerning powers of attorney. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Third Reading. House Bill 2630, Representative Countryman. Out of the record. House Bill 2709, Representative Parcels. Mr. Clerk, read the Bill."

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Speaker Keane: "Representative Parcells, House Bill 2709."

Clerk O'Brien: "House Bill 2709, page 42 on your Calendar, a Bill for an Act in relation to the Department of Nuclear Safety. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed relating to Committee Amendment #1."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2729, Representative Preston. Out of the record. We will now go to Third Reading order of business civil law. House Bill 18, Representative Stern. House Bill 18, Representative Stern. Third Reading. Out of the record. House Bill 37, Representative Kirkland. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 37, a Bill for an Act to amends the Marriage and Dissolution of Marriage Act. Third Reading of the Bill."

Speaker Keane: "Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker and Members of the House. This Bill amend the Marriage and Dissolution of Marriage Act. It includes in the period of seperation required for obtaining a judgment of dissolution based on irreconcilable differences. A period of co-habitation during which the party's attempted reconciliation number (1) in good faith and number (2) while engaging in marriage conuseling under specifics set out in the new language. Or they would have to be getting help from a psychiatrist, psychologist, person authorized to provide counseling within the prescriptions of religious domination or a person regularly engaged in providing family or marriage conseling. The statue now provides that a written agreement is required

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for this period in be included in co-habitation and this would make that period a little more flexible. I move for passage."

Speaker Keane: "Any discussion on House Bill 37 ? There being none the question is, 'Shall House Bill 37 pass?' All those 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 101 voting 'aye', 2 voting 'no', none voting 'present', and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 611, Representative Stern, on House Bill 611. Out of the record. House Bill 642, Representative Flinn, House Bill...Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 642, a Bill for an Act in relation to clerks of courts. Third Reading of the Bill."

Speaker Keane: "Representative Flinn."

Flinn: "Mr. Speaker, I'd like to take this back for Amendment. Representative McCracken has an Amendment to put on this Bill. Take it back to Second and have leave of the House."

Speaker Keane: "Is there leave of the House to take this Bill back to Second Reading? All those in favor say 'aye', all opposed say 'no'. The 'ayes' have it and the Bill has been returned to Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker Keane: "We'll take it out of the record for just. Take this Bill out of the record for just a moment. House Bill 795, Representative Novak, Representative Novak. House Bill 1107, Representative Frederick. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1107, a Bill for an Act to amend

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certain Acts in relation to domestic violence. Third Reading of the Bill."

Speaker Keane: "Representative Frederick."

Frederick: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1107 was amended in committee, to provide that Domestic Violence Act include high risk adults with disabilities. The reason behind this Bill, the reason we're presenting this Bill, is that we found that these persons adults with disabilities have been subjected to physical and sexual abuse. As well as neglect and exploitation. And because of their disabilities they're unable frequently to seek or obtain protection. The Bill came out of committee almost unanimously and it's been recommended by the Protection Advocacy Board. I move adoption of House Bill 1107."

Speaker Keane: "Any further discussion? There being none the question is, 'Shall House Bill 1107 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 102 voting 'aye', 0 voting 'no', 0 voting 'present' and this Bill having received the required the Constitutional Majority is hereby declared passed. House Bill 1416, Representative Flinn. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1416, a Bill for an Act to amend the Vital Records Act. Third Reading of the Bill."

Speaker Keane: "Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. What this Bill does the county clerks get into the vital records business same as the State of Illinois, for general logical researchers concern. There are a lot of people coming to special the larger

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counties and asking for birth records, marriage records and all that sort of thing and they can't get them buy state law. This is for the purpose for running down your family tree and that sort of thing. I have no no of objections I move for the passage of the Bill."

Speaker Keane: "Is there any further discussion? Representative Hartke."

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

Speaker Keane: "He indicates he will."

Hartke: "Representative Flinn, does this move the vital records authority from where it is presently to the County Clerk's office?"

Flinn: "I couldn't hear your, would you speak up just a bit I couldn't hear you hardl."

Hartke: "Does this move the authority from the the authority now to the County Clerk in the county?"

Flinn: "It gives it to the County Clerk in addition to the State of Illinois. The State Vital Records Department is handling this now and all we're doing is adding on the County Clerk's authority."

Hartke: "Is that true in all counties?"

Flinn: "Cludes far as I know all counties. I don't think we exempted anyone."

Hartke: "Okay, I think right now certain cities are the authority for that vital records. Is that true?"

Flinn: "I still can't hear you."

Hartke: "I said, some cities are the authority for the vital records."

Flinn: "There very might well be. There could be home rule I'm not aware of this. This deals in counties that does not have the authority now. Which I guess is all counties outside of Cook."

Hartke: "Okay. Thank you."

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Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Keane: "He indicates he will."

Black: "Thank you. Representative, clear up a little confusion for me if you could. Your, your Bill provides that prophotographic copies of old birth and death records on file will be made available to people interested in genealogy, at no cost to county. Does that mean then that there will be a cost to the person asking for those records?"

Flinn: "What that means very simply, that what ever cost is involved those people who seeking the record would have to pay for it. If for example they normally charge 50 cents for a xerox copy of something, then they would have to pay 50 cents for it. There already is in place those kind of charges and if and it cost whatever cost is incurred. That the person who is seeking the records would pay, it not the county. It would not be at the expense of the county."

Black: "Alright then, then bare with me for a minute. Would it be possible under existing law that a county to discourage genealogical research, put some what of a high fee on such request. Maybe a 10, 15, even 20 dollar fee for getting back into those records. Would that be possible under existing law?"

Flinn: "Well."

Black: "Or would that have to come back and set the fee?"

Flinn: "I, I would hope we would not get in the business setting the fee. What I would hope when we say no cost to the county, that we are also implying that no profit also."

Black: "Alright so, so in effect what your doing is your your trying to seperate the county from what is current law in the state, as I understand you. In other words the current

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law says the Illinois State Archives will make these copies available at no cost to the state. Instead of seperating your trying to do the same thing."

Flinn: "That's that's all were doing."

Black: "Saying there's no cost to the country."

Flinn: "Were just adding the counties in the same business in the state already, and there are awful lot of people seeking the record from from specific counties, and have to come to Springfield to do it. In this case they can go to the county court house and do it."

Black: "Alright now now I understand it. I'm, I'm just curious if you've heard from any of the genealogical society as to whether or not they stand and step pass the port of this measure?"

Flinn: "This is, this is a gender of the Bill. That's who, that's who has asked for it to start with. They have asked our county clerk to have me or someone introduce a Bill on their on behalf."

Black: "Thank you very much, Representative."

Speaker Keane: "Any further discussion? The question is, 'Shall House Bill 1416 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 you wish? Mr. Clerk, take the record. On this Bill there are 105 voting 'aye', none voting 'no', none voting 'present'. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1480, Representative Breslin. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1480, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

Speaker Keane: "Representative Breslin."

Breslin: "Mr. Speaker, I'd leave to move this Bill back to the

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order of Second Reading for the purposes of an Amendment."

Speaker Keane: "Is there leave? All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and were...the Bill is returned to Second Reading. Representative Breslin. Mr. Clerk any further Amendments?"

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

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen Amendment #2 is the Agreed Amendment between the Bar Association, the Mortgage Bankers and the Publishers and Editors of the newspaper's that were concerned about the legislation. This Amendment now as as agreed to, is...make the Bill noncontroversial, cleans up the mortgage foreclosure legislation that we passed a few years ago. Makes it more workable, it doesn't do everything that the mortgage bankers would like to do. But, it does no harm to consumers. So I would ask that it be adopted."

Speaker Keane: "Is there any discussion? There being none the question is 'Shall Amendment #2 to House Bill 1480 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: "No further Amendments."

Speaker Keane: "Third Reading. The Sponsor now asks leave to hear the Bill on Third Reading. Is there leave? There is leave and Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1480, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

Speaker Keane: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen this Bill now cleans up the former Mortgage Foreclosure Act that we passed a couple of years ago. Makes it more workable makes only one change in the issue of publication and that is

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that you don't have to republish if you have adjourned your sale. And the adjourned sale happens within 60 days of the original notice. If you adjourn more than 60days you still have to republish. So that the only thing that it changes within the notice requirements. There is no change whatsoever with regard the redemption period. Which was the one of the controversial parts of the Bill, that has been strip from the Bill completely. I ask that it be passed. Thank you."

Speaker Keane: "Any further discussion? There being none the question is 'Shall House Bill 1480 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 102 voting 'aye', none voting 'no', 1 voting 'present', and House Bill 1480, having received the required Constitutional Majority is hereby declared passed. House Bill 1489, Representative Terzich. Out of the record. House 1754, Representative Preston. Out of the record. House Bill 1757, Representative Preston. Out of the record."

Speaker Breslin: "Representative Breslin in the Chair. House Bill 1393, Representative Cullerton. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1393, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill..Second Reading of the Bill. No Committee Amendments." Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Weaver."

Weaver: "Withdraw the Amendment please."

Speaker Breslin: "Withdraw Amendment. Are there any further

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Amendments?"

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

Cullerton: "Yes thank you Madam Speaker, Ladies and Gentlemen of the House. When this Bill was drafted by the Reference Bureau they inadvertently added a second provision that I did not want to have included in the Bill. Dealing with local authorities acting at the request of private entities to enforce provisions of the code with regard to private streets and roads and their liability for injuries and damages. And I did not want this included in this Bill. So this Amendment merely takes that Section out."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 2 to House Bill 1393. Is there 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. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Ladies and Gentlemen the next order of business is the order of criminal law. Criminal law look over this order to see whether or not you have any Bills on this order and be prepared for that. First Bill on this Order under Special Order of Criminal Law is House Bill 189, Representative Anthony Young. Out of the record. House Bill 648, Representative McCracken. Clerk, read the Bill. Out of the record. House Bill...we'll do Second Readings first. House Bill 1111, Representative Preston. Out of the record. House Bill 1847, Representative Countryman. Out of the record. House Bill 1862, Representative Santiago. Clerk, read the Bill."

Clerk Leone: "House Bill 1862, on page 11 of your Calendar, a Bill for an Act to amend the Juvenile Court Act. Second

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Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. House Bill 2260, Representative McCracken. Clerk, read the Bill. Out of the record. House Bill 2289, Representative Kirkland. Clerk, read the Bill."

Clerk Leone: "House Bill 2289 on page 39 of the Calendar, a Bill for an Act in relationship to the probation, records and disposition of juvenile and adult offenders. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions filed. Amendment #2, is being offered by Representative Kirkland."

Speaker Breslin: "Representative Kirkland."

Kirkland: "Thank you, Madam Speaker, Members of the House. This Amendment simply deletes one of the changes in law that would have been made in that was part of the original Bill. It will take out the language, by taking out the language the Department of Children and Family Services will retain its discretion in offering services to minors requiring authoritative innovation over the age of 13. Simply a change we decided not to make."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 2, to House Bill 2289. On the question the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "Is this a Bill...this Bill supported by DCFS?"

Kirkland: "It is with this Amendment out. Yes."

Cullerton: "I mean did they come up with the idea for the Bill

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initially?"

Kirkland: "No, they came up with the idea with the Amendment however, or they asked for the Amendment. The Bill is from the probation court services."

Cullerton: "The probation court services?"

Kirkland: "Yes."

Cullerton: "Okay. Thank you."

Speaker Breslin: "There being no further discussion, 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 Amendments is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 2290, Representative Kirkland. Clerk, read the Bill."

Clerk Leone: "On page 13 of the Calendar. House Bill 2290, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motionss, no further Amendments."

Speaker Breslin: "Third Reading. House Bill 2294, Representative Kirkland. Clerk, read the Bill."

Clerk Leone: "House Bill 2294, a Bill for an Act in relation to probation services fees. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "There are no Motions or Amendments."

Speaker Breslin: "Third Reading. House Bill 2693, Representative Stephens. Out of the record. We'll now go back to the Bills on criminal law, Third Reading. House Bill 189, Representative Young. Out of the record. House Bill 732, Representative Klemm, Representative Klemm. Out of the

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record. House Bill 1264, Representative Kirkland. Clerk, read the Bill. 1264."

Clerk Leone: "House Bill 1264, a Bill for an Act to amend Sections of the Unified Code of Corrections. Third Reading of the Bill."

Speaker Breslin: "Representative Kirkland."

Kirkland: "Madam Speaker, ask leave to bring the Bill back to Second Reading for an Amendment."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second for the purposes of an Amendment. Does he have leave? Hearing no objection, there is leave. Are there any Amendments filed Mr. Clerk?"

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

Speaker Breslin: "Representative Kirkland."

Kirkland: "Withdraw the Amendment."

Speaker Breslin: "Withdraw #1. Any further Amendments?"

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

Speaker Breslin: "Representative Kirkland."

Kirkland: "Thank you. Amendment #2 just puts this Bill in the into the language that we carry out the intent that we intended from the beginning. And I guess I leave it at that."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 1264. 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. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Representative Kirkland now ask leave for immediate consideration of this Bill as amended,

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although amended the same day. Does he have leave? Hearing no objections by use of the Attendance Roll Call he has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1264, a Bill for an Act to amend Sections of the Unified Code of Corrections. Third Reading of the Bill."

Speaker Breslin: "Representative Kirkland."

Kirkland: "Thank you, Madam Speaker. This Bill address the loss and restoration of rights after you've a period of imprisonment or other punishment. And right now the law is that, after you've been incarcerated, your license whatever license rights you- might have lost, automatically are returned to you excuse me in prison when your discharged from imprisonment. This is would add to that automatic return of license rights when your discharged from probation, conditional discharge periodic imprisonment and any time there after. Right now for those ladder three, you have to petition the court, to receive those rights back in the adult excuse me the probation and court services people who gave me this simply think it makes more sense, and I do too. That the ladder discharge also return your rights automatically."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1264, and on that question, the Gentleman from, Fulton Representative Homer."

Speaker Breslin: "He will."

Homer: "Representative Kirkland, your Bill specifically exempts driver's license's from the effect of this Bill is that correct?"

Kirkland: "The current law does and that and there's no change in that."

Homer: "Thank You."

Speaker Breslin: "The question is 'shall House Bill 1264 pass'?"

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All those in favor vote 'aye', opposed 'no'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this question there are 101 voting 'aye', 0 voting 'no', 1 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1882, Representative Regan. Clerk, read the Bill."

Clerk Leone: "On page 57 of the Calendar. House Bill 1882, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Regan."

Regan: "Thank you Madam Speaker, Members of the House. May I question the Chair, please?"

Speaker Breslin: "Proceed."

Regan: "House Bill 1882, 1883 and 1884 were a package dealing with a serious crime that's happening here in America. I'm wondering why it was taken of the special order at this time. 1883."

Speaker Breslin: "1883, was taken off. I don't know the answer to that but, I will find out."

Regan: "Okay. I'll address 82 hoping that they...to save time. I won't say the same story over all three Bills. But, this is a new threat to our youth. We've dealt with child abduction, child sexual abuse, drugs. This new threat and compasses all the above. But, with a new and menacing evil twist. Ritualistic abuse and crime is so bizaire that it's hard to believe and I also disbelieve that, five years ago when I listen to 20 20 journal reporter, that was in Guyana, that witnessed the massacre of a thousand people. I said that's to bizzare to deal with that can't happen here. Two years ago I found out it was happening here, it was happening right in my district in bedroom communities. From the inner city to the suburb satanic cults and other

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cults are damaging our children, causing abductions causing a problem that no one thought could ever come to a community like mine. Teenage suicide I dealt with on the Governor's Task Force, when I traveled around the state, and the satanic cropped up in those meetings. I called all the police chief's in my district together and ten out of seven police chief's says we have a problem right here in the 80th district. I did a seminar 210 people from all over the state police officers, counselors, psychiatrists, doctors came to the seminar indicating that it doesn't just exist where I live but, just all over the state. House Bill 82, 83 and 84 address this problem which some people consider the crime of the '90's. In Jud II, this Bill passed 14 to 0 with testimony from special task force now in place in the State Sheriff's Association, the Juvenile Office Association. Testimony from a specialist from a Chicago youth division #4, specialist in ritualistically crime. It's not something to joke about. It's something serious, it's causing damage. I had two teenagers in my small community commit suicide with direct evidence to link to satanic crimes. House Bill 1882 increases the penalty for mutilation torture on a ritualistic bases, and I urge its adoption."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1882, and on that question the Gentleman from Cook, Representative Bowman."

Bowman: "Question of the Sponsor."

Speaker Breslin: "Proceed."

Bowman: "Do I understand you correctly that this only increases penalties? It looks like new language is being added that actually creates a new crime."

Regan: "Well most of the things that could happen in here in this particular Bill, are crimes as it is now Representative."

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It simply raises it from a Cass III felony to a Class II."

Bowman: "Okay, now how is mutilation defined in the existing law then? Does, does mutilation include say cutting of the body?"

Regan: "It would be considered a heinous crime."

Bowman: "Well no, I mean for example cutting, cutting someone's flesh would that be mutilation?"

Regan: "No as a matter of fact, I have a definition of mutilation. It makes pretty clear. I talked with Mr. Slinginger on this, he agreed that mutilation certainly is a definitive term. That deals with disfigurement, dismemberment, crimes of that nature."

Bowman: "Well crimes of that nature. Okay, let me just ask you point blank, is circumcision covered by mutilation?"

Regan: "No."

Bowman: "Is Circumcision mutilation?"

Regan: "No, it's not."

Bowman: "It is not okay, is...would you..."

Regan: "Not unless you burn candles around it and have skulls and blood you know."

Bowman: "Well wait a minute, wait a minute it..."

Regan: "We've deal with specifics..."

Bowman: "Wait a minute you deal with here with a ritual. But, the act of circumcision at it is commonly practice within the commonly accepted meaning of that word, is done in accordance with a ritual. There are very set prescribed rituals that are involved in the act of circumcision. That's a general rule."

Regan: "Well Amendment #1 dealt with somethings in regards to this area. Where a person against his will or knowledge of the will. Certainly a baby would not qualified in that, the parent being the guardian would distinguish in regards to what Amendment #1 does."

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Bowman: "Well I understand your intent Representative Regan. I won't labor this any further but, if I would not be willing to support this legislation. Less you could put on the record for us what the definition of mutilation is, what the definition of ritual is. So we can judge for ourselves whether this would be a cover because, I certainly wish would wish not to vote for a Bill that would preclude or criminalize the...one of the oldest traditions of the Jewish faith. And accordingly I would oppose this legislation, unless you could put our minds at ease at that point."

Regan: "Well the legal definition of mutilation is exactly the same as the definition in the dictionary. And I sure that circumcision would be excluded."

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

Sutker: "To the Bill Madam Speaker, this Bill really provides us some ammunition I thought, because it does refer to ceremonies and observances. As it describes dismemberment and torture and mutilation. It certainly is broad enough in its concept to include circumcision because, as I understand it circumcision in the Jewish faith, not only as part of a ritual and a ceremony, but a religious observance. Now I sure the Sponsor had no intention of including circumcision. I take it therefore he would have no objective to being specific about the exclusion of circumcision from the impact of this Bill."

Regan: "No question about it, the intent of the Bill does not include circumcision and Amendment #1, if I may read it to you."

Sutker: "Would you please do so, Representative Regan."

Regan: "And the victim did not consent or under such circumstances, that the defendant knew or should have known

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that the victim was unable to render effective consent.
Now this pertains to the guardian as well,
Representative..."

Sutker: "Now the victim is of course an 8 day old child."

Regan: "The guardian of that child has a right to allow surgery
on that child, whether it's circumcision or anything else.
Is an appendectomy considered mutilation?"

Sutker: "I beg your pardon?"

Regan: "Is an appendectomy considered mutilation?"

Sutker: "Well I don't know your, your defining the terms and I'll
except the fact that you have no intention to include
circumcision but, Representative Bowman did indicate the
possibility and certainly the concern that one might have.
When you see the word ceremony observance and the words
dismemberment, now I don't know if the circumcision itself
maybe deemed dismemberment...of to some extent or other. I
know you don't suggest that it be included in your
definition. Therefore, I would hope that you take it back
to Second Reading, exclude specifically circumcision and
then bring it back to Third Reading. I'm sure that the
House would give you leave for that purpose, and you would
resolve some of concerns that I see that might evident
here."

Regan: "Alright, for the position in this could it be possible to
avoid all the delay? Although I'd be willing to do that.
I would like to state for the record that the legislation
of intent is not include circumcision."

Sutker: "Do have an objection Representative to bring it back to
Second Reading for the purposes of an Amendment with leave
of this Body ? Excluding specifically that with religious
right."

Regan: "I would be glad to Representative Sutker, but the
legislative intent of this Bill I've stated three times

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does not include circumcision. As well as any other surgery you might do to a child."

Sutker: "Alright, the way so your reading into the record that that this specifically exclude from the the intent and the impact of this legislation. The religious right known as circumcision under whatever faith it might be observed."

Regan: "Absolutely."

Sutker: "Thank you."

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

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

Speaker Breslin: "He will. Representative Regan."

Cullerton: "Representative Regan, if I could understand the philosophy behind the Bill. Right now aggravated battery of course is a Cass III felony, and what you're saying with this is that when aggravated battery is committed. Under certain circumstances then the penalty would be enhanced it would become a Class II penalty is that correct?"

Regan: "That's correct."

Cullerton: "And the circumstances under which you're trying to highlight is what's defined as ritual mutilation or well...when the aggravated battery occurs during a right ceremony initiation observance or performance or practice."

Regan: "That's correct."

Cullerton: "Okay, now is the theory behind this that because of the motivation of the offender we're going to provide a more serious penalty, because the injury to the...the injury to the victim is the same, whether it's a Class...whether it's aggravated...whether the charges with a aggravated battery which is Class III, or whether the charge with this under these circumstances where it's a Class II. So is the...is the purpose of this to go after the intent to or the motivation of the offender?"

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Regan: "The purpose of the legislation is to attack ritualist crime. The purpose of the legislation is to call attention to the judges, the police officers and the other Bills will call attention to parents. So that they can be careful and watch what their children are doing, and not get involved in ritualist crime. I cannot attack the religion, it's protected by the First Amendment, it's gone all the way to the Supreme Court. Satanism is legal, but I'm certainly just trying to attack the crimes that are committed underneath this religious cult."

Cullerton: "Okay, so it is then in fact the motivation of the offender. The circumstances under which the crime occurred that being a during a ritual or some kind of a ceremony, that you find more offensive than if it's run of the mill aggravated battery committed when it's not a ritual."

Regan: "Yes, when you have a group of people standing in a circle..."

Speaker Breslin: "Representative, proceed."

Regan: "The circumstances where a people stand in a circle and take a body and strip of its skin. That's happened in Mexico just recently certainly demands a bigger penalty, than possible a knife fight in a bar. It's planned, premeditated it's something that should be stopped."

Speaker Breslin: "Representative Cullerton."

Cullerton: "One other question, is this meant to be the same as the aggravated battery or is this...are you limiting to more serious forms of aggravated battery, like mutilation, dismemberment or torture?"

Regan: "Well it reads mutilation, torture, dismembers. Yes, it's a little more serious than a knife fight, yes."

Cullerton: "And do we have a definition of torture anywhere, in the statutes now?"

Regan: "Well I had the dictionary here and I had the photostats

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of mutilation and torture and dismemberment and at this time I can't find them. But, torture is certainly something that happens very clear."

Cullerton: "Okay fine, thank you."

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

Levin: "Would the Gentleman yield?"

Speaker Breslin: "He will."

Levin: "Representative, I'm...I continue to have a concern in terms of the circumcision issue, and let me explain to you why I have that concern. In the context of when somebody who is Jewish is circumcise, it is done in connection with the ceremony, and it may be done by somebody who is not..."

Regan: "Excuse me I, I have agreed to take it back to Second Reading and amend it to exclude the ceremony of circumcision."

Levin: "Okay, excellent."

Speaker Breslin: "Out the record. House Bill 1884, Representative Regan. This Bill is on the Short Debate Calendar. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1884 on page 52 of the Calendar, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Breslin: "Representative Regan, Representative Regan, proceed with the next Bill. 1884."

Regan: "Thank you Madam Speaker, Members of the House. 1884, is also a part and a package of the ritualistic crime abuse it provides that if it can be proven that it's a ritualistic crime that its added to the aggravating factors, and the judge can double and triple the sentences and I would urge its adoption."

Speaker Breslin: "The Gentleman has moved for the passage..."

Regan: "This also passed Jud II, 14 to 0."

Speaker Breslin: "The Gentleman has moved for the passage of

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House Bill 1884 and on that question, is there any discussion? Hearing none the question is 'shall House Bill 1884 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 100 voting 'aye', none voting 'no' and 3 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Ladies and Gentlemen, that completes the Order on Criminal Law. The next order is a Bill...is on the Order of Civil Law. It was taken out of the record earlier from Representative Flinn. It's House Bill 642, Representative Flinn. Clerk, read the Bill."

Clerk Leone: " House Bill on page 44 of the Calendar. Has been read a Second time previously. Floor Amendment #2, is being offered by Representative McCracken."

Speaker Breslin: "Representative McCracken."

McCracken: "Thank you Madam Speaker. Floor Amendment #2 would waive clerk of court fees for local police departments. Currently other units of local government do not have to pay the fees. Secondly, the Bill would provide a \$25 filing fee upon the filing of a rejection of arbitration decision. Which, in of itself would initiate further court action. I move the adoption of Amendment #2."

Speaker Breslin: "The Gentleman moves the adoption of Amendment 2 to House Bill 642 and on that question the Gentleman from St. Clair, Representative Flinn."

Flinn: "I support the Gentleman."

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

Clerk Leone: "There are no further Amendments."

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Speaker Breslin: "Third Reading. Representative Flinn, now ask leave for immediate consideration of this Bill as amended. Does he have leave? He has leave, by use of the Attendance Roll Call. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 642, a Bill for an Act to amend an Act in relationship to clerks of the court. Third Reading of the Bill."

Speaker Breslin: "Representative Flinn."

Flinn: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 642, originally propose a five dollar fee and there was objections to that for the payment of child support to the county. So we've taken out the five dollar fee and we struck out in the present law. The thirty six dollars a year fee for payment of record keeping and cost of collecting child support, and we've changed that to three dollars per payment for example, if a person wanted to pay twice a year it would cost him six dollars, if he made once a month it would cost him thirty six. The present law says thirty six. This would also strengthen the county's position to include that payment by the obligor and the payment that's made for the child support. I would move for the adoption of the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 642, on the question the Lady from Sangamon, Representative Hasara."

Hasara: "Thank you, Madam Speaker. I do think this is a very important topic. I'm sorry, I could not understand the explanation. Representative, if I could ask you just a few questions. Does this remove the thirty six dollar fee that the payor is paying?"

Flinn: "It, it takes it out and leaves it to a limit of thirty six dollars, in other words a person will not pay any more, but he could possibly pay less by making less payments. It

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changes it to three dollars per payment, and...but it still limited to the thirty six dollars per year."

Hasara: "So, does this mean that the circuit clerk can no longer bill someone at the beginning of January for thirty six dollars?"

Flinn: "They won't have to Bill someone, it will be part of the payment."

Hasara: "So, what we're doing then is giving the children that we're trying to support less money. I'm I correct?"

Flinn: "No, the obligor is obligated for this. The person who is doing the payments. There would be no less money whatsoever, in fact that would be the last I would introduce to cut the child payments."

Hasara: "Right now in many counties the clerk of the court is billing on January 1 sending a bill for thirty six dollars to the payor. What would this Bill Change?"

Flinn: "This Bill would stop that billing process, because a lot of it's uncollectable that's the problem and cause the payment to include 3 dollars in addition to the child payment for the county costs of keeping records on this issue alone."

Hasara: "If you don't bill, how is the payor supposed to know that he or she is supposed to send an additional 3 dollars?"

Flinn: "That would be part of the court order. The original court order."

Hasara: "What about those thousands that are already paying?"

Flinn: "Well those thousands that are already paying could cut their cost if they wish. They could pay every six months or they could pay every three months. It would still only be 3 dollars per payment. The problem exists with the county not being able to collect. They mail bills and they never get a response. This would make it a part of the

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court order when the child payment court order is issued."

Hasara: "Did the Circuit Clerk support this Bill?"

Flinn: "That's where the Bill came from."

Hasara: "Okay, do counties still have the authority to pass a resolution to collect this?"

Flinn: "Well this would be done, I'm assuming since the Bill is permissive for the counties to do it, it would be done by county ordinance I assume."

Hasara: "As the legislation is now written, counties are not required to collect the \$36.00. It must be upon resolution of the county board and it can be an amount from one to three dollars. So some counties are not charging three dollars. So what would happen then under this Bill, let's say..."

Flinn: "I assume that if a court doesn't do it, then it won't happen."

Hasara: "Okay..."

Speaker Breslin: "This Bill is on the order of Short Debate, Ladies and Gentlemen. Do you rise in opposition Representative Hasara?"

Hasara: "No, I have some reservations about exactly what the Bill does. I have always been an opponent of charging people who are good enough to be paying their child support. I understand the Circuit Clerks do need the money, they have done a lot in the way of data processing with this money. But, I would assume most of you have been contacted as I have by normally men who are paying their support and resent having to come up with additional money."

Speaker Breslin: "The question is, 'Does anyone rise in opposition?' Does anyone rise in opposition? Representative Weaver."

Weaver: "Thank you, Madam Speaker. I would like to ask the Sponsor a question if possible."

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Speaker Breslin: "Proceed."

Weaver: "Representative correct me if I'm wrong in my understanding of what your Bill does. But, the Bill as you propose it would increase the fee from 36 to \$60.00 a year. Is that correct?"

Flinn: "Wrong."

Weaver: "What does it increase it to?"

Flinn: "It doesn't increase anything, it still leaves a limit of \$36.00, that's the most you could pay in a year, but you could pay as little as \$3.00 if you pay it once a year."

Weaver: "Okay, does this Bill guarantee that the money will go to the Circuit Clerks office to offset their expenses?"

Flinn: "Well it guarantees it simply by the court order that it becomes a part of the court order that this...the obligor is paying the cost of handling the child support money and that's the purpose for the money to come to start with. The judges themselves are in support of the Bill. They are behind it and they've had the Circuit Clerk have me introduce the Bill. That obviously they would not give the money away after they've ordered it to be paid to them."

Weaver: "But the money goes into the County General Fund does it not?"

Flinn: "No, the money goes to the courts for the cost of record keeping and it actually goes into the circuit clerks office."

Weaver: "Well, Madam Speaker to the Bill. Here as Representative Hasara has already identified we are intending in many cases to levy an increased fine or an additional fine on top of the support that fathers who are paying their bills are already paying. So we're penalizing those support payers in addition to those who are not paying support and I really think it with all due respect to the Sponsor, his idea and his motives are well founded, but I don't think

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that the money is going to get where it needs to go and we're penalizing the wrong people. And I really think we need to take another hard look at this and vote this Bill down."

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

Black: "Madam Speaker, perhaps this has already been done, I intended to speak in opposition, but if you prefer..."

Speaker Breslin: "That's already been done, Sir."

Black: "Thank you very much."

Speaker Breslin: "Representative Flinn is recognized to close."

Flinn: "Well apparently Representative Weaver didn't hear my answer. It does not cost more. It is not additional fine or penalty. It could actually cost less and probably will cost less in many instances. But, let me say this to you, it's not a fine, it's not a penalty. It's a cost of doing business for people who have not supported their children and have been forced to do so by the courts. If they don't want to pay it at all, they can volunteer to take care of this themselves outside the court system and they pay absolutely nothing. All it's for is to pay for the costs so all the tax payers of that county does not have to pick up the tab for someone who didn't want to pay for his children to start with."

Speaker Breslin: "The question is, 'Shall House Bill 642 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Johnson one minute to explain your vote. Representative Johnson."

Johnson: "It's not...it's not and I think Representative Flinn didn't really mean to say that exactly, but this is not a penalty or it's not an assessment for people who don't pay their support. It can be, but it's also in many cases people who do pay their support. Often times there's an

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original order in first instance requiring the child support payor to pay through the circuit clerk. They pay up to date, time after time after time so this penalty or this fee that we all get calls about and we should get calls about, equally applies under the circumstances to people who do pay their support on time as to those who don't pay their support on time. So I think it's important to point out when you're voting on this in extension or limitation or whatever the fee, however you feel about it, it's flatly not something that applies only to people who are indeliquent at all."

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

Black: "Well thank you very much, Madam Speaker. I would call attention to any downstater that had to argue and discuss this matter with hundreds of constituents when the \$36.00 fee was imposed. This is another fee and it bypasses county board action. You let the Circuit Clerk set this or do this on the Circuit Clerks own initiative. Now, if you want to deal with those constituents again on this problem of a fee for the privilege of being mandated to pay child support to the Circuit Clerk then you can explain that to your constituents. I know what I'm going to explain to them. I'm going to explain that I didn't vote for it and I would strongly suggest all you downstaters, regardless of what side of the aisle your on, you'd better take a long look at this mandate that bypasses county board approval and forces someone who has to pay child support as mandated by law through the Circuit Clerks office it assesses a fee for that privilege. I think this is a bad Bill and you should vote 'no' on it."

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

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Ropp: "Thank you, Madam Speaker, Members of the House. I think the real intent here is to attempt to provide funds so that the mother or the spouse whoever has custody of the children can take care of them. And it seems like what we're attempting to do here is actually literally taking away bread and milk and food and clothing away from the intended purpose of providing funds for that particular youngster that one of the spouses chose not to care for when they incurred the divorce and that's why I'm voting 'no' on this. Because I don't want to take anymore money away from the needs of those youngsters who need it and that's the purpose of providing the money initially."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 69 voting 'aye', 29 voting 'no' and 5 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. The next Order of Business is the Special Order of Drug Enforcement. Drug Enforcement. All of these Bills are on the order of Third Reading. The first Bill is House Bill 58, Representative LeFlore. Mr. Clerk, read the Bill."

Clerk Leone: "On page 55 of the Calendar, House Bill 58, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative LeFlore."

LeFlore: "Thank you, Madam Chairman. House Bill 58 prohibits students use of electronic paging device on school property and this Bill was amended in committee to take in the whole State of Illinois instead of just Chicago. This Bill will prohibit any child from bringing a pager on school property during school hours. I would like to have a favorable vote on this Bill. I feel this is a good Bill and if you have any questions I'm willing to respond."

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Speaker Breslin: "The Gentleman has moved for the passage of House Bill 58 and on that question the Lady from Champaign, Representative Satterthwaite."

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

Speaker Breslin: "He will."

Satterthwaite: "Representative LeFlore it's my understanding that your Bill does provide for a method of permitting the use of pagers if the student has a legitimate reason for carrying that pager. Is that accurate?"

LeFlore: "That's true, Representative."

Satterthwaite: "And is it your opinion that if a school were to approve some kind of research project that included the use of pagers, that this would be a permissible use under your Bill?"

LeFlore: "It would be left up to the local school to give that permission."

Satterthwaite: "Thank you very much."

Speaker Breslin: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you...thank you...thank you, Madam Speaker. Was this Bill amended on the floor?"

LeFlore: "Was it amended on the floor, Representative?"

Cowlshaw: "Yes."

LeFlore: "No it wasn't, It was amended in committee."

Cowlshaw: "Was the Amendment that was adopted in committee the one that permits there to be exceptions to this ban on pagers if the principal or the school board or whoever approves?"

LeFlore: "No the Amendment that was offered in committee made it statewide, Representative."

Cowlshaw: "Well, that's what I thought and if you will recall, yesterday we adopted Amendment #1 to House Bill 95, which provides that exceptions may be made to this ban on pagers

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by the school board with the approval of the school principal. I don't believe that your Bill as it was provided in committee and then...and my recollection was indeed that the Amendment had to do with making the provisions statewide, rather than simply applying to Chicago. But, I don't believe that that Amendment made this possibility for exceptions to this rule and consequently I would hope, although I'm sure we will all be glad to support this Bill as it now stands, that if it passes here and advances to the Senate, that you would see to it that an Amendment was adopted in the Senate to do exactly what Amendment #1 to House Bill 95 that was adopted yesterday does for that Bill."

LeFlore: "Representative Cowlshaw..."

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

Zickus: "Thank you, Mrs. Speaker. Will the Sponsor yield?"

Speaker Breslin: "There wasn't a question Representative, proceed with Representative Zickus, she has a question."

Zickus: "Yes, I wanted to know, number one, does this Bill amend the Criminal Code?"

LeFlore: "I didn't understand you, Representative, will you please repeat..."

Zickus: "Does this Bill amend the Criminal Code?"

LeFlore: "No it does not."

Zickus: "It doesn't. And can you tell me how this Bill differs, what ways it differs from the other two pager Bills that are up today?"

LeFlore: "Okay, this Bill here and I'll direct this to Representative Cowlshaw, also, it allows the school...the local school districts to make a decision on whether the pagers should be banned from the school property. As a question was raised by Representative Satterthwaite, who would make the final decision on how the pagers will be

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used in the school if they are using them for a legitimate reason. Say for instance if a...in some districts the youngsters are volunteer fire fighters and they have to carry pagers, they would get permission from the principal to carry these pagers in the school during the school hour. And the principal has the right to give that permission. If there is some type of expirement going on, that where pagers would have to be used during the school time, the principal has the authority to give that permission."

Zickus: "But, there...with the other two Bills that are up, is it similar to those or do you know in which way it differs from the other two pager Bills that are coming up today?"

LeFlore: "I don't think there's very much difference. I feel that my Bill has more to offer and will give more...give a stronger indication to the local school authority."

Zickus: "And what more does it offer than the other two Bills offer?"

LeFlore: "Representative I haven't gotten into that. I mean, you might want to look at the Bills yourself."

Zickus: "Thank you...thank you, Representative."

Speaker Breslin: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Madam Speaker. A question of the Sponsor?"

Speaker Breslin: "Proceed."

Black: "Representative, I think this Bill received a full hearing in the committee. There's just one thing that confuses me, my analysis indicates that the Chicago Board of Education opposes your Bill. Can you tell me why would they oppose this measure?"

LeFlore: "Yes, that is not true."

Black: "Are they signed on now?"

LeFlore: "No they withdrew their slip."

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Black: "They did withdraw their opposition."

LeFlore: "They made a mistake, Representative."

Black: "So they have no position on the Bill at this point."

LeFlore: "They have no position whatsoever."

Black: "Thank you very much."

Speaker Breslin: "Representative LeFlore is recognized to close."

LeFlore: "Thank you, Madam Speaker. I'd just like to have a favorable vote on this Bill. I think it's a good piece of legislation."

Speaker Breslin: "The question is, 'Shall House Bill 58 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 101 voting 'aye', 3 voting 'no' and 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 62, Representative Martinez. Is the Gentleman in the chamber? Out of the record. House Bill 95, Representative Davis. Clerk read the Bill.'

Clerk Leone: "House Bill 95, a Bill for an Act to amend the School Code. Third Reading of the Bill.'

Speaker Breslin: "Representative Davis."

Davis: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. As you know, we do have a drug problem in our city and House Bill 95 was drafted in an attempt to alleviate or to prohibit beepers in the school, where we found they were being used for drug transactions. What our Bill does is it prohibits beepers or electronic paging devices in schools or on school property during school hours or after school hours. The Amendment that we adopted yesterday allows school boards with the approval of principals to make exceptions to that rule, reason being, some children we understand use beepers for times to take medication or if

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there is an emergency situation in which a farm family has to notify a student, the student has the beeper and the school board along with the principal would have knowledge of that fact. Therefore, they're given the opportunity to make exceptions to the beeper rule. We urge an 'aye' vote."

Speaker Breslin: "The Lady has moved for the passage of House Bill 95. On that question the Lady from DuPage, Representative Cowlshaw."

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

Speaker Breslin: "She will."

Cowlshaw: "What is the difference between this Bill and the one upon which we voted most recently?"

Davis: "My understanding is, there is no provision for exceptions to the rule in the one that you just voted for."

Cowlshaw: "I believe the Sponsor of the Bill upon which we voted most recently explained in his closing that in fact the provision for possible exceptions have already been included in his legislation to begin with and therefore an Amendment was not needed. Therefore, I would like to repeat the question, what is the difference between this Bill and the one upon which we most recently voted?"

Davis: "Representative this Bill states that a pager cannot be used on school property during or after school hours. The other one stated regular school hours or at any other time."

Cowlshaw: "And that is therefore the only difference between these 2 Bills?"

Davis: "That's the...I mean, you know, I haven't seen this Amendment, but that's the only difference that I can see at this time."

Cowlshaw: "Thank you very much."

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

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Zickus: "Yes, thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "She will."

Zickus: "I have the same question, does this Bill amend the Criminal Code?"

Davis: "No this Bill does not amend the Criminal Code."

Zickus: "Okay, and were there any fines or anything that are in this Bill?"

Davis: "The discipline or procedures for rule violations will be implemented by the different school boards."

Zickus: "I strongly believe that we need some type of pager Bill and I do have one, 2445, coming up that does the same thing. Also amends the Criminal Code. You might want to take a look at that too."

Davis: "Well, in our legislation, our attempt was to leave the rules for violaters to be left up to school districts, because they would know the severity of the problem in their area. They would know about repeat violations. They would know about the knowledge of the perpetrators of this rule, having knowledge of the rule itself and we did not have any attempt to burden the courts any further."

Zickus: "As does 2445, it allows the school the same...thank you."

Davis: "2445?"

Zickus: "Yes."

Davis: "That's the number of your Bill?"

Zickus: "Yes."

Davis: "Well, this is House Bill 95."

Zickus: "Right."

Davis: "Okay."

Zickus: "Thank you."

Davis: "You're welcome."

Speaker Breslin: "There being no further discussion, Representative Davis is recognized to close."

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Davis: "I would just urge an 'aye' vote. I think it's a serious issue and I think that we need to make this very small effort to keep our schools at least free of drugs or those dealing in drugs on school grounds. I think that we do...we allow enough leeway for school districts that have different and varying problems to allow for those differences when they promulgate the rules for the violaters. Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 95 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 98 voting 'aye', 5 voting 'no', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1360, Representative Santiago. Clerk, read the Bill."

Clerk Leone: "House Bill 1360, a Bill for an Act to create the offense of Criminal Drug Conspiracy. Third Reading of the Bill."

Speaker Breslin: "Representative Santiago."

Santiago: "Madam Speaker, Members of the House of Representatives, this Bill creates the offense of a criminal drug conspiracy. It also increases the penalties for conspiracy to violate the drug laws. The affect of the Bill is to raise the penalty for conspiracy to violate Illinois Drug Laws for most drug offenses. It leaves unchanged, the penalties for some offenses and it lowers the penalty for conspiracy to possess a small amount of controlled substances. This is basically a clean up Bill, which has been sponsored by the Cook County States Attorneys Office. The purpose of this Bill and the next 2 Bills that follow are to address a very drastic problem

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that we have, not only within the City of Chicago, but with the entire State of Illinois and also in United States. What I'm trying to do is try and address the hard core drug dealers. These are the people that do not...do not care about our society. Their purpose is to pollute our children, our society and so I believe and I feel that we should not have any mercy for these individuals. So I urge your favorable vote on this Bill. If there is any questions I will entertain them at this moment."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1360 and on that question the Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "Representative, you said this was a clean up Bill? Does this Bill look very similar to House Bill 502, that Representative Brunsvold sponsored last year?"

Santiago: "This is the same Bill which passed 12 to nothing in the Judiciary Committee and it was placed into Interim Study."

Cullerton: "So what you did...since you weren't here last year, you borrowed this Bill from Representative Brunsvold. Is that correct?"

Santiago: "No. What I did, I did...I went out and I did a lot of research and I found this Bill which addresses my community and I said this is a good Bill. I don't know why it was put into an Interim Study. I guess the Legislature back...maybe it was a bad Sponsor."

Cullerton: "Well, maybe it was a bad Sponsor."

Santiago: "I think it was a bad Sponsor."

Cullerton: "Well know, don't you think when you pass...when you've passed your first Bill that it ought to be your own Bill? That you shouldn't have borrowed somebody elses Bill

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to be your first Bill? Wouldn't you want to call one of these other Bills first? One that you drafted yourself, rather than borrowing one for your first Bill?"

Santiago: "Well, you have to start out someplace and I decided to start out with this one."

Cullerton: "But I think it should be treated accordingly, that's all I can say."

Santiago: "Thank you."

Speaker Breslin: "The Gentleman from Rock Island, Representative Brunsvold has something to say."

Brunsvold: "Thank you, Madam Speaker. This Bill was an atrocity when I had it. Does the Gentleman infer his comments, that I didn't do any research on this Bill?"

Santiago: "Yes."

Brunsvold: "Well, we'll see...we'll see what happens. We should consider this...our vote very carefully on this Bill and probably put up a red vote on this Bill."

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

Countryman: "Well, Representative, when you borrow a Bill aren't you supposed to look over to this side of the aisle to borrow it?"

Santiago: "I have been taught very well."

Countryman: "Oh. This Bill does realistically though, this creates a new offense. Does it not?"

Santiago: "Yes."

Countryman: "And what is that offense?"

Santiago: "Drug conspiracy."

Countryman: "Alright and what's the punishment for...with conviction on that offense? What class? Is it a Class X?"

Santiago: "The same as the crime for the subject of a conspiracy, Class X."

Countryman: "So if it's a Class X felony and the criminal drug

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conspiracy would be...could be punishable by the same as the amount of the substance that was pursuant to the charge."

Santiago: "It is based upon the amount of narcotics or drugs."

Countryman: "Could you give me a few examples?"

Santiago: "The conspiracy will be a Class X, to deliver a Class X amount of drugs."

Countryman: "So mere possession alone couldn't be a conspiracy, is that correct?"

Santiago: "Right."

Countryman: "And does it enhance any other penalties under the existing Controlled Substances Act?"

Santiago: "Yes, the conspiracy to deliver and possess."

Countryman: "Well I'm not quite certain I understand what this Bill does. So I think probably we should deal with it accordingly. Thank you."

Santiago: "Thank you."

Speaker Breslin: "The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you, Madam Speaker. Will the Sponsor yield briefly please?"

Speaker Breslin: "He will."

Weaver: "Representative in looking over your Bill and as a previous questioner had asked, actually installing a new crime. I was interested in prosecution of a conspiracy under what is an act of furtherance in order to prosecute someone for conspiracy under this Bill, you'd have to prove that they were guilty of the act of furtherance. Can you explain what that is?"

Santiago: "Any physical action which will make the commission of the crime more likely to occur easier."

Weaver: "More likely to occur easier?"

Santiago: "Or easier to occur."

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Weaver: "Can you give me an example, would it be the passage of money between hands or..."

Santiago: "Obtaining the drugs, making a phone call."

Weaver: "So a phone call would in effect be enough to prosecute someone for a Class X felony on conspiracy?"

Santiago: "If the subject matter of the phone call was in relation to the delivery of the drug, it would be a Class X felony. It would be a conspiracy."

Weaver: "Okay, you had mentioned earlier that you borrowed this Bill from Representative Brunsvold, do you recall how whether or not he was successful in getting it passed when he had it?"

Santiago: "Well it passed committee by a 12 to 0 vote. So I imagine that he did a good job in explaining the Bill and the subject matter of the Bill was very important."

Weaver: "Well, I was just wondering if those who were advising you to borrow Bills, if they...if they really got you on track of a good passable Bill or whether they gave you a bad Bill."

Santiago: "Well, in my estimation and my judgement I think it's a good Bill which addresses the concerns of my community. So I feel it should...it merits passage."

Weaver: "Thank you very much."

Santiago: "Thank you."

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

Flinn: "Thank you, Madam Speaker. The Gentleman who sponsored this Bill is a next door neighbor office of mine and a nice guy and on his behalf I now move the previous question."

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

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Representative Santiago is recognized to close.'

Santiago: "Madam Chairman, this Bill and the following Bills, as I said before addresses a very grave and serious problem in the State of Illinois and our country. Last year alone in the State of Illinois we had about a hundred drug related homicides. In the City of Chicago last year we had approximately about 55 drug and gang related homicides also, which means that drugs only lead to kill. They are a bad element in society and we must deal with the problem head on. This Bill addresses basically the hard core drug peddler. I'm not going here after the young kid out there that's using drugs, I'm going after the hard core individual. So I feel and I hope and I wish that this Body will give me a favorable Roll Call on this Bill. Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 1360 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Novak, one minute to explain your vote. Representative Novak is recognized."

Novak: "I need my microphone. I've got it. Thank you, Madam Speaker, Members of the House. Well it looks like a bad Bill Miguel. I don't think it's a bad Bill. I know it's a little part of the hazing process down here. We all go through it and I had my share of it a few years ago. But I just want to say this, I want to commend the Sponsor of this Bill. I was happy to sign on as a hyphenated Sponsor. We had a press conference in the City of Kankakee a few weeks ago, concerning the package of Miguel's Bill and let me tell you one thing, the day we had that press conference, that evening there was gang related violence in Kankakee and our police chief in the City of Kankakee has documented evidence that gangs are infiltrating our gang members in the City of Kankakee and this is a good Bill.

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Please change your votes and vote..."

Speaker Breslin: "The Gentleman from Sangamon, Representative Curran one minute to explain your vote."

Curran: "Madam Speaker, inadvertently my name was put on this horrible Bill. When this Bill does not get the requisite number of votes to pass, thank goodness. Would you please take my name off this Bill."

Speaker Breslin: "I think it'll be too late after we call the record Representative Curran. You have to decide now. Representative Homer one minute to explain your vote."

Homer: "Thank you, Madam Speaker. The problem that Representative Santiago is having passing this Bill is actually a problem created by Representative Novak last year. When he appropriated Representative Siebens Bill without following an IDA impact statement and the fact that Representative Santiago has failed to file an IDA impact statement on this Bill I think is influencing the outcome here. So I just wanted to offer that as my interpretation of what's going on here."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 103 voting 'aye', 2 voting 'no', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Mays for what reason do you seek recognition? Representative Mays what do you have to say for yourself?"

Mays: "This is my first bad vote of the Session. I apologize to Representative Santiago."

Speaker Breslin: "The next Bill is House Bill 1746. We'll see if he can be as...equally as successful. Representative Santiago. Clerk read the Bill."

Clerk Leone: "House Bill 1746, a Bill for an Act to amend the Illinois Controlled Substance Act. Third Reading of the

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Bill.'

Speaker Breslin: "Representative Santiago."

Santiago: "This Bill, what it does, it increases the criminal penalties for possession and delivery of certain quantities of LSD. The Bill once again addresses the drug problem in our society. I will ask for your favorable Roll Call. If there are any questions I will entertain them at this moment."

Speaker Breslin: "You're a brave man. The Gentleman moves for the passage of House Bill 1746 and on that question is there any discussion? The Gentleman from DeKalb, Representative Countryman."

Countryman: "Will the Gentleman yield?"

Speaker Breslin: "He will."

Countryman: "Representative if you have three Bills in a row on there, all your first Bills I think they probably fall in the same category. But this Bill also in addition to LSD deals with manufacture, delivery or possession with the intent to deliver 10 grams or more of controlled substance and makes it a Class felony. Is that correct? Class X felony?"

Santiago: "Yeah, if you look at the Amendment we changed the terminology from 'grams' to 'objects', because 10 grams of LSD will wipe out the entire Cook County. So what we did was change..."

Countryman: "Well that might be a good thing to do."

Santiago: "It probably could wipe out DuPage County also."

Countryman: "Well some of us could go along with that too."

Santiago: "That's right, so It only deals with LSD."

Countryman: "Okay, but my question is it deals with just LSD then? It doesn't deal with..."

Santiago: "LSD."

Countryman: "...any controlled substance?"

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Santiago: "LSD."

Countryman: "Okay, so we're only...my analysis indicates something else, but he says it only deals with LSD. I have no problem with it."

Speaker Breslin: "Okay. Any further discussion? Hearing none, the Gentleman from Cook, Representative Cullerton."

Cullerton: "A quick question. Representative Santiago is this your second Bill?"

Santiago: "Yes."

Cullerton: "Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 1746 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 104 voting 'aye', none voting 'no', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 2313, Representative Santiago. Clerk read the Bill."

Clerk Leone: "House Bill 2313, a Bill for an Act to amend the Illinois Controlled Substances Act. Third Reading of the Bill."

Speaker Breslin: "Representative Santiago."

Santiago: "This Bill clarifies certain penalties and enhances other relating to possession and dealing of controlled substances. There any questions?"

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2313 and on that question, is there any discussion? Hearing none, the question is, 'Shall House Bill 2313 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 106

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voting 'aye', none voting 'no' and none voting 'present'.
This Bill having received the Constitutional Majority is hereby declared passed. The next Bill is House Bill 62, Representative Martinez. Clerk read the Bill."

Clerk Leone: "House Bill 62, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Martinez."

Martinez: "Thank you, Madam Speaker, Members of the General Assembly. House Bill 62 amends the School Code, requires the board of education of cities with a population exceeding 500,000 to establish rules prohibiting students from carrying in school a pocket pager, beeper or other electronic communication device and to establish appropriate penalties for violation thereof."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 62 and on that question is there any discussion? The Gentleman from Coles, Representative Weaver."

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

Speaker Breslin: "He will."

Weaver: "Representative what...we passed already today, two Bills out that deal with prohibitions against pagers in the school systems. How does your Bill differ from those two that we've already passed?"

Martinez: "Well I've amended this Bill in committee twice and one of the Amendments made the provision excepting...not carrying pagers except for health or other unusual reasons approved by the board. So my Bill from the inception has dealt with the problem of persons carrying beepers for reasons of health. Also another Amendment dealt with the fine. I had originally asked for a fine of \$500.00, but we reduced that to \$50.00, no more than \$50.00. But the Bill does have some degree of teeth, you might say, and what I'm trying to do is convey to the young people that if they're

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in the business of drugs they're not going to get off scott free, that the days of slapping the hands of the individuals in this business are over."

Weaver: "I understand. In this \$50.00 fine that you're applying, does the fine...the money go to the school system? Does it go to the courts? Where does that money end up?"

Martinez: "Yes, the money eventually returns back to the school district where the offender was apprehended."

Weaver: "To the formula or just through a grant or how is that money sent back to the school district?"

Martinez: "Actually the authorities in the locality that did the arrest will return the money back to the treasurer of the local school board."

Weaver: "I'm sorry I didn't hear that. The arrest is made by whom?"

Martinez: "Wherever the arrest is made in the State of Illinois that the local police department...the judicial circuit in which the school attended by the school is located will recover the money and pay to the proper school treasurer for deposit in the education fund or the appropriate school district."

Weaver: "Okay, let me understand this then, a teacher notices that a student has a pager, calls the police who then make an arrest, the court would impose a \$50.00 plus fine on the student and then return the money to the school district. Is that the way it would go?"

Martinez: "Well first of all it's not plus \$50.00 it's just plain \$50.00, that's the..."

Weaver: "Plus court costs?"

Martinez: "My Amendment doesn't call for that so..."

Weaver: "Well, then you're mandating that the court costs be picked up by the judicial system?"

Martinez: "No, no the fine of \$50.00...\$50.00 is the top figure

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and I didn't include the court costs. I didn't consider that."

Weaver: "Madam Speaker to the Bill, I think there's still sufficient holes in this Bill and we've got two vehicles already passed out to go to the Senate that I think the Representative can work with and get his ideas incorporated. And there may be some exemptions that need to be made in the existing Bill, but we've got two of them floating out now that perhaps we ought to rethink this one. Thank you."

Speaker Breslin: "Representative Martinez is recognized to close."

Martinez: "This Bill would prohibit students from carrying pocket pagers and beepers in school, except for health reasons. And we all know that these devices are commonly used to notify student drug dealers when other students in the area are in the market to buy drugs. They're also used to warn each other when the police are approaching or the authorities from the school. That's the need of the devices, I'm trying to control the use of these devices for the business of selling drugs. Chicago Police Department supports this Bill and I would respectfully ask for your support on this issue."

Speaker Breslin: "The question is, 'Shall House Bill 62 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The 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 96 voting 'aye', 5 voting 'no', 2 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. The next Special Order that we will go to is the Order of Economic Development. Economic Development. Please look over this Order and be ready to present your Bills. We'll

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start with those Bills that are on Second Reading. The first Bill, House Bill 204, Representative Mautino. Clerk read the Bill."

Clerk O'Brien: "House Bill 204, a Bill for an Act to create the Private Enterprise Review and Advisory Board. Second Reading of the Bill. No Committee Amendments."

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

Clerk O'Brien: "No Committee Amendments. Floor Amendment #1, offered by Representative Mautino."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker, Members of the House. Amendment #1 is a change in the agency providing the assistance to the original Bill. The Amendment provides that the Illinois Commerce Commission on Intergovernmental Cooperation staff the advisory board. This changes only the substantive language where it was originally established in the Department of Commerce and Community Affairs. It clarifies who is to be...who is to be set up with this commission which would include 6 Legislators, 6 Members representing business and 4 Members representing state agencies. I move for its adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 1 to House Bill 204. On the 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 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Mautino. Representative Mautino."

Mautino: "Would you please give me the...could I see the

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Amendment? I don't happen to have that. Madam Speaker, I misspoke on Amendment #1. I didn't have them in the right order. Number one addresses the number of people on a commission. Number 2 was the change to the department...from the Department of Commerce and Community Affairs to the Illinois Commission on Governmental Cooperation. One is technical in nature and the other is establishing..."

Speaker Breslin: "Amendment #1 has already been adopted. The question is, 'Shall Amendment 2 be adopted?' Is there any opposition? 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. Representative Cullerton in the Chair."

Speaker Cullerton: "House Bill 217, Representative Giorgi. Out of the record. House Bill 255, Representative Breslin. Out of the record. House Bill 491, Representative Breslin. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 491, a Bill for an Act in relation to wages. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 568, Representative Breslin. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 568, a Bill for an Act regulating wages of laborers. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Breslin on Amendment #1."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, Amendment #1 adds to this Bill the requirement that all bid specifications issued by State and Local Government for public works construction projects list the prevailing wage rate for each craft or type of worker needed to perform the contract. This was a recommendation made by the Illinois Construction Industry during the committee meeting. It has the support of the State Federation of Labor, the State chamber of Commerce and of course the Construction Industry. I move for its adoption."

Speaker Cullerton: "The Lady moves for the adoption of Amendment #1 on House Bill 568. Is there any discussion? 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 Cullerton: "Third Reading. On the order of Economic Development, House Bill 616, Representative Kulas. Clerk, read the Bill."

Clerk O'Brien: "House Bill 616, a Bill for an Act to adopt the tri-state high speed rail line compact. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Kulas asked leave to..."

Ronan: "Withdraw Amendment #1."

Speaker Cullerton: "Withdraw Amendment #1. First of all, ask leave to handle the Amendment for Representative Ronan."

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Leave is granted. Your request then is to withdraw Amendment #1. Any further Amendments?"

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

Speaker Cullerton: "Representative Kulas asks leave to handle Amendment #2 for Representative Ronan. Leave is granted."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 we're going to put on at the request of the Department of Transportation and other departments which had some problem with language in the original Bill. What this Amendment will now do, will now allow Illinois to enter into the tri-state high speed rail compact to look into the possibility of a high speed rail line in the Detroit, Michigan and Chicago, Illinois corridor. But without the authority to commit the State of Illinois to any expenditure of funds. So this would not...Illinois would not have any auth...to spend any money in this compact."

Speaker Cullerton: "The Gentleman has moved for passage of Amendment #2 to House Bill 616. Is there any discussion? There being none, the question is, 'Shall Amendment #2 pass?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it, Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Third Reading. House Bill 738, Representative Mautino. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 738, a Bill for an Act to amend the Illinois Highway Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

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

Clerk O'Brien: "No Motions filed."

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Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Hartke on Amendment #2."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Amendment #2 simply adds 3 words to the Bill excluding general maintenance."

Speaker Cullerton: "The Gentleman has moved for the adoption of Amendment #2. Discussion on the Amendment? Representative Mautino."

Mautino: "Thank you, that's an Agreed Amendment Mr. Speaker."

Speaker Cullerton: "Further discussion? There being 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. Further Amendments?"

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

Speaker Cullerton: "Representative McCracken asks leave to handle Amendment #3 for Representative Black."

McCracken: "I wonder, he had to step out for just a moment and he'll be right back. Can we just take it out of the record for a minute? We'll get right back to it."

Speaker Cullerton: "Representative Mautino there's been a request to take the Bill out of the record for a moment."

Mautino: "I'm going to oppose the Amendment anyway."

Speaker Cullerton: "Representative McCracken would you care to present the Amendment in as much as the Sponsor's indicated he wishes to oppose it?"

McCracken: "I understand the opposition of course on the merits. I'd just like an opportunity to have that consideration on the merits. I'm not familiar with this Bill. He'll be back in just a minute."

Speaker Cullerton: "He indicates he'll take it out of the

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record."

McCracken: "Thank you."

Speaker Cullerton: "House Bill 1616, out of the record. House Bill 2421, out of the record. House Bill 2437, Representative Hoffman. Out of the record. House Bill 2576, Representative Myron Olson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2576, a Bill for an Act to amend an Act pertaining to vehicle emission testing. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Currie on Amendment #1 to House Bill 2576, Sponsored by Representative Olson. Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. This proposal would expand the number of zip codes in DuPage County that would be required to participate in the vehicle inspection and maintenance program. As every Member of this chamber knows, the federal courts have required substantial new efforts in the State of Illinois to meet ozone air quality requirements in Northeastern Illinois beginning in March of next year. I think many of us remember that when we crafted the Vehicle Inspection and Maintenance Program we did not include all those areas in the Northeastern part of the state that contribute to the substantial problems that we face with the Federal Environmental Protection Agency. I offer this Amendment in an effort to show the federal court that we're willing to take responsible action now and in an effort to make sure that the air quality for the people in Northeastern Illinois and in neighboring Wisconsin is adequate to

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protect the life and the safety of the people. I'd be happy to answer your questions and I'd certainly appreciate your support for this responsible Amendment to House Bill 2576."

Speaker Cullerton: "The Lady has moved for the adoption of Amendment #1 to House Bill 2576. On that question the Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Mr. Speaker, will the Lady yield for questions?"

Speaker Cullerton: "She indicates she will."

Churchill: "Representative Currie can you tell me where these areas are that you're adding to the list?"

Currie: "I believe that they are in larger communities in DuPage County and I'm not sure that I have a list of the actual names of the communities. But air quality and air flow studies done by the Chicago Lung Association and the Environmental Protection Agency indicate that the ozone from these communities which are as I say, fairly well inhabited communities, with a fair amount of automobile activity, do act to increase the overall problem given the way the air currents flow in communities that are further north and west of them."

Churchill: "So you don't know what communities these are, but you're just throwing some zip codes into the Bill and that's fine, you don't know what that means though?"

Currie: "Wheaton, Naperville, Warrenville, Mundelein, West Chicago. These...you may remember Representative that when we first created the vehicle inspection and maintenance program, these communities were included. That was part of the original proposal from the State Environmental Protection Agency. I think for reasons having to do not with air quality, but with power politics, these communities and these zip codes were excluded from the

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program before the program was initiated."

Churchill: "So, what you're saying is that the Bill as was finally passed as the Members of this Body agreed, contained certain communities, but it did not contain these communities and for whatever reason that they were taken out, that the people on this floor voted to only establish a set amount of communities and these were not a part of it. Why now would you include Wheaton and Mundelein and all of these communities...I mean...do you have scientific evidence that says that there's some bad emission problems in these communities that didn't exist before?"

Currie: "Yes. Yes."

Churchill: "And what is that evidence?"

Currie: "The evidence comes from the Chicago Lung Association and from the Environmental Protection Agency that the ozone produced in these communities, because of air currents and air flow patterns, does contribute substantially to the ozone problem in Northeastern Illinois. Secondly, I'm sure you're aware of a lawsuit brought in Federal Court by the State of Wisconsin against the State of Illinois. The argument was consommeed is that air quality problems, ozone problems in Illinois contribute to ozone problems in the State of Wisconsin. The Federal Court said that Wisconsin was right. The Federal Court has commanded the United States Environmental Protection Agency to impose very strict sanctions on the State of Illinois as of March 1st, 1990. I think the fact that the courts recognize that we have not contained the ozone problem as responsibly we should have done, is reason enough to make the point that we need to do more and I also think that court will look kindly on good intentions expressed by this Assembly to try to act now to resolve some of our ozone problems. I'm concerned about the sanctions that the Feds may impose.

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They may be talking about limits on individual opportunities and individual hours for driving of automobiles. We may find people unable to buy more than a gallon of gas a week. The number of sanctions that will be available to the Feds are going to be substantial, could substantially impinge on ordinary activities by ordinary Illinois citizens. I think any effort we make to clean up our act before the court moves to those kinds of restrictions, would be activities well worth the doing and I think there's no question on any air quality analysis that these communities do contribute to our over all problem and for us to require the same of the individual car owners in those communities as we presently require of car owners in many other parts of DuPage and in Cook and in Lake Counties would be a worthwhile thing to do."

Speaker Cullerton: "Does that answer your question Representative?"

Churchill: "Well that was a very very lengthy speech, although it didn't go to the question at all. So let me rephrase the question and maybe I can get a shorter answer that might be truthful and accurate. Has the EPA done testing in these communities?"

Currie: "I believe that was on the basis of those tests that the EPA first recommended inclusion of these communities in the initial program. The Chicago Lung Association..."

Churchill: "Has the EPA done a test...has the EPA done a test from the initial passage of the Bill to this point and that period of time, has the EPA done a test on the air quality standards in these communities?"

Currie: "I believe the EPA continues to monitor the air quality in Northeastern Illinois..."

Churchill: "Do you have the results..."

Currie: "But, Representative Churchill the question isn't air

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quality in Wheaton, the question is the effect of air quality in Wheaton on communities that are further north and further west. Communities in the State of Wisconsin for example, where we have good information, court approved information that says that our ozone problems are problems in that state. These communities on the basis of every piece of evidence I have seen, contribute to that overall problem."

Churchill: "Okay, so the answer to my question is, is 'no'."

Currie: "The answer was 'yes'."

Churchill: "And do you have the answers to those...do you have the actual EPA test results on these communities from the period of time when the passage of the original Bill until today's date?"

Currie: "What I have is the air quality...the air flow information that suggests that the issue isn't what's happening in Naperville, the issue is what happens...how does what happens in Naperville affect what happens in other communities down wind."

Churchill: "Well, it may come as some surprise to you Representative Currie, they are finding trace...substances in the waters of Lake Michigan, substances that do not exist in the continental United States, which means that the air quality and the water quality of our whole area's affected by the world, not just by these communities."

Currie: "That's right. But the U.S. EPA has done the kind of studies to show that the air currents, the winds carry pollutants from these communities to Southeastern Illinois and to other parts of the State of Illinois and it's on that basis in part that the Federal Courts are now telling the U.S. EPA to get tough on Illinois."

Churchill: "What about the pollution from O'Hare Airport? What are we doing about that pollution from O'Hare Airport that

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gets caught over all these communities that you're worried about?"

Currie: "Representative I don't know whether the communities near O'Hare are included in the present program, I believe they are."

Churchill: "I'm talking about the airport itself. What about the airport itself? What about the pollution from the automobiles that are at...that are at O'Hare Airport? What about the pollution from the airplanes at O'Hare Airport?"

Currie: "From the airplanes? I don't know if the airplanes using diesel fuel as they do contribute substantially to the ozone problem. But if you're aware of a problem that I'm not aware of, Representative Churchill, I would encourage you to file your own Amendment to House Bill 2576."

Churchill: "Fine, then would you take this out of the record and..."

Currie: "Take my Amendment out of the record? Certainly not."

Churchill: "Fine, you and I'll join together and maybe we can come up with an Amendment that includes O'Hare Airport."

Currie: "Okay, if Representative Olson wants to take his Bill out of the record while you file your own Amendment that would be perfectly okay with me."

Speaker Cullerton: "Representative Olson, there's been a request to take the Bill out of the record."

Olson M.: "This is not a request to take the Bill out of the record. As the Sponsor of the Bill, I'd like to respond to Representative Currie. We vigorously oppose the Amendment to this Bill. This Bill has been around for about 5 weeks. My first specific question to the department when this arose is if we needed the inclusion of any additional zip codes, this sounds very much like the same dialogue we had in 1984. What we are seeking to do is to extend the sunset at this early date so that we will not get into a crunch

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and lose approximately \$130 millions of dollars from the Federal Government with regard to this issue. I think Representative Churchill very clearly articulated the correct position on this Bill and I would suggest that we move to defeat this Amendment."

Speaker Cullerton: "Well then the Bill's not out of the record and we're debating the Amendment and on that question, Representative Didrickson from Cook County."

Didrickson: "Thank you, Mr. Speaker. Would the Sponsor yield for a question? Representative Currie you are trying to include the hi-growth areas that are reliant on their cars that were excluded when we passed the emissions test?"

Currie: "That's right. For the reason that the air quality studies show that they contribute substantially to problems in Northeastern Illinois and Southeastern Wisconsin."

Didrickson: "They were originally to be in the original Bill when we passed the emissions test?"

Currie: "My recollection is that the initial legislation proposed by our Environmental Protection Agency included these zip codes."

Didrickson: "Included them...okay. I'm told by our staff though, that it was EPA who decided to take it and you're suggesting that that was for political reasons."

Currie: "Well, my suggestion is that when the United States Environmental Protection Agency is able to show through wind patterns that these communities contribute substantially to problems in Northeastern Illinois and Southeastern Wisconsin and when the Federal Court has agreed that Illinois is contributing to Wisconsin problems and has ordered the United States Environmental Protection Agency to impose a whole new plan, I think it's time for us to act now."

Didrickson: "I'm also told that the courts...the Federal EPA will

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tell us when we are to include these particular communities and that this is premature. So...but my follow up question to that is, were we told by the Federal EPA, the specific communities that were to be included in the original Bill?"

Currie: "I don't know the answer to that question. I know that we had a proposal from our Environmental Protection Agency under a state implementation plan and as I said, the Federal Courts have now thrown out our state implementation plan."

Didrickson: "What I...I happen to agree with what you're trying to do and I thought it was whilly nilly politics when we excluded a number of communities and included a number of communities that I happen to represent, which basically there is no difference. In fact, we rely more on rail, than we rely on cars. So I'd like to go to your page 3 of your Amendment, where you talk about including in that...in a study, diesel powered vehicles. Does this include rail?"

Currie: "The effort was to...some of you raise the question why are we not including diesel powered automobiles in our present vehicle inspection plan and the simple answer has been that scientists do not believe that diesel contributes substantially to the ozone problem. The reason for including the study is to find out whether that's right. But the effort was to look not at rail so much as at trucks for example or diesel powered automobiles."

Didrickson: "Thank you."

Speaker Cullerton: "Further discussion? The Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. Will the Lady yield for a question?"

Speaker Cullerton: "She indicates she will."

Stephens: "Was this Amendment the subject of another Bill that you sponsored in the House?"

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Currie: "Yes, Representative, I introduced..."

Stephens: "What was that Bill number? Do you recall?"

Currie: "Don't recall the number, it was heard..."

Stephens: "Was it heard in committee?"

Currie: "It was House Bill 1299 and it was heard in House Energy and Environment Committee."

Stephens: "Was it favorably reported?"

Currie: "Unfortunately, it wasn't."

Stephens: "The House...what committee was that again?"

Currie: "House Energy and Environment."

Stephens: "Energy and Environment Committee...Energy and Environment Committee, it's easy for you to say, met and reported this Bill unfavorably."

Currie: "Well there were some people absent from committee that day."

Stephens: "There was...well whether there were members absent or not, there was a vote taken and that committee which should specialize in these sort of issues, found this Bill lacking for some reason and voted not to report it to the House floor. Now, I think what we have is an instance similar to what the area that I live in, wherein the Environmental Protection Agency made recommendations about auto emissions and said that in certain areas we indeed had to have emission testing. And for good reason they limited that and by zip code exempted certain areas. Now you're trying to come in and override the judgement of the Environmental Protection Agency and say that 'well we just figure that we're probably a little bit more tuned to this' and living where you do you're sensitive enough to the issue and you've decided that the Environmental Protection Agency may not be right up to date and you're going to in your best judgement improve upon their course of action and take some areas in DuPage County and because of your familiarity and

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your wisdom dictate that they have the emissions testing. And I think that maybe you're very well intentioned, but the Environmental Protection Agency has literally hundreds of individuals that are eminently qualified to pass judgement on those areas that should or should not be forced to have emissions testing. I would suggest Representative that although I'm sure you're well intentioned, that you're probably erred in judgement, because if indeed this was a pressing problem in that area, the Environmental Protection Agency with it's multi, multi-million dollar budget would indeed have already indicated and dictated that those areas be covered. They have not done that and since they have not done that and I think that it would be foolish for this House to try to send a message to the EPA that we're somehow superior to them in the judgement of what issues they should be dealing with and what areas should be expanded as far as emissions testing goes. So I would suggest that if you represent an area that is fortunate enough not to be in need of further testing, that you join with those Representatives in the DuPage area and defeat this Amendment that has already been beaten as a Bill in the committee most qualified to rule on it. So I would suggest that we take their lead, like they killed the Bill, we should kill the Amendment."

Speaker Cullerton: "The Gentleman from Cook, Representative Kulas on the Amendment."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I wasn't going to speak on this Amendment until one of the previous Speakers mentioned that the Amendment was another Bill which was heard in my committee. It didn't pass out of committee, because Members were missing at that date. But, let me tell you something, you can talk about studies, who did studies, what studies, whatever, every

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study can have a different outcome. But if you care about the future, about those kids that are sitting up in the gallery, then you'll vote for this Amendment. Because, that's what we're talking about. We're talking about the future. It's not going to hurt you to go out and get your car inspected once a year to help these kids grow up. And I would ask for a favorable vote on this Amendment."

Speaker Cullerton: "The Gentleman from DuPage, Representative Barger. Representative Barger."

Barger: "Thank you, Mr. Speaker. Either last week or the week before, we each received in our office at least I think we did, a little pamphlet that concerning cars. And in that pamphlet it said that we have for the last 20 years been working on pollution control as far as automobiles are concerned. And that we are doing a very good job and it is progressing in an excellent fashion. It also said that if you divided the automobiles that are involved in this pollution problem into three categories those post 1984, those between 1980 and those prior to 1980, it shows that the group of the oldest cars, the ones that will be leaving the streets quite soon because of their advanced age are the primary cause of pollution from automobiles. It also said as those cars do leave the roads, the problem will continue to diminish in the fashion that it has been diminishing. Now, when you take communities like Naperville and Wheaton and these others, these communities to a very large extent are communities where people buy their cars new, turn in their older cars and get rid of them, wherein they go into places like Chicago and end up in the streets being driven until they're dead and then they're driven back out into the suburbs and abandoned. This particular problem is not a problem that is in existence in the suburbs and it is very definitely as one

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that we should all consider as a progression on the part of some people to push onto the rest of the community the pains and the circumstances that they have in the City of Chicago. This is unnecessary legislation. DuPage County does not have a pollution problem. Yes, wind does carry pollution. But as the winds come up out of the Mississippi Valley, they pick up the oxygen which is the same thing as ozone, that is given off by the corn and the fields and the soybean fields and they bring that on up to us in areas that have no industry. During August they have more ozone, more oxygen in the air than they do in the winter, when the wind is blowing and there is no plant growth. This is unnecessary and I suggest very strongly that we oppose this particular Amendment. Thank you."

Speaker Cullerton: "The Lady from Lake, Representative Frederick on Amendment #1."

Frederick: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield for a question?"

Speaker Cullerton: "She indicates she will."

Frederick: "Representative Currie do you realize a couple of the zip codes that you have included in your Amendment apply to my district and they are rural areas with much farm land, open land, communities themselves are less than 5,000 people and it seems to me they should not be included in this Amendment. Did you realize that?"

Currie: "Representative I didn't make up these zip codes out of whole cloth, they are not the product of my vivid imagination. The zip codes I included in this Amendment were zip codes proposed by the Illinois Environmental Protection Agency when we created this program. I would not have picked up these zip codes for any reason, but the fact that our State Environmental Protection Agency says these are the areas where the combination of a lot of

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driving, hi-growth areas with a combination of that activity coupled with wind patterns creates a problem someplace else. So if the question is, where did these numbers come from. They come from the people that we rely upon in this state to make sure we are adequately protected from inappropriate substances in our air and in our water. The Lake County zip code in the Bill only effects Mundelein. I'm not aware that that's a rural area."

Frederick: "Were the statistics that you looked at, were they recent or were the EPA recommendations of 10 years ago or longer ago than that. Because I really feel that this is in gross error, especially in the zip codes in my district."

Currie: "I bel...as I say Representative, there's only one zip code in your district Representative and that I believe is Mundelein and we used information from IEPA when the program was first created as well as more recent information that comes from the Lung Association and from the US EPA. Again, it's not just a question of what's happening in the community, what's the ozone content of the air over Mundelein, but given air patterns, given wind patterns in our whole area do the pollutants among the many mileage driven automobiles in this community effect the pollution level some place else. I would point again to the fact that the Federal Courts believe we need to do a lot more if we're going to solve the ozone problem and I can't imagine that any new implementation plan crafted by the United States Environmental Protection Agency would not include at least the zip codes that are in issue in Amendment 1 to House Bill 2576."

Frederick: "Does the IEPA support this Amendment at this time?"

Currie: "The IEPA did not take a position on the Bill. They certainly wanted these zip codes included when we created

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the program. The IEPA wanted a program and they were prepared to say 'uncle' on these zip codes if that was the price of creating the program in the first place."

Frederick: "It's my understanding they opposed this Bill last year and really I've decided they can be wrong also and for that reason I have to oppose your Amendment."

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

McCracken: "Thank you, Mr. Speaker. Unfortunately it appears this issue has become politicized. We are not talking about the difference between the air quality that the Democrats want and the air quality that the Republicans want. The Republicans have children that breathe the air too. What we're talking about is an orderly progression in confronting this problem. The U.S EPA has notified this Body in the past when it requires additional zip codes to be added. It will do so again if it feels it should. That is the authority responsible for this. Raising the spector of a Federal Court intervention doesn't change the fact that this action is premature. That case is still under consideration. It isn't clear yet whether it will be appealed and if it's appealed whether it will be over turned. We should not be rushing into judgement because of a district court, a trial court opinion which may or may not be sustained on appeal. But, that's not all this does, as I said before, it ignores the fact that the EPA is constantly monitoring this area, constantly monitoring the issue and has previously since '83 or 4 when we first did this, come in and added zip codes and that's how the system works. By making reference merely to the 1983 or 4 wish list that the Illinois EPA brought before this Body, bags the issue. The point is, is the responsible authority for this program asking for these zip code inclusions? The

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answer is no, no, no. This is not an issue of clean air versus dirty air, big business versus small business, children versus adults. It is an issue of the orderly progress of a program that is already in place, already monitored by the U.S. EPA, already expanded at a previous request of the U.S. EPA. This is none of those things and we should not be adopting this Amendment."

Speaker Cullerton: "The Gentleman from McHenry, Representative Klemm."

Klemm: "I too stand in opposition to this Amendment, only because I think we've arbitrarily selected some zip codes. The EPA, Illinois EPA has not included the areas that Representative Frederick and I represent. The population of those townships and areas are rural in nature. I remember Representative Hannig was trying to get some zip codes out last year, because they were arbitrarily put in there and I supported his attempts then. Now I see it's being expanded to include other areas that are rural in nature. Now maybe they're growth areas, but the growth hasn't come to the point where we're condemning or polluting the air to the extent that I think the Representative is looking at. So I certainly stand in opposition to arbitrarily just including zip codes for the sake of it. There's no evidence at all that it's needed. It was taken out before, the EPA concurred that it should have been taken out before, so I stand in opposition. Thank you."

Speaker Cullerton: "Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There was a song many years ago that what a difference a day makes and I know the Sponsor of this Amendment probably forgot, but I wish I had a copy of the big speech she gave yesterday on another Amendment. The person who had

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presented the Amendment in committee and lost in committee, she gave a big speech on how we were circumventing the committee process and one thing and another, because that it died in committee and don't shake your head now, because I remember verbatim. And but now she has a Bill that failed in committee so she wants it tied onto somebody else's Bill. What I would say is that defeat the Amendment. It was heard in committee. The committee gave it a fair and just hearing and she should probably remember that those in glass houses shouldn't throw stones."

Speaker Cullerton: "Representative Currie do you feel you need to close on this Amendment?"

Currie: "Thank you, Mr. Speaker, Members of the House. The Illinois Environmental Protection Agency does not oppose this Amendment. The Illinois Environmental Protection Agency crafted an initial inspection and vehicle maintenance program in order to meet federal air quality standards in respect to ozone. That agency recognized the scientific evidence that suggests we could...we should include these zip codes in our program. We can hide our heads in the sand. We can say 'we'll wait until the Feds tell us it's time to shape up our act, put our program into proper responsible shape'. We can say to the Republican and the Democratic children of the state 'not yet, not now, we'll wait until the Feds tell us that critical, difficult sanctions are the only way for us to go'. Or we can decide that we are responsible Legislators, sent here to do a job for our people. We can adopt Amendment 1 to House Bill 2576 in an effort to show the children of the state, the Republicans and Democrats of the state, that we're serious about air quality and in an effort to show the Federal Courts that we recognize the importance of coming into compliance with the Federal Air Quality Standards. I urge

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a 'yes' vote. This is not a partisan issue. It should not be a political issue. It's only an issue of air quality for us, for our children."

Speaker Cullerton: "The Lady has moved for the adoption of Amendment #1 to House Bill 2576. 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? The Gentleman from Adams, Representative Mays to explain his vote."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. The reason I'm voting 'no' is because the money's used to fund and finance this program which its results have been sketchy at best. But the money used to fund and finance, these are road fund dollars and it's just going to expand a whacky program like this and take money away from much needed road improvements downstate and throughout the whole state, just doesn't make much sense at all, that's why I'm voting 'no'."

Speaker Cullerton: "Have all voted who wish? Representative McCracken, you spoke in debate, you request for verification. Yes the amendment prevails. Have all voted who wish? Mr. Clerk, take the record. On this question there are 52 voting 'yes', 50 voting 'no', 2 voting 'present'. Mr. Clerk could you please poll those Members not voting?"

Clerk O'Brien: "A poll of those not voting. Steczo and Wyvetter Younge. No further."

Speaker Cullerton: "Proceed with the Affirmative Roll."

Clerk O'Brien: "Balaneff, Bowman, Breslin, Brunsvold, Bugielski, Capparelli, Cullerton, Curran, Currie, Davis, DeJaegher, DeLeo, Dunn, Farley, Flinn, Flowers, Giglio, Giorgi, Granberg, Hannig, Homer, Shirley Jones, Keane, Krska, Kulas, Lang, Laurino, LeFlore, Levin, Martinez, Matijevich,

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Mautino, McNamara, McPike, Morrow, Mulcahey, Novak, Phelps, Preston, Rice, Richmond, Saltsman, Santiago, Satterthwaite, Stern, Sutker, Terzich, Trotter, Turner, White, Wolf and Mr. Speaker."

Speaker Cullerton: "Representative Kirkland for what purpose do you rise?"

Kirkland: "Well as you know, Mr. Speaker these amendments can be confusing sometime, change my vote to 'no' please."

Speaker Cullerton: "Gentleman wishes to change his vote to 'no'. Representative McCracken, the questions of the affirmative."

McCracken: "Representative McGann?"

Speaker Cullerton: "Representative McGann, is the Gentleman in the chamber? Representative McGann. How's the Gentleman recorded?"

McCracken: "...I'm sorry he's not voting. Representative Lou Jones. Not voting. Representative Flowers?"

Speaker Cullerton: "How is the lady recorded, Mr. Clerk?"

Clerk O'Brien: "The lady is recorded as voting 'aye'."

Speaker Cullerton: "Remove Representative Flowers."

McCracken: "Representative LeFlore?"

Speaker Cullerton: "How is the Gentleman recorded?"

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

Speaker Cullerton: "Remove Representative LeFlore from the Roll Call."

McCracken: "Representative Wyvetter Younge?"

Speaker Cullerton: "The lady is not recorded as voting."

McCracken: "Representative Krska?"

Speaker Cullerton: "Representative Krska, how is the Gentleman recorded?"

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

Speaker Cullerton: "Is Representative Krska in the chamber? Please remove him."

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McCracken: "Representative Preston?"

Speaker Cullerton: "What was that name?"

McCracken: "Preston?"

Speaker Cullerton: "Representative Preston, how is the Gentleman recorded?"

Clerk O'Brien: "Gentleman's recorded as voting 'aye'."

Speaker Cullerton: "Representative Preston in the chamber? Remove him Mr. Clerk."

McCracken: "Representative Trotter?"

Speaker Cullerton: "How is the Gentleman recorded?"

Clerk O'Brien: "Gentleman is recorded as voting 'aye'."

Speaker Cullerton: "Representative Trotter in the chamber. Remove Representative Trotter."

McCracken: "Representative Mautino?"

Speaker Cullerton: "How is the Gentleman recorded?"

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

Speaker Cullerton: "Representative Mautino in the chamber? Please remove him."

McCracken: "Representative Laurino?"

Speaker Cullerton: "How is the Gentleman recorded?"

Clerk O'Brien: "Gentleman is recorded as voting 'aye'."

Speaker Cullerton: "Remove Representative Laurino."

McCracken: "Representative Flinn?"

Speaker Cullerton: "How is the Gentleman recorded?"

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

Speaker Cullerton: "Remove Representative...remove Representative Flinn. Please return Representative LeFlore to the Roll Call."

McCracken: "Representative Richmond?"

Speaker Cullerton: "Representative Richmond. Is the Gentleman in the chamber? He is recorded as voting 'aye', please remove him."

McCracken: "Representative DeLeo?"

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Speaker Cullerton: "Representative DeLeo. Representative DeLeo is recorded as voting 'aye', please remove him."

McCracken: "Representative Capparelli?"

Speaker Cullerton: "Representative Capparelli. How is the Gentleman recorded?"

Clerk O'Brien: "Gentleman is recorded as voting 'aye'."

Speaker Cullerton: "Representative Capparelli. Please remove him."

McCracken: "Representative Martinez?"

Speaker Cullerton: "Representative Martinez. How is the Gentleman recorded?"

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

Speaker Cullerton: "Gentleman in the chamber. Representative Martinez, please remove him."

McCracken: "Representative Saltsman?"

Speaker Cullerton: "How is the Gentleman recorded?"

Clerk O'Brien: "Gentleman is recorded as voting 'aye'."

Speaker Cullerton: "Representative Saltsman in the chamber?"

McCracken: "Yes, he's here, alright. Representative Giglio."

Speaker Cullerton: "Representative Giglio. Gentleman is recorded as voting 'aye'. Gentleman in the chamber? Please remove him."

McCracken: "Representative Bugielski?"

Speaker Cullerton: "Representative Bugielski is in his seat."

McCracken: "Nothing further."

Speaker Cullerton: "Representative Edley for what purpose do you rise?"

Edley: "Mr. Chairman I would like to change my vote from 'no' to 'present'."

Speaker Cullerton: "Gentleman changed his vote to 'present'. Representative Currie do you have any questions of the prevailing side?"

Currie: "Representative Parcells, I'm sorry she is there."

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Speaker Cullerton: "I'm sorry, Mr. Clerk would you please read the negative vote?"

Clerk O'Brien: "Ackerman, Barger, Barnes, Black, Churchill, Countryman, Cowlshaw, Deuchler, Didrickson, Doederlein, Ewing, Frederick, Goforth, Hallock, Harris, Hartke, Hasara, Hensel, Hoffman, Hultgren, Johnson, Kirkland, Klemm, Kubik, Leitch, Mays, McAuliffe, McCracken, Bob Olson, Myron, Olson, Parcells, Parke, B. Pedersen, W. Peterson, Petka, Piel, Regan, Ropp, Ryder, Sieben, Stephens, Tate, van Dyne, Wait, Weaver, Weller, Wennlund, Williamson, Woolard and Zickus."

Speaker Cullerton: "Are there any questions of the negative vote? Representative Currie."

Currie: "Representative Barnes?"

Speaker Cullerton: "Representative Barnes is her chair."

Currie: "Representative Ryder?"

Speaker Cullerton: "Representative Ryder, is the Gentleman in the chamber? Remove him."

Currie: "Representative Leitch?"

Speaker Cullerton: "Representative Leitch, is the Gentleman in the chamber? Remove him."

Currie: "Representative Wennlund?"

Speaker Cullerton: "Representative Wennlund's in the chamber. Representative Stephens you wish to change your vote?"

Stephens: "Is it my understanding that once we've challenged that when they challenge our affirmative vote, that we're not allowed to return?"

Speaker Cullerton: "That's correct."

Stephens: "Okay. I appreciate you explaining that."

Speaker Cullerton: "Representative Currie any further questions?"

Currie: "Representative Didrickson?"

Speaker Cullerton: "Representative Didrickson, is the lady in the chamber? She's recorded as voting 'no', please remove her."

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Representative Trotter has returned to the chamber, please him to the Roll Call. Any further questions, Representative Currie?"

Currie: "Representative Regan?"

Speaker Cullerton: "Representative Trotter wishes to vote 'aye'. I'm sorry your question was, Representative Currie?"

Currie: "Representative Regan?"

Speaker Cullerton: "Representative Regan, the Gentleman in the chamber? He's recorded as voting 'no', please remove him."

Currie: "Representative Parke."

Speaker Cullerton: "Representative parke, Gentleman is recorded as voting 'no', Is the Gentleman in the chamber? Please remove him."

Currie: "Representative Van Duyne?"

Speaker Cullerton: "Representative Van Duyne, Gentleman is recorded as voting 'no', Gentleman in the chamber? Please remove him."

Currie: "Representative Black?"

Speaker Cullerton: "Representative Gentleman is recorded...he's in the chamber, rear of the chamber. we did not remove Representative Black, he's here. Representative Didrickson is here, please return her to the Roll as voting 'no'."

Currie: "No further, Mr. Speaker."

Speaker Cullerton: "On this question Amendment #1 to House Bill 2576, there are 41 voting 'yes', 45 voting 'no'. The Amendment has failed to receive the majority is hereby declared lost. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Third Reading. Continuing on, going back on the Economic Development Special Order. House Bill 2437, Representative Hoffman. Mr. Clerk please read the Bill."

Clerk O'Brien: "House Bill 2437...a Bill for an Act in relation to liabilities. Second Reading of the Bill, Amendment #1

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was adopted in committee."

Speaker Cullerton: "Any motions with respect to Amendment #1?"

Clerk O'Brien: "No motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading...House Bill 2733,
Representative Hoffman...Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2733, a Bill for an Act to amend the
Public Utilities Act. Second Reading of the Bill. No
Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. Going back to House Bill
1616, Representative McPike. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1616...House Bill 1616, a Bill for an
Act to amend the Downstate Public Transportation Act.
Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative McPike on Amendment #1.
Representative McPike on Amendment #1 to House Bill 1616."

Clerk O'Brien: "Amends House Bill 1616 on page 7, line 29 by
changing allocated to allocate..."

McPike: "Move for the adoption of the technical Amendment."

Speaker Cullerton: "Is there any debate on this Amendment? There
being none, Gentleman moves for the adoption of Amendment
#1. All in favor say 'aye', all opposed 'no'. The 'ayes'
have it, Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further amendments."

Speaker Cullerton: "Third Reading. House Bill 2816,
Representative Wolf. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2816, a Bill for an Act to amend the

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Tri-City regional Court District Act. Third Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. The next Order of Business will be Environment and Natural Resources, Special Order of Business. The first Bill in that order is House Bill 120, Representative Terzich. House Bill 120, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 120, a Bill for an Act to restrict smoking in public places. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Cullerton: "Are there any motions filed with respect to Amendment #1?"

Clerk O'Brien: "No motions filed."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative McNamara on Amendment #2."

McNamara: "Thank you, Mr. Speaker, Members of the House. Amendment #2 is an Amendment which requires the Members of the General Assembly to take drug test in March of each year. I feel that it is an important situation that if we're going to dictate where everybody else in the state as to what they shall or shall not do, I think that this also should be a requirement for us to lead the way to lead the charge to clean up on drugs. I ask for the adoption of this amendment."

Speaker Cullerton: "The Gentleman moves for the adoption of Amendment #2 on that question the Gentleman from Madison, Representative McPike."

McPike: "Mr. Speaker, I would question the germane of this Amendment."

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Speaker Cullerton: "We'll ask the Parliamentarian to review the Amendment to...there's been a question as to it's germaneness and while he's doing that, Representative Terzich on the Amendment."

Terzich: "Well I didn't here what the...Sponsor of the Amendment said. I didn't here what he said what it does."

Speaker Cullerton: "Well it's not necessary. The Chair rules upon the advise of the Parliamentarian that the Amendment is not germane. Are there any further Amendments?"

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

Speaker Cullerton: "Representative Hallock on Amendment #3...is on his way out...Representative Terzich if you could just bare with us Representative Hallock is coming to the floor to present his amendment. we're on House Bill 120, we're on Amendment #3, the Sponsor of the Amendment is Representative Hallock. Representative Hallock on Amendment #3 to the Amendment to the Illinois Clean Indoor Air Act."

Hallock: "Thank you, Mr. Speaker, Members of the House. Amendment #3 to this Bill makes it very clear that smoking areas do not have to be provided by state agencies or local governments in this Bill."

Speaker Cullerton: "Gentleman moves for the adoption of Amendment #3 on that question is there any discussion? There being none the question is, 'Shall Amendment #3, be adopted?' All in favor say 'aye', all opposed 'no'. In the opinion of the Chair the 'ayes' have it. Amendment is adopted. Any further amendments?"

Clerk O'Brien: "No further amendments."

Speaker Cullerton: "Third Reading. House Bill 154, Representative Bowman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 154, a Bill for an Act in relation to

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certain containers. Second Reading of the Bill. Amendment #1 and 2 were adopted in committee."

Speaker Cullerton: "Were there any motions with respect to Amendments #1 and 2?"

Clerk O'Brien: "No motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 224. Out of the record. House Bill 547, Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 547, a Bill for an Act to amend the Wildlife Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Cullerton: "Any motions filed with respect to Amendment #1?"

Clerk O'Brien: "No motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 725, Representative Terzich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 725, a Bill for an Act to amend an Act to create Sanitary Districts. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Parcels on Amendment #1."

Parcels: "Thank you, Mr. Speaker. This Amendment would, it's a good idea to have these transfers because they are in troublesome times when they can't transfer any money but this would keep it to what the state has which is limited to two percent of the budget of the department or departments from which the transfers are made. As I said

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that is the same as the state, it's what is usually done in local government and I think it would be a good amendment to this House Bill 725."

Speaker Cullerton: "The Lady's moves for the adoption of Amendment #1, to House Bill 725. Any discussion? There Being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', all opposed 'no', the 'ayes' have it. Amendments adopted. Any further amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Third Reading. House Bill 774, Representative Giorgi. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 774, a Bill for an Act to amend an Act to create Sanitary Districts. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Parcels on Amendment #1 to House Bill 774."

Speaker Cullerton: "Gentleman wishes to take the Bill out of the record. House Bill 799, Representative Stange. Out of the record. House Bill 914. Out of the record. House Bill 1157, Representative Peterson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1157, a Bill for an Act to amend the Illinois Chemical Safety Act. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 1175, Representative Wennlund. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1175, a Bill for an Act to amend the Solid Waste Planning and Recycling Act. Second Reading of

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the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Representative Wennlund, there's been a request for a fiscal note filed, so the Bill will remain on Second Reading. Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Mr. Speaker I move that the fiscal note be ruled inapplicable. All this Bill does is, this Bill...there could be no possible way that there'd be a cost to the state."

Speaker Cullerton: "Representative Wennlund perhaps you could just take this out of the record for one moment. I think we might be able to have that matter resolved before we leave this order of business. House Bill 1223, Representative Ryder. Representative Ryder. Out of the record. House Bill 1339, Representative Hannig. Mr. Clerk Read the Bill."

Clerk O'Brien: "House Bill 1339, a Bill for an Act in relation to degradable Plastics. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Hannig on Amendment #1."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. This is an amendment that was given to me by the I.M.A. which will remove there objections to the Bill. It deletes a couple of sections on the Bill that has to do with labeling. I've agreed to offer this amendment. I want ask for your favorable support."

Speaker Cullerton: "Gentleman has moved for the adoption of Amendment #1. Is there any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All in

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favor say 'aye', all opposed 'no'. The 'ayes' have it
Amendment #1 is adopted. Any Further amendments?"

Clerk O'Brien: "No further amendments."

Speaker Cullerton: "Third Reading. House Bill 1406 House Bill
1406, Representative Hartke. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1406, a Bill for an Act to amend and
Act in relation to fertilizers. Second Reading of the
Bill. Amendment #1 was adopted in committee."

Speaker Cullerton: "Any Motion's filed with respect to Amendment
#1?"

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

Speaker Cullerton: "Representative Hartke there's been a motion
filed to table #1, but it's not signed."

Hartke: "That's fine."

Speaker Cullerton: "Is it your motion?"

Hartke: "Yes."

Speaker Cullerton: "The Gentleman moves to table Amendment #1.
Any discussion? All those in favor say 'aye', all those
opposed 'no'. The 'ayes' have it, Amendment #1 is tabled.
Any Floor Amendments?"

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

Speaker Cullerton: "Representative Hartke on Amendment #2."

Hartke: "Thank you very much, Mr. Speaker, Members of the House.
Floor Amendment #2, amends the Illinois Fertilizer Act and
increases the tunage fee from \$10 a tone to \$20 a tone on
fertilizer in the State of Illinois. And it also includes
inclosion of the Department of Agriculture Clean up Act,
several Bills they had introduced in the Senate which they
felt were dying so they amended it to this Bill. It
includes the Illinois Pesticides Act, the Illinois Grain
Dealers Act, the Public Grane Warehouse and Warehouse

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Receipts Act and the Illinois Grain Insurance Act as well as changes in the Civil Administration Code. I would appreciate your favorable support."

Speaker Cullerton: "Gentleman moves for the adoption of Amendment #2 to House Bill 1406. Any discussion? There being none, the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', all opposed 'no'. In the opinion of the Chair the 'ayes' have it, Amendment #2 in adopted. Any further Amendments?"

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

Speaker Cullerton: "Representative Hartke on Amendment #3."

Hartke: "Amendment #3 just adds some technical language that was taken out with Amendment #1. Appreciate your support."

Speaker Cullerton: "Gentleman moves for the adoption of Amendment #3 to House Bill 1406. All those in favor say 'aye', all opposed 'no'. The opinion of the Chair the 'ayes' have it, Amendment #3 is adopted. Any further Amendments?"

Clerk O'Brien: "No further amendments."

Speaker Cullerton: "Third Reading. House Bill 1507, Representative Currie. Representative Currie on House Bill 1507. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1507, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Cullerton: "Are there any motions filed with respect to Amendment #1?"

Clerk O'Brien: "No motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 1557, Representative Wait. Out of the record. House Bill 1627, Representative Goforth. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 1627, a Bill for an Act to amend an Act regulating the use of explosives. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Goforth Amendment #1 to House Bill 1627."

Goforth: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is just a Technical Amendment requested by the State Police."

Speaker Cullerton: "Gentleman moves for the adoption of Amendment #1. Any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', all opposed 'no'. In the opinion of the Chair the 'ayes' have it, Amendment #1 is adopted. Any further amendments?"

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

Speaker Cullerton: "Representative Goforth on Amendment #2."

Goforth: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This amendment adds enforcement procedures and sanctions for the Department of Mines and Minerals. This language has been agreed to by the Industry and I urge it's adoption."

Speaker Cullerton: "The Gentleman moves for the adoption of Amendment #2. Any discussion? There being none the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', all opposed 'no'. In the opinion of the Chair, the 'ayes' have it, Amendment #2 is adopted. Any further amendments?"

Clerk O'Brien: "No further amendments."

Speaker Cullerton: "Third Reading. House Bill 1686 Representative Churchill."

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Clerk O'Brien: "House Bill 1686, a Bill for an Act to amend the Illinois Low Level Waste Management Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Cullerton: "Any motions filed with respect to Amendment #1?"

Clerk O'Brien: "No motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 1688, Representative Hallock. Out of the record. House Bill 1803, Representative Balanoff. Do you wish to have that Bill heard on Second Reading at this time? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1803, a Bill for an act to amend the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Cullerton: "Any motions filed with respect to Amendment #1?"

Clerk O'Brien: "No motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "I believe were on House Bill 1803."

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 1804, Representative Balanoff. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1804, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 1811, Representative Mulcahey. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1811, a Bill for an Act to amend the

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Wildlife Code. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 1988, Representative Peterson. House Bill 1988, Representative Peterson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1988...a Bill for an Act to amend the Toxic Substance Disclosure to Employees Act. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 2010, Representative Peterson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2010, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 2020, Representative Breslin. MR. Clerk read the Bill."

Clerk O'Brien: "House Bill 2020, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Breslin on Amendment #1. House Bill 2020."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. The original Bill would prohibit the landfilling of batteries, this amendment encourage the recycling of more batteries, especially since they won't be able to be put in a landfill

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if the Bill passes. So retailers who sell lead acid batteries for cars, trucks and vans would be required to except used batteries at the point of the transaction. Retailers will also be required to charge a recycling fee of \$5.00 on each new battery sold when a customer does not return a used battery. As alternative retailers may offer a \$5.00 recycling credit for a new battery if a new one is returned. The retailer is allowed to keep the \$5.00 recycling fee to assure proper handling. The credit provision was put in in order to meet the needs of Sears because Sears currently has this program to help recycle batteries but they give a credit recycling credit as opposed to taking a deposit. So I think that there objections are thus removed from the process and I recommend it for your consideration."

Speaker Cullerton: "The Lady moves for the adoption of Amendment #1 to House Bill 2020. Is there any discussion? There being none the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', all opposed 'no'. In the opinion of the Chair the 'ayes' have it Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further amendments."

Speaker Cullerton: "Third Reading. House Bill 2025. Representative Weaver for what purpose do you rise?"

Weaver: "Mr. Speaker I'd like to take a moment to introduce the General Assembly to the Carl Sandberg School from my hometown of Charleston."

Speaker Cullerton: "Welcome to Springfield. House Bill 2025, Representative Breslin. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2025, a Bill for an Act in relation to Solid Waste Planning and recycling Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Cullerton: "Any motions filed with respect to Amendment

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#1?"

Clerk O'Brien: "No motions filed."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Breslin on Amendment #2."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. Amendment #2 is introduced in order to meet some of the concerns of the people who testified in committee on the Bill. In particular it requires the Department of Energy and Natural Resources to work with Federal...other states and the Federal Government in order to develop a national recycling emblem rather than just a state recycling emblem and it gives the department until 1992 in order to do so. So it gives a substantial amount of time in order to develop that recycling emblem and I recommend it for your acceptance."

Speaker Cullerton: "Lady moves for the adoption of Amendment #2 to House Bill 2025. Is there any discussion on that issue? There being none the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all opposed 'no'. In the opinion of the Chair the 'ayes' have it Amendment #2 is adopted. Any further amendments?"

Clerk O'Brien: "No further amendments."

Speaker Cullerton: "Third Reading. Representative Williamson for what purpose do you rise?"

Williamson: "Thank you, Mr. Speaker, to a Point of Personal Privilege. Introduced to the General Assembly a future State Representative Sam Panayotovich Jr."

Speaker Cullerton: "Welcome Sam Jr. House Bill 2039, Representative Parcels. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2039, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill."

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No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Representative parcels there's been a request for a fiscal note, so perhaps you can...we will the Bill on Second Reading and as I indicated Representative Wennlund before we leave this order of business perhaps we can have an answer for you on that request."

Parcells: "Mr. Speaker."

Speaker Cullerton: "Yes, Representative parcels."

Parcells: "I'd like to make a motion that the fiscal note is non-applicable because this is actually going to make money for the state. This is not going to have any cost. It will actually bring money in for the state. If you study the Bill I think you'll see that."

Speaker Cullerton: "If we are to debate the issue I'm going to have to put someone else in the Chair. So if you could just hold off on that matter before we leave this order of business we'll get back to it...House Bill 2040, Representative Mays. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2040, a Bill for an Act in relation to receipt of monies. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Representative there's been a fiscal note request, this will be...remain on Second Reading if you could also just hold off before we leave this order of business we can address that issue this is on 2040."

Mays: "But we filed one though."

Speaker Cullerton: "Mr. Clerk has there been a fiscal note filed on House Bill 2040? There's no record of that being filed. House Bill 2304, Representative Wennlund. Mr. Clerk, read

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the Bill."

Speaker Cullerton: "House Bill 2304, Representative Wennlund.
Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2304, a Bill for an Act to amend the
Township Refuse Collection and Disposal Act. Second
Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Ewing, on Amendment #1."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. This
Amendment provides that any town with a population of less
than 500,000 which meets certain criteria concerning
administration of general assistance programs, and allows
for the State or for these towns to contract for ambulance
service and to use general assistance funds for that
purpose. They can only contract with not-for-profit or
other governmental agencies for these funds...for these
services. And I would move for the approval of this
Amendment."

Speaker Cullerton: "The Gentleman has moved for the adoption of
Amendment #1 to House Bill 2304. Is there any discussion?
Representative Homer, the Gentleman from Fulton."

Homer: "Yes, thank you, Mr. Speaker, Parliamentary inquiry. Is
Amendment #1 germane?"

Speaker Cullerton: "I'll ask the Parliamentarian to look at the
Amendment to determine its germaneness to the Bill.
Representative Ewing, in the opinion of the Chair the
Amendment is not germane. The Bill deals with recycling of
garbage and refuse and ashes, and the Amendment deals with
general assistance. So in the opinion of the Chair the
Amendment is not germane."

Ewing: "Mr. Speaker, they both are into the same Section of the

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statute, same Chapter."

Speaker Cullerton: "Well, the Bill deals with the Township, Section 1, the Township Refuse Collection and Disposal Act, and the Amendment deals with the Township Law but affects that Section dealing with general assistance. So in the opinion of the Chair, the Amendment is not germane. Representative McCracken."

McCracken: "Yes, what standards are we applying now to this? Are we talking horizontal germaneness or vertical germaneness?"

Speaker Cullerton: "Well, Sir, I'm not familiar with that nomenclature. We're using Roberts Rules of Order and..."

McCracken: "Mr. Pollack knows what I'm talking about."

Speaker Cullerton: "I did confer with the Parliamentarian before making the ruling."

McCracken: "I think, you know, and I'm not trying to start a fight but when you start saying that something that amends the same chapter is not germane, merely because the subject matter of the duties is not identical, I think you open up a very serious problem here. If we're going to be talking about germaneness in this context, I think it's going to cut both ways. Clearly, if we're talking about township duties, whether they be garbage or general assistance, we're talking about the township. There is no single subject probable. There's no, frankly, there is no lack of germaneness under years of rulings on these types of issues."

Speaker Cullerton: "Well, Sir, the explanation is that even though it is in the same chapter, it does amend separate Acts and that's the, I don't know if that answers your question with regard to horizontal or vertical germaneness, but that's what the ruling would be. Representative Ewing."

Ewing: "Mr. Speaker, are you saying then if we can challenge any

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Amendment that doesn't amend the same chapters in the Act.

Is that what you're saying?"

Speaker Cullerton: "You can always make that inquiry, Sir."

Ewing: "I didn't hear the answer."

Speaker Cullerton: "You can always make the inquiry as to the germaneness of any Amendment."

Ewing: "I understand that, but I mean is that the basis of your ruling? I think we have a right. We should know what we are dealing with here, and if that's going to be your ruling on this then I assume that we can expect the same ruling on other Amendments."

Speaker Cullerton: "Well, I've explained the basis for the ruling, Sir."

Ewing: "Pardon."

Speaker Cullerton: "I've explained the basis for the ruling. If you want to use it as precedent, that's fine with me. Any further Amendments, Mr. Clerk?"

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

Speaker Cullerton: "Representative Wennlund. Amendment #2 has been offered by Representative Wojcik and I don't believe the Lady is here. Do you wish to take the Bill out of the Record or have someone else handle the Amendment?"

Wennlund: "No, I do not wish to take the Bill out of the Record. I'm in opposition to Floor Amendment 2."

Speaker Cullerton: "Then you want to move..."

Wennlund: "I move to table Floor Amendment 2."

Speaker Cullerton: "The Gentleman moves to table Representative Wojcik's Amendment #2 to House Bill 2304. Is there any discussion? There being none, the question is, 'Shall Amendment #2 to House Bill 2304 be tabled?' All in favor, say 'aye', all opposed 'no'. In the opinion of the Chair, the 'ayes' have it, Amendment #2 is tabled. Any further

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Amendments?"

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

Speaker Cullerton: "Representative Wennlund, Amendment #3, offered by Representative Wojcik. The Lady is not here."

Wennlund: "I move to table."

Speaker Cullerton: "The Gentleman moves to table Amendment #3 to House Bill 2304, offered by Representative Wojcik. Is there any discussion on that question? There being none, the question is, 'Shall Amendment #3 be tabled?' All in favor say 'aye', all opposed 'no'. In the opinion of the Chair the 'ayes' have it, Amendment #3 is tabled. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Representative Wennlund, there has been a request for a fiscal note that's been filed with regard to this Bill, so the Bill will remain on Second Reading. House Bill 2306, Representative Preston. Out of the Record. House Bill 2308, Representative Preston. Out of the Record. Representative Leitch, House Bill 2309, Mr. Clerk, Read the Bill."

Clerk O'Brien: "House Bill 2309, a Bill for an Act to amend an Act relating to rivers and streams. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. On this order of business I believe we passed a Bill that was offered by Representative Flinn, House Bill 224, Representative Flinn. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 224, a Bill for an Act...to amend the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

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Speaker Cullerton: "Were there any Committee Amendments Mr. Clerk?"

Clerk O'Brien: "No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Flinn on Amendment #1."

Flinn: "Thank you, Mr. Speaker. Amendment #1 simply says that nothing in this Section shall be construed as obstructing the general authority of promulgating rules by the Pollution Control Board. I move for the adoption of the Amendment."

Speaker Cullerton: "Gentleman moves for the adoption of Amendment #1, House Bill 224. Any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', all opposed 'no'. In the opinion of the Chair the 'ayes' have it, Amendment's adopted. Any further amendments?"

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

Speaker Cullerton: "Representative Flinn on Amendment #2."

Flinn: "All this amendment does is state that the Bill will apply to to sanitary landfills accepting municipal waste only. It does not apply to any other landfills. I move for the adoption."

Speaker Cullerton: "Gentleman moves for the adoption Amendment #2 to House Bill 224. Any discussion? There being none, the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', all opposed 'no'. In the opinion of the Chair the 'ayes' have it, Amendment #2 is adopted. Any further amendments?"

Clerk O'Brien: "No further amendments."

Speaker Cullerton: "Third Reading. The Chair is now prepared to go to this order of business, the Department of Natural

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Resources. Third Reading. Representative Wennlund, House Bill 887. Third Reading. Representative McCracken."

McCracken: "Thank you, on the order of Call Calendar there's a second page."

Speaker Cullerton: "My fault. We'll continue in this order of Second Readings. House Bill 2310, Representative Churchill, the Gentleman is in the chamber, 2310. Mr. Clerk please read the Bill. I'm sorry he wishes to take it out of the record. House Bill 2346, Representative Mulcahey. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2346, a Bill for an Act creating the Illinois Lake Management Program. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Cullerton: "Were there any motions filed with respect to Amendment #1?"

Clerk Leone: "No motions filed and no further amendments."

Speaker Cullerton: "Third Reading. House Bill 2348, Representative Curran...Gentleman in the chamber, Representative Curran...out of the record. Representative Curran, House Bill 2348. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2348, a Bill for an Act to amend the Illinois Solid Waste Management Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 2435, Representative Mays. Mr. Clerk, read the Bill."

Clerk Leone: "...House Bill 2345, a Bill for an Act...House Bill 2435... correction House Bill 2435, a Bill for an Act to amend an Act in relationship to Waste Management. Second Reading of the Bill. There are no Committee or Floor Amendments filed."

Speaker Cullerton: "Representative Mays there has been a request for a fiscal note, the Bill remain on Second Reading. House Bill 2461, Representative Olson. Mr. Clerk, read the

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Bill."

Clerk Leone: "...House Bill 2461, a Bill for an Act to amend the Solid Waste Management, Solid Waste Planning and Recycling Act. Second Reading of the Bill. There are no Committee or Floor Amendments. Third Reading."

Speaker Cullerton: "House Bill 2463. Representative Parcells. Mr. Clerk, read the Bill."

Clerk Leone: "...House Bill 2463, a Bill for an Act to amend the Illinois Solid Waste Management Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Cullerton: "Any motions filed with respect to Amendment #1?"

Clerk Leone: "No motions filed."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Weller on Amendment #2 to House Bill 2463."

Weller: "Thank you, Mr. Speaker, and Members of the House. Amendment #2 I've discussed with the Sponsor of legislation and she agrees and supports this amendment deals with some problems that were brought to our attention regarding the recycling logo portion of this legislation. Problems were brought to our attention by the Retailers, Manufactures and Distributors of packaged items so in order to accomodate their concerns we've designed this legislation which directs the Department of Energy and Natural Resources to work at the national level for the designation of a national recognized official recycling logo. Appreciate your support and move for the adoption of this amendment."

Speaker Cullerton: "Gentleman has moved for the adoption of Amendment #2 to House Bill 2463 is there any discussion? there being none the question is, 'Shall Amendment #2 be

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adopted?' All in favor say 'aye', all opposed 'no'. In the opinion of the Chair the 'ayes' have it Amendment #2 is adopted. Any further amendments?"

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

Speaker Cullerton: "Amendment #3, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Floor Amendment #3 creates the Sales Tax Exemption for recycling equipment excluding motor vehicles, it's designed to encourage the purchase and use of recycling equipment in Illinois, it's designed to encourage a private sector to purchase, recycling equipment and to engage in the business of recycling such items as plastics and automobile tires that are very costly to begin with and discourage the private sector from getting involved. I urge its adoption."

Speaker Cullerton: "...The Gentleman has moved for the adoption of Amendment #3 to House Bill 2463, is there any discussion? There being none, the question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', all opposed 'no'. In the opinion of the Chair the 'ayes' have it, Amendment #3 is adopted. Any further amendments?"

Clerk Leone: "...There are no further amendments."

Speaker Cullerton: "Representative Parcells there's been a request for a fiscal note on this Bill 2463 the Bill remain on Second Reading. House Bill 2574, Representative Kirkland. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2574, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "...Third Reading. House Bill 2700, Representative Stephens. Representative Stephens do you wish to have. Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 2700, a Bill for an Act to amend the Fish Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 2712, Representative Mays...is the Gentleman in the chamber? Representative Mays. Out of the record. House Bill 2713, Representative Peterson, out of the record. House Bill 2780, Representative Peterson. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2780, a Bill for an Act pertaining to the preservation of Wetlands. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Cullerton: "Any motions filed with respect to Amendment #1?"

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

Speaker Cullerton: "Third Reading. House Bill 2790, out of the record. No we can return to beginning of this order and we can proceed with Third Reading. House Bill 887, Representative Wennlund. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 887, a Bill for an Act to amend the Illinois Enterprise Zone Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Wennlund on House Bill 887."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. House Bill 887 creates an additional category under the Enterprise Zone Act for Enterprise Zones that consist of four or more entities, this was specifically brought to Van Duynes and my attention by Will county which has and Enterprise Zone that consist of 5 governmental entities. This Act will apply...created class of Enterprise Zones will apply to 4 Enterprise Zones in the Entire state of Illinois. It expands the sides of the zone from 13 square miles to 15 square miles and if it's a good Bill it's a good Economic Development Bill for the state of Illinois to encourage the new business to locate there and encourage

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old businesses to expand and I ask for its adoption."

Speaker Cullerton: "Gentleman moves for the passage of House Bill 887, on the question is there any discussion? There being none the question is, 'Shall House Bill 887 pass?' All those in favor vote 'aye' all those oppose vote 'no'. voting is open. This final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question there are 99 voting 'yes' none voting 'no' 4 voting 'present'. This having received the required Constitutional Majority is hereby declared passed. House Bill 896, Representative Black...out of the record. House Bill 1083, Representative Wennlund. Representative Wennlund on House Bill 1083...Mr. Clerk, read the Bill."

Clerk Leone:M"House Bill 1083, a Bill for an Act to add to the Solid Waste Planning and Recycling Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. House Bill 1083 will prevent the expansion of what's known as the 'Plastic Can which looks exactly like a regular aluminum can. We're at a time in the state of Illinois where 55% of all aluminum cans are being recycled in Illinois. The introduction of a PET can, which is polyethelene terethelate will prevent the jamming of landfills in Illinois with plastic cans which are really not recycled, though the markets are not there the technology's not there to recycle such a can. This is what flood the market with pop cans that are made out of a rigid solid plastic, exactly the same shape and size. It's a good Bill it'll help...it'll help expand the space in existing landfills, it's something that does not belong in the stream of solid waste in Illinois, it does not belong in stream of commerce, it's a danger and it's something

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that should be adopted and I move for its passage."

Speaker Cullerton: "Gentleman moves for the passage of House Bill 1083, on that question is there any discussion? There being none, the question is, 'Shall House Bill 10, Representative Bowman."

Bowman: "Just a question to the Sponsor."

Speaker Cullerton: "He indicates you'll yield for a question."

Bowman: "How does a...I've not see a plastic or at least I don't believe I have...is this in any way similar to the 16 oz PET bottles that are being marketed by Coca Cola now?"

Wennlund: "No Representative Bowman, it's exactly the same as...your pop can and it's a rigid hard solid plastic."

Bowman: "I'm sorry would you repeat the answer, I couldn't hear it."

Wennlund: "That's okay. What it is its exactly the same size as your normal Coca Cola can or Pepsi can or anything like that and it's made of a solid rigid PET that's not like the...cans...plastic jugs you refer to."

Bowman: "O.k. although I was thinking about the smaller size. would you say it actually has the shape a slenderful shape?"

Wennlund: "Exactly it's exactly the same shape as your normal pop can."

Bowman: "Thank you."

Speaker Cullerton: "Any further discussion? There being none, the question is, 'Shall House Bill 1083 pass?' All those in favor vote 'aye', all those oppose vote 'no'. Votings open. This final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there 100 voting 'yes' none voting 'no', 1 voting 'present'. This having received the required Constitutional Majority is hereby declared passed. We will go back to House Bill 896, Representative Black. House

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Bill 896, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 896, a Bill for an Act to amend the Municipal Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Black, House Bill 896."

Black: "Thank you very much, Mr. Speaker, Members of the House. House Bill 896 amends the Municipal Code. It simply permits municipalities with a population of less than 20,000 and a county with a high unemployment rate and that is defined in the Bill, to allow a public auction or private sale of surplus real estate when current authorize methods of sale have failed. This was brought to me by a city attorney and it is a problem and many of our downstate communities. And I would urge a favorable Roll Call on House Bill 896, I would more than happy to try and answer any questions you might have."

Speaker Cullerton: "Gentleman moves for the passage of House Bill 896, on that question the Gentleman from Lee, Representative Olson."

Black: "Will the Sponsor Yield? Not to Representative Olson but to anyone else I will."

Speaker Cullerton: "Indicates he will not yield for a question even though he just didn't indicated if you have to answer any questions."

Olson, B.: "I persist Mr. Speaker this is a significant issue and If he's not prepared to respond then this Bill should be summarily defeated. I insist on a right to ask him a question."

Black: "In that case I'll yield to Mr. Olson."

Speaker Cullerton: "He indicates He'll yield."

Olson, B.: "Thank you very much, Mr. Speaker. Mr. Black. House Bill 896 does have any impact in any other communities other than Danville?"

Black: "Well It might interest you to know that according to at

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least the 1980 census we're more than 20,000 now so I don't think it would have any impact on the city of Danville as you say it might in the city of Dixon."

Olson, B.: "No, we have no interesting this Bill as it is written or drafted, but where did the initiative for this come from sir, would you please relate that to me?"

Black: "Yes, the initiative for this Bill came from the City Attorney who practices in Danville but he at the time was a city attorney for the City of Hoopeston Illinois."

Olson, B.: "Have you consorted any time with the mayor of any other community in the state of Illinois on this issue."

Black: "Well I don't know if consorted is the right word, but I have consulted with many mayors of this issue."

Olson, B.: "Any of whom that I introduced you to?"

Black: "Well you did introduced me to a very outstanding mayor I might add."

Olson, B.: "A Mayor Loftgren of Rochelle?"

Black: "Yes, I recall, she is indeed a very outstanding public servant."

Olson, B.: "I was persuaded not to vote until into Bill until she called me and as a consequence of her call I'm going to support your Bill, weakly but in any event I'm going to support it."

Black: "Well I'll take even weak support sir. Thank you."

Speaker Cullerton: "Any further discussion?. Do you wish to close sir? Representative Black to close."

Black: "Thank you, Mr. Speaker, I would simply appreciate a favorable Roll Call on 896."

Speaker Cullerton: "Question is, 'Shall House 896 pass?' All those in favor vote 'aye', all those oppose vote 'no'. Votings open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question the 'ayes' are 95, the 'nos' are

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none, 2 voting 'present'. This Bill Having received the Constitutional Majority is hereby declared passed. House Bill 1085, Representative Wennlund. Mr. Clerk, read the Bill."

Clerk Leone: "...House Bill 1085, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Wennlund on House Bill 1085."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. House Bill 1085 came to me from a Member of the St. Clair County...Madison County Board I'm sorry. Frank Bowling...it was discovered that many old permits that were issued many years ago some as many as 15 years ago for the creation of landfills are still floating around and are now being used under the old rules. what this Bill does is it effectively creates a two year period, once the EPA issues a landfill development permit after two years it would expire regardless of when the permit was issued. So it effectively makes the two year limitation on the use of an EPA permit retroactive and eliminates any permit that were grandfathered when the General Assembly established a time limitation in 1986. There's some other ones floating around that could be developed under the old rules, it was an unhealthy environment and I move for it's passage."

Speaker Cullerton: "...Representative Wennlund have you concluded your remarks?"

Wennlund: "Yes."

Speaker Cullerton: "Yes, are there any questions? Representative Wennlund, any discussion on the Bill. There being none, the question is, 'Shall House Bill 1085 pass?' All those in favor vote 'aye', all those opposed 'no'. Votings open. This is final passage. ...Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 103 voting 'aye' none voting 'no', none

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voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1356, Representative Currie. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1356, a Bill for an Act to amend the Illinois Solid Waste Management Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Currie on House Bill 1356."

Currie: "Thank you, Mr. Speaker, Members of the House. There are two provisions in House Bill 1356. The first would ask the Department of Energy and Natural Resources to help to find for small businesses and Households, the most effective and safe way of disposing lead based waste paint and the Second would require the Environment Protection Agency the Department of Agriculture to work together in operating a pilot pesticide container disposal project. As you many are concerned that pesticide containers are sometimes not rinsed sometimes still contained hazardous substances and they are left by the side of a river bank and many in the agricultural community are concerned to find a better way to make sure that they are safely disposed of, I know of no opposition to the Bill, I believe the Bill received unanimous support in Energy and Environment Committee, I would be happy to answer your questions and would appreciate your support for House Bill 1356."

Speaker Cullerton: "Lady move for the passage of House Bill 1356, on that question is there any discussion? There being none, the question is, 'Shall House Bill 1356 pass?' All those in favor vote 'aye', all those oppose vote 'no'. The votings open. This is final passage. Have all voted who wish? Have all voted who wish. Mr. Clerk, take the record. On this question there 103 voting 'aye' none voting 'no', none voting 'present'. This Bill having

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received the required constitutional majority is hereby declared passed. House Bill 1358, Representative Currie. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1358, a Bill for an Act to amend the Illinois Solid Waste Management Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Currie on House Bill 1358."

Currie: "Thank you, Mr. Speaker, Members of the House. House Bill 1358 would create an advisory task force on bio-degradable plastics involving the agencies that deal with this issue today, the problem is that we don't know about packaging issues which plastics are degradable which are not and we would hope that this advisory group would be able to in conjunction with the private sector, develop materials that will not create long term problems once they are land filled, there was again no opposition to this Bill in Committee and the proposal received a unanimous vote among the Members of the Energy Committee. I'd be happy to answer your and I would appreciate your support."

Speaker Cullerton: "Lady moves for the passage of House Bill 1358. Is there any discussion? There being none, the question is, 'Shall House Bill 1358 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The votings open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question there are 102 voting 'yes', none voting 'no', 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1472, Representative Terzich. Out of the record. House Bill 1670, Representative Myron Olson. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1670, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

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Speaker Cullerton: "Representative Olson on House Bill 1670."

Olson, M.: "Thank you very much Mr. Speaker, Ladies and Gentleman of the House. House Bill 1670 is a j car initiative, it amends the Environmental Protection Act. It requires them indeed to promogate rules setting forth standards in relation to grants to local governments for the management of non-hazardous solid waste, we ask for the adoption of this House Bill 1670."

Speaker Cullerton: "Tim has moved for the passage of House Bill 1670, on that question is there any discussion? There being none, the question is, 'Shall House Bill 1670 pass?' All those in favor vote 'aye', all those oppose vote 'no'. The votings open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question there are 104 voting 'yes', none voting 'no', none voting 'present'. This having received the required Constitutional Majority is hereby declared passed. House Bill 1692, Representative Black. Is Representative Black in the chamber? Out of record. House Bill 2114, Representative Wennlund. Representative Wennlund on House Bill 2114. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2114, a Bill for an Act to amend the Illinois Solid Waste Management Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Wennlund do you wish to have this Bill passed now or should we go back to Representative Blacks Bill now that he's back in the chamber?"

Wennlund: "We might as well go forward with it now..."

Speaker Cullerton: "Fine. Representative Wennlund on House Bill 2114."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. What this Bill does...it requires the Illinois Department of Transportation to study the possible use of

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asphalt and concrete and demolition materials and road construction projects which are currently being dumped in places like landfills which has precious little space left. So that we can began to use recycled asphalt and recycled concrete in the construction of roads in Illinois instead of using virgin materials, its hoped that the Department can develop its specifications that would include recycled asphalt and recycled concrete a...and construction debris. Instead of being dumped on an unsightly landfills that can be re-used and it's a good Bill. The Illinois Department of Transportation has no objection to the Bill, it's good for Illinois."

Speaker Cullerton: "Gentleman moves for the passage of House Bill 2114. On that question is there any discussion? Hearing none, the question is, 'Shall House Bill 2114 pass?' All those in favor 'aye', all those opposed vote 'no'. Votings open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question there are 102 voting 'yes' strike that 103 voting 'yes' none voting 'no', none voting 'present'. This Bill having the required Constitutional Majority is hereby declared passed. Now we'll go back to House Bill 1692, Representative Black. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1692, a Bill for an Act to amend sections of the Solid Waste Planning and Recycling Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Members of the House. House Bill 1692 amends the Solid Waste Planning and Recycling Act. It provides that state mandated recycling goal for County Solid Waste Management Programs shall apply only if there are viable markets for the materials to be recycled. I'd be more than happy to answer any questions

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that you might have."

Speaker Cullerton: "Gentleman moves for the passage of House Bill 1692, is there any discussion on that question? There being none, the question is, 'Shall House Bill 1692 pass?' All those in favor vote 'aye', all those oppose vote 'no'. Votings open. This is final passage. Representative did you wish to explain your vote?"

Black: "Yah...I would like to explain my vote, Mr. Speaker, I don't want anybody to get hung out on this. There may have been a misunderstanding that we were going to hold this Bill until we can get something worked out with a Senate version. That was not my understanding, I do think negotiations will continue on this Bill and it certainly not my attempt to do anything that most parties can't agree to."

Speaker Cullerton: "Have all voted who wish? Mr. Clerk take the record. On this question there are 104 voting 'yes', none voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed...we've completed the Bills that we can call in this order for Third Reading. There are a few Bills that we've passed over for Second Reading. Representative McPike, House Bill 2372. Mr. Clerk please read the Bill."

Clerk Leone: "House Bill 2372, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 2790. Representative McPike. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2790, a Bill for an act to add Sections to the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Clerk Leone: "A Bill for an Act to add Sections of the

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Environmental Protection Act. Second Reading of the Bill.

Amendment #1 was adopted in committee."

Speaker Cullerton: "Any Motions filed, with exception of Amendment #1?"

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

Speaker Cullerton: "Third Reading. Some Bills that are on Second Reading where there has been fiscal notes filed on this order. We are still trying to resolve that question and we will get back to these Bills later and perhaps those fiscal note request may be withdrawn. The next order of business will be higher education. We are gonna go through the Bills on Second Reading first, then come back and do the Bills on Third Reading. So...on the Calendar on Page 20, House Bill 32, Representative Hallock. Representative Hallock, House Bill 32, do you wish to have that Bill called, on Second Reading? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 32, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1, was adopted in committee."

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

Clerk Leone: "No Motions filed."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Kubik, wishes to withdraw Amendment #2. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Cullerton: "Third Reading. House Bill 42, Representative Curran. Mr. Clerk, read the Bill. Representative Satterthwaite. Representative Satterthwaite for what purpose do you rise?"

Satterthwaite: "Has a fiscal note been filed on House Bill 32?"

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Speaker Cullerton: "Yes, there has been a request for a fiscal note, and the fiscal note has not been filed, so the Bill shall not go to Third Reading, it shall remain on Second Reading. Representative Curran, on House Bill 42. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 42, a Bill for an Act to amend the Public Humanity College Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 700, Representative Hultgren. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 700, a Bill for an Act to amend an Act concerning funding of scholarships. Second Reading of the Bill. There are no Committee or Floor Amendments. Fiscal note has been filed."

Speaker Cullerton: "Third Reading. House Bill 853, Representative Matijevich. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 853, a Bill for an Act to amend an Act creating a board of higher education. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 1484, Representative Mautino. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1484, a Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. Amendment #1, was adopted in committee."

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

Clerk Leone: "No Motions filed."

Speaker Cullerton: "Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Cullerton: "There has been a fiscal note request. And I don't believe that has been filed. The Bill will remain on Second Reading. House Bill 2033, Representative McGann. Out of the record. House Bill 2571, Representative Weller."

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Representative Weller. House Bill 2571, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2571, a Bill for an Act to amend an Act creating the Board of Higher Education. Second Reading of the Bill. Amendment#1, was adopted in committee."

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

Clerk Leone: "No Motions filed."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Weller, on Amendment #2 to House Bill 2571."

Weller: "Thank you, Mr. Speaker, and Members of the House. Floor Amendment #2 addresses concerns expressed in committee and is language agreed to by the Chair of the Higher Education Committee. Basically what the Amendment does is changes a language dealing with the work study program from established a state student work study program to research develop, and recommend a state student co-operative work program. This would require rather than having the Board of Higher Ed, and the Illinois State Scholarship Commission from establishing a work study program, they would be required to recommend by November 1st, 1990, a work study program and come back to the General Assembly for approval. I would appreciate your support and move for adoption of the Amendment."

Speaker Cullerton: "The Gentleman moves for the adoption of Amendment #2 to House Bill 2571, on that is there any discussion? There being none the question is 'shall Amendment #2 be adopted?' All in favor say 'aye' all opposed 'nay' in the opinion of the Chair the 'ayes' have it and the Amendments adopted. Any further Amendments?"

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Clerk Leone: "There are no further Amendments."

Speaker Cullerton: "Third Reading. House Bill 2606, Representative Black. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2606, a Bill for an Act pertaining to Guaranteed Student Loans. Second Reading of the Bill. There are no Committee or Floor Amendments. And a fiscal note has been filed."

Speaker Cullerton: "Third Reading. House Bill 2607, Representative Ropp. Clerk, read the Bill."

Clerk Leone: "House Bill 2607, a Bill for Act to amend an Act, authorizing College Savings Programs. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 2803, Mr. Clerk, read the Bill. Representative Shirley Jones."

Clerk Leone: "House Bill 2803...on page 19 of the Calendar, a Bill for an Act to amend the Baccalaureate Savings Act. Second Reading of the Bill. Amendment #1, was adopted in Committee."

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

Clerk Leone: "There are no Motions filed."

Speaker Cullerton: "Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Cullerton: "Representative Jones, there has been a request for a fiscal note, that's been filed but the fiscal note has not yet been filed, so it will remain on Second Reading. At this time then the Chair is prepared to stay on this order and do Third Readings. On the Calendar on page 45, House Bill 852, Representative Matijevich, House Bill 852. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 852, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Matijevich."

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Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. 852, is a Bill by the Illinois Vocational Association and implements a recommendation of the committee on vocational education and higher education admission requirements. It states that the Board of Higher Education in establishing, announcing, or distributing minimum admission requirements shall clearly state that any minimum admission requirements or standards are not applicable to persons seeking admission to occupational or vocational programs at public community colleges. I appreciate your support for House Bill 852."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 852, on that question is there any discussion? There being none, the question is 'shall House Bill 852, pass?' All those in favor vote 'aye', all those opposed vote 'no' the voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 102 voting 'yes' none voting 'no' none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1417, Representative McPike. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1417, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

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

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is a Collegiate License Plate Bill. The attempt was to get the Secretary of State to support a Bill that would not cost his office or the road fund any money, and at the same time help raise some money for college scholarships and grants to students. But the Bill as amended will create in essence a vanity plate for each

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university that qualifies, in order to qualify you have to have ten thousand plates to sell. So for example the U of I would have ten thousand plates and they would create a special license plate for U of I. That license plate would cost \$48, as it currently costs so the state road fund wouldn't lose any money, Secretary of State claims that they need \$15 the first year to make the plates and then the university of Illinois in that example would get \$25, so the total cost of the plate in the first year would be \$88, and second an subsequent years it would drop down to \$75, of the \$75, \$48, as always would come to the state, \$2 for the administration of the program and \$25 for the particular college. This is currently the law in a few other states in the country and as you can see it does raise some money for scholarships. I move for the passage of the Bill."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 1417, and on that is there any discussion? The Gentleman from Mclean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker, would the Sponsor yield?"

Speaker Cullerton: "He indicates he will."

Ropp: "Representative, do I understand it that there would be just a limited number of license plates issued to each university?"

McPike: "No, no, we checked with the Secretary, and said now what is feasible, if you get five, and order for five plates you can't do it. He said I have to have an order for ten thousand, really to make the program to make any sense. So any university in the state can qualify as long as they get ten thousand applications."

Ropp: "Okay, then it would state that particular universities initials or name?"

McPike: "Well, the Board of Directors, I presume for example, the

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U of I trustees would get together, someone from their staff would get together with Edgar's office and they would...Edgar would give them some guidelines as to how and what they can or cannot do, and I presume then the board would come up with a design and that would be it."

Ropp: "Will there be a possibility that they might want to select there own particular colors, as there legislature is somewhat unique? Is that a possibility?"

McPike: "Yea, yea, absolutely."

Ropp: "Okay, thank you."

Speaker Cullerton: "Any further discussion? Representative
McPike to close. Question is 'shall House Bill 1417, pass?' All those in favor vote 'aye' all those oppose vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 99 voting 'yes' 2 voting 'no' none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1543, Representative Parcells. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1543, a Bill for an Act to amend an Act pertaining to sale at retail of merchandise. Third Reading of the Bill."

Speaker Cullerton: "Representative Parcell."

Parcell: "Out of the record."

Speaker Cullerton: "Wishes to take this Bill out of the record. House Bill 1995, Representative Matijevich. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1995, a Bill for an Act to amend an Act creating the Board of Higher Education. Third Reading of the Bill."

Speaker Cullerton: "Representative Matijevich, on House Bill 1995."

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Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House.

This is another Bill by Illinois Vocational Association. It implements the first recommendation of the report recently issued by the committee, on vocational education and higher education admission requirements, a... recommending that the board should modify admission policies such that vocational education courses are included as electives along with music, art, and foreign languages in the resolution on admission requirement. I appreciate your support on House Bill 1995."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 1995, on that question, the Lady from Champaign, Representative Satterthwaite."

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

Speaker Cullerton: "He indicates he will."

Satterthwaite: " Representative, although the language is different doesn't this Bill essentially do the same thing as House Bill 853, which we just passed?"

Matijevich: "No, not 853, but essentially the same as, no we haven't passed 853, we passed 852, but 853, which we just Amended does pretty close to that but since they ask me to put them in the...why they ask me to do it in various Bills, I think they just wanted to protect all flanks, so, I'm gonna do."

Satterthwaite: "It will essentially be duplicative of, of 853."

Matijevich: "Which we haven't passed yet, but yes."

Satterthwaite: "Okay."

Speaker Cullerton: "Any further discussion? There being none, the question is 'shall House Bill 1995, pass?' All those in favor say 'aye' opposed vote 'no' the voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 102 voting 'yes' none voting 'no' none

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voting 'present' this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 2042, Representative Johnson, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2042, a Bill for an Act to amend an Act to provide for the organization and maintenance of the University of Illinois. Third Reading of the Bill."

Speaker Cullerton: "Representative Johnson, on House Bill 2042."

Johnson: "This Bill implements the recommendations of the audit commission incurred in by and requested by the University of Illinois, providing for a merger of the Athletic Association of the University of Illinois, and assumption by the University of Illinois the rights and liabilities of the association and also protection of the various pension, sick pay, vacation rights of the employees of the athletic association connected with the merger. I know of no opposition."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 2042, on that question is there any discussion? There being none, the question is, 'Shall House Bill 2042 pass?' All those in favor vote 'aye' opposed vote 'no' the voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 92, voting 'yes' 4 voting 'no' 6 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. We will now go to a special order of business, sports reform. That's right. House Bill 2623, Representative Lang. Out of the record. House Bill 2624, Representative Lang, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2624, a Bill for an Act to amend the School Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

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Speaker Cullerton: "Third Reading. Oh, I'm sorry, there was a fiscal note requested on House Bill 2624, which has not been filed, so the Bill will remain on Second Reading. Representative Lang."

Lang: "I believe the fiscal note has been filed."

Speaker Cullerton: "I'll ask the Clerk to double check. Representative there has been a request for a State Mandates fiscal note, that has been filed, there is also a request for a fiscal note that has not been filed, so the Bill will remain on Second Reading. House Bill 2626, Representative Lang. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2626, on page 17 of the Calendar, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Lang, on Floor Amendment #1."

Lang: "Thank you, Mr. Speaker, I don't know if the Amendment has been printed and distributed."

Speaker Cullerton: "It's Amendment #1 to House Bill 2626. It has not been printed or distributed. Take the Bill out of the record. Well, were now, through with sports reform, and now its time to go down to rural assistance. Second Reading, House Bill 1782, Representative Phelps. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1782, a Bill for an Act to amend downstate public transportation. Second Reading of the Bill. Amendment #1, was adopted in committee."

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

Clerk Leone: "There are no Motions filed."

Speaker Cullerton: "Any Floor Amendments?"

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Clerk Leone: "No Floor Amendments."

Speaker Cullerton: "Representative Phelps, there has been a request for a fiscal note. So, the Bill will remain on Second Reading. Representative Phelps."

Phelps: "Thank you, Representative, Ladies and Gentlemen of the House. I understand that this was requested but like several of my Bills, I've had request now for almost two weeks, and I haven't had an answer."

Speaker Cullerton: "Representative Phelps, I believe that a list of Bills, where fiscal notes have been requested have been submitted to the people who have made those request and they are contemplating removing those request on those Bills, I'm not sure if this is one of them, but if it is that may solve the problem. So, for now, lets leave the Bill on Second Reading and we'll determine if that Bill is on that request. Representative Phelps."

Phelps: "Just real quickly, if we find that there may not even be an impact at all can make a motion and maybe early next week if we don't have a word."

Speaker Cullerton: "Yes, you can make that Motion."

Phelps: "When Applicable."

Speaker Cullerton: "But the...it might be easier to see if the request might be withdrawn, by the person who made the request. House Bill 2520, Representative Mautino. Is the Gentleman in the chamber? Representative Mautino? Out of the record. House Bill 2594, Representative Hartke. Out of the record. Representative Phelps. Representative Hartke, I'm sorry, Representative Hartke. Mr. Clerk, please read the Bill, 2594."

Clerk Leone: "House Bill 2594, on page 17, a Bill for an Act concerning the use of state funds. Second Reading of the Bill. There are no Committee or Floor Amendments. And the fiscal note has been filed."

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Speaker Cullerton: "Third Reading. On the order of rural assistance on Third Reading. House Bill 1116, Representative Phelps. Mr. Clerk, read the Bill. This is Third Reading."

Clerk Leone: "House Bill 1116, a Bill for an Act to improve the delivery of Health Care Services. Third Reading of the Bill."

Speaker Cullerton: " Representative Phelps on House Bill 1116. Representative Breslin in the Chair."

Phelps: "Thank you, Mr. Speaker, Madam Speaker, House Bill 1116, creates the Rural Health Care System Improvement Act. By allowing two or more contiguous counties with agrigate population of two thousand or fewer persons or all counties within a reasonable planning region to join together to form regions to provide rural ambulance services under the supervision of the advisory board created here in this Act. We defined the make-up of the advisory board, its duties and requirements and we have found in rural areas, more extreme probably in my district than other rural areas in the state, that the only way that we are going to be properly, realistically access basic health care whether it be emergency health care or just access to health care period. That we are going to have to form regions, we cannot afford and realize that which is beyond our means to have access in each community, in each county, and even in each two or three counties, we are talking about in many instances several counties. Several meaning five or more just to have basic services that many of you throughout the state enjoy from just one neighborhood to the next, as far as access and I appreciate your support on 1116."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1116. This Bill is on the Order of Short Debate. Does anyone rise in opposition? Hearing none the

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question is, 'Shall House Bill 1116, 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 104 voting 'aye' none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. The next order of business is the order of Securities, Securities. The first Bill, on the order of Second Reading is House Bill 775, Representative Harris. Clerk, read the Bill. Representative Harris."

Clerk Leone: "House Bill 775, a Bill for an Act to amend the Illinois Security Law. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Harris."

Harris: "Please withdraw Amendment #1."

Speaker Breslin: "Withdraw #1, any further Amendments?"

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

Speaker Breslin: "Representative Harris."

Harris: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. If I may explain Floor Amendment #2 let me briefly explain the Bill, which would prohibit the registration and sale of securities of a firm whose primary business is prostitution, indeed, there is such a corporation. Amendment #2, to the Bill would take care of the problem of anyone who obtained these securities legally prior to the inactment of this, of this...should the Bill be inacted into law. If anyone should inherit these securities it would allow them to dispose of them legally, and I would

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ask for a favorable vote on Amendment #2."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 2 to House Bill 775, on the question the Gentleman from Cook, Representative Levin."

Levin: "Would the Gentleman yield?"

Speaker Breslin: "Okay."

Levin: "More out of curiosity than anything else. This may be more relevant to the underlying Bill, is the title of the Bill which you are Amending with this Amendment can you just briefly tell us what the Bill does, that your Amending with this Amendment?"

Harris: "If you want to do that here, I'd be happy to if you want to do it on Third Reading, I'm sure that the Third Reading discussion will be quite lively."

Levin: "I think it's relative to understanding what the Amendment does. But it is a very intriguing title."

Harris: "The...there is a company now whose primary business is prostitution. They are selling...they've issued an underwriting and are selling shares in that...in there business and this Bill, the underlying Bill would prohibit the sale and registration of securities in the State of Illinois. Would not prohibit the purchase, but would prohibit the sale and registration of those securities."

Speaker Breslin: "There being no further discussion, the question is 'Shall Amendment #...Representative Homer, on the question. Representative Homer, no. The question is 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'no' in the opinion of the Chair the 'ayes' have it and the Amendments adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 932, Representative Cullerton. Clerk, read the Bill."

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Clerk Leone: "House Bill 932, a Bill for an Act to amend an Act relating to securities. Second Reading of the Bill. There are No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Amendment #1, is being offered by Representative Cullerton."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker, and Ladies and Gentlemen of the House. Amendment #1, would remove the securities division from the Secretary of States office and transfer it to the Department of Financial Institutions. I move for a favorable vote."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 932, on the 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 'ayes' have it and the Amendments adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 2718, Representative Mays. Clerk, read the Bill."

Clerk Leone: "House Bill 2718, a Bill for an Act to amend an Act concerning official bonds. Second Reading of the Bill. There are no Committee or Floor Amendments. The fiscal note has been filed."

Speaker Breslin: "Third Reading. House Bill 1778, Representative Piel. Clerk, read the Bill."

Clerk Leone: "House Bill 1778, a Bill for an Act to amend an Act in relationship to banking. Third Reading of the Bill."

Speaker Breslin: "Representative Piel."

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1778, is put in at the request of the

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commissioner of banks and trust companies for the state. And it basically...it basically clears up some language that was a little bit ambiguous in the law. What it does the two main parts of the Bill there is a lot of technical language but the two main parts are one that requires a bank that after five years of...after a property of the bank has not been used for five years it requires the bank to dispose of that property if it's not being used for bank purposes and it also requires that lists of shareholders be available to the stockholders of a specific institution. I'd be more than happy to answer any other questions you might have on the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1778, that Bill appears on the order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall House Bill 17...' excuse me the Gentleman from DuPage, Representative McCracken, in opposition. No. The question is 'shall House Bill 1778 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 who wish? Have all voted who wish? The Clerk will take the record. On this question there are 100 voting 'aye' 1 voting 'no' and 3 voting 'present.' This Bill having received the Constitutional Majority is hereby declared passed. With leave we'll go to the order of Special Order of Insurance. Second Readings first. The first Bill is House Bill 308, Representative Countryman. Clerk, read the Bill."

Clerk Leone: "House Bill 308, a Bill for an Act to Amend an Act in relationship to motor vehicle insurance. Second Reading of the Bill. Amendment #1, was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. House Bill 957, Representative Mautino. Clerk, read the Bill."

Clerk Leone: "House Bill 957, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill."

Speaker Breslin: "Representative Mautino. Did you declare the Amendment, Mr. Clerk?"

Clerk Leone: "Second Reading of House Bill 957. Amendment #1, was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #2, is being offered by Representative Mautino and Harris."

Speaker Breslin: "Representative Mautino. Proceed, Sir."

Mautino: "Thank you very much, this is the Agreed Amendment as it pertains to no loss, no gain provisions, it removes what was adopted in the Committee on House, on Amendment #1. If you want someone to close, Representative Harris will close on this."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 2 to House Bill 957, 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 the Amendments adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 1470, Representative Terzich, Mr. Terzich. Out of the record. House Bill 1671, Representative Ryder. Out of the record. House Bill 1819, Representative Mautino. Clerk, read the Bill."

Clerk Leone: "House Bill 1819, a Bill for an Act to amend the State Employees Group Insurance Act. Second Reading of the Bill. Amendment #1, was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. House Bill 2062, Representative Ryder. Out of the record. House Bill 2097, Representative Ryder. Out of the record. House Bill 2144, Representative Matijevich. Clerk, read the Bill."

Clerk Leone: "House Bill 2144, a Bill for an Act to amend an Act in relationship to insurance rates. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Parcels."

Parcels: "Please withdraw Amendment #1."

Speaker Breslin: "Withdraw Amendment #1. Any further Amendments?"

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

Speaker Breslin: "Representative Pullen. Representative Pullen. The Lady is not in the chamber what is your pleasure, Representative Matijevich. Excuse me there in permission to withdraw the Amendment from the Republican side of the isle. Is there any objection? Hearing none, the Amendment is withdrawn. Are there any further Amendments?"

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

Speaker Breslin: "Representative Matijevich."

Matijevich: "This...Madam Speaker...Madam Speaker and Members of the House. Amendment #3, is one that came out of the committee and its a clarification so that this Bill does...does not relate to life and health insurance. Strictly, to auto, property, and casualty. I would move the adoption of Amendment #3."

Speaker Breslin: "The Gentleman has moved for the adoption of

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Amendment #3 to House Bill 2144, and on the question, the Gentleman from Cook, Representative Piel."

Piel: "Thank you, Madam Speaker, a question of the Clerk, I brought this to there attention before and I'm trying to figure out exactly which Amendment is which here, we've got a corrected number, but its number 2, we've got a 3, and supposedly corrected #2 is for 3, it would be good as far as bookkeeping purposes if it was explained if exactly which number is which and what this corrected #2 is really for."

Speaker Breslin: "The Clerk will identify it by reading the LRB number."

Clerk Leone: "Amendment #3, offered by Representative Matijevich has an LRB number of LRB8603337JSJWAM01."

Speaker Breslin: "Representative Piel."

Piel: "I know exactly what your saying, I've got a 2 and a 3 with the exact same number and one says corrected number. That's the reason I'm asking the question. They are identical Amendments one says 2, one says 3, number 2 has a corrected number notation on the top and 2 is Representative Pullens. I'm just trying to figure out."

Speaker Breslin: "#2 has already been withdrawn Representative Piel, so."

Piel: "I realize this."

Speaker Breslin: "So, #3 with the LRB number that was read is the Amendment that we are considering right now."

Piel: "But we have Representative Matijevich has two Amendments right here, both with the exact same LRB number on it, one says corrected the other one says just regular #3. Just for clarification."

Speaker Breslin: "We want Amendment #3, with the LRB number that was read. We don't care what says corrected. It's Amendment #3, and thats what we'll consider."

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Piel: "Even though #2, has the exact same LRB number."

Speaker Breslin: "Correct."

Piel: "With the same name on it, Matijevich."

Speaker Breslin: "Right, we want Amendment #3, with that LRB number that was read."

Piel: "Fine, just wanted to clarify it. Thank you."

Speaker Breslin: "Okay, does anyone rise in opposition? Any further discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Yes, thank you. John, wouldn't you acknowledge that this Amendment is not merely clarification, it represents a change in position, as originally drawn the Bill would have required rate roll backs in many other lines of insurance, primarily health and life, and in an attempt to defuse political opposition, your letting out the doctors and the life underwriters."

Matijevich: "No, not at all the...the Illinois Public Action Council which was in committee when the Bill was presented, to the committee had said that that was not there intent, it was...an error in drafting, that was not there intent in the first place. So, this is to draft the Amendment, as drafted to make sure that we clear up that error."

Speaker Breslin: "There being no further discussion. Excuse me the Gentleman from Macon, Representative Tate."

Tate: "Yes, would the Sponsor yield?"

Speaker Breslin: "He will."

Tate: "I guess to further the line of questioning, John. Isn't it your understanding that, that currently the Medical Society and the Illinois Life Insurance Council and other special interest groups are opposed to this, your Bill without the Amendment. And this would in fact take the opposition...there opposition to his...this Bill off."

Matijevich: "Well, the Bill as drafted I'm sure they would have

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been opposed to it. This Amendment was not to take away there opposition it was merely to put the Bill in the form that those who ask me to handle it wanted it in the first place. I really don't know what the position is of the Medical Society, my guess is the Life Insurance Industry would be opposed to this type of Bill even though it doesn't a relate to life insurance. I don't look for there help in the passing of this Bill. I look for your help."

Tate: "Okay, what's the...would you give us the rationale of why...why you feel you want to relieve the life insurance people, rather than the property and casualty. I don't understand your rationale."

Matijevich: "The rationale is that the statistics have shown that in property and casualty the jumps and swings have been much more dramatic life insurance rates have been more stable. That's the rationale and that's why the Bill is confined to that area."

Tate: "And the Public Action Council, they are the people that drafted the Bill for you?"

Matijevich: "Yes, and they beat me to it, I intended to draft this on my own. But if you want to make them an issue. Go ahead, but what I want to make an issue is the dramatic increase in premiums that, that will come on Third Reading."

Tate: "I was just asking a question."

Speaker Breslin: "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 Amendments adopted. Are there any further Amendments.?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading...Oh...excuse me theres a fiscal note requested Representative Matijevich, so the Bill has to remain on the order of Second Reading. Thank you. The

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next Bill is House Bill 2147, Representative Sutker. Clerk, read the Bill."

Clerk Leone: "House Bill 2147, a Bill for an Act to amend an Act concerning insurers and insurance. Second Reading of the Bill. Amendment #1 was adopted in Committee. Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. House Bill 2148, Representative, No. Representative McCracken, for what reason do you seek recognition?"

McCracken: "I believe a fiscal note was requested on this as well."

Speaker Breslin: "Is that correct, Mr. Clerk? The Clerk indicates we don't have a record of a fiscal note filed on this Bill. So, the Bill is on Third Reading."

McCracken: "Maybe, Representative...held it."

Speaker Breslin: "House Bill 2147, is on Third Reading. House Bill 2148, Clerk, read the Bill."

Clerk Leone: "House Bill 2148, a Bill for an Act to amend an Act in relationship to regulation of the Insurance Industry. Second Reading of the Bill. Amendment #1, was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #2, is being offered by Representative Parcells."

Speaker Breslin: "Representative Parcells."

Parcells: "Please withdraw...please withdraw Amendment #2."

Speaker Breslin: "Withdraw #2. Any further Amendments?"

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

Speaker Breslin: "Representative Novak."

Novak: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Floor Amendment #3 to House Bill 2148 simply clears

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up some technical language and it also deletes the medical malpractice insurance companies...from the Bill."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 3 to House Bill 2148, on the question the Gentleman from DuPage, Representative McCracken."

McCracken: "I think I spot a trend. Now, would you say that portion of the Amendment which deletes the Medical malpractice...issue, a technical Amendment. Had it always been your intent just to..."

Novak: "No, no, yes it has..."

McCracken: "As it had always been Representative Matijevich's not to include them."

Novak: "Well, I don't know how Representative Matijevich speaks, but."

McCracken: "Your staff has problems drafting these insurance Bills, whats wrong with them?"

Novak: "I never intended for the medical society, and malpractice insurance to be included in this Bill."

McCracken: "Aww...well, let me ask you this, since you've never had that intention will you commit to this body that for the next five years you will not introduce or support any Bill to cover medical malpractice. Or is...or is...the tactic one of divide and conquer. You leave the doctors out today so they don't complain and you grab them when your done with the automobile and other casualty lines."

Novak: "I don't know, I can't answer that but that, I'm sure...that's personal statement. I ask for the adoption of the Amendment."

Speaker Breslin: "Is there any further 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 Amendments adopted. Are there any further Amendments?"

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Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 2217, Representative..Oh, there is a fiscal note requested, Representative Novak, there is a fiscal note requested on that so the Bill has to move back from Third Reading to Second Reading. It will be held on Second. House Bill 2217, Representative Petka. Clerk, read the Bill."

Clerk Leone: "On page 13, of the Calendar, House Bill 2217, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Third...there is a fiscal note requested, Representative Petka, so the Bill has to remain on order of Second Reading. House Bill 2529, Representative Hasara. Clerk, read the Bill."

Clerk Leone: "House Bill 2529..."

Speaker Breslin: "Out of the record. House Bill 2578, Representative Pullen. Out of the record. House Bill 2730, Representative Preston. Out of the record. House Bill 2736, Representative Pedersen, Bernie Pedersen. Clerk, read the Bill."

Clerk Leone: "House Bill 2736, a Bill for an Act to amend the Insurance Code. Second Reading of the Bill. Amendment #1, was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. House Bill 2737, Representative Kubik. Clerk, read the Bill."

Clerk Leone: "House Bill 2736, (sic..2737), a Bill for an Act to amend the Insurance Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Third Reading. With leave of the body, I'd like to go back to two Bills that Representative Ryder,

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says that he is ready on. House Bill 2062, Representative Ryder. Clerk, read the Bill."

Clerk Leone: "On page 12 of the Calendar, House Bill 2062, a Bill for an Act to amend the Health Maintenance Organization Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2097, Representative Ryder. Clerk, read the Bill."

Clerk Leone: "House Bill 2097, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Third Reading. Third Reading on those Bills on the Special Order of insurance. First Bill is House Bill 535, Representative McPike. Out of the record. House Bill 882, Representative VanDuyne. Clerk, read the Bill."

Clerk Leone: "House Bill 882, a Bill for an Act to amend an Act defining the powers and duties of local governmental agencies. Third Reading of the Bill."

Speaker Breslin: "Representative VanDuyne."

VanDuyne: "Thank you, Madam Speaker, House Bill 882, came out of the committee unanimously and it simply allows the town board trustees to be eligible to enroll in the group hospitalization plan, either at their own expense or at the township expense. It is permissible legislation. I'd appreciate your support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 882, this Bill is on the order of Short Debate. Does anyone rise in opposition? Hearing none...there being none, the question is, 'Shall House Bill 882, pass?' All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this question there are 101 voting 'yes' none

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voting 'no' and 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1313, Representative Young. Out of the record. House Bill 1723, Representative Mautino. Representative Mautino. Clerk, read the Bill."

Clerk Leone: "House Bill 1723, a Bill for an Act to amend an Act to create the limited health service. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1723, consolidated...consolidates all the health plan services currently under the Department of Insurance and basically that's what the Bill does."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1723, this Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall House Bill 1723, 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 102 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1842, Representative Parke. Representative Parke. Out of the record. House Bill 2129, Representative Didrickson. Representative Didrickson. Out of the record. House Bill 2140, Representative Novak, Mr. Novak, you want to call this Bill? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2140, a Bill for an Act to amend the Insurance Code. Third Reading of the Bill."

Speaker Breslin: "Representative Novak."

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

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House. May I have leave Body to call this Bill back to Second Reading for purposes of Amendments, please."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the order of Second Reading for purposes of Amendment. Does he have leave? Representative McCracken."

McCracken: "May I ask a question. Has Amendment #2, been adopted already?"

Speaker Breslin: "Mr. Clerk..."

McCracken: "Is that the purpose to bring it back to adopt Amendment #2."

Speaker Breslin: "Mr. Clerk, can you tell us whether or not Amendment 2 has been adopted."

Clerk Leone: "There are no Amendments currently on this Bill."

McCracken: "Okay, well, I assume its for that purpose, and I object."

Speaker Breslin: "Representative Novak then moves that this Bill be returned to the order of Second Reading for the purposes of an Amendment. All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. Requires sixty votes for the passage of this Motion. Representative McCracken, one minute to explain your vote. Representative McCracken did you wish to explain your vote...no."

Novak: "Madam Speaker, may I take this Bill out of the record please."

Speaker Breslin: "Excuse me, you certainly may if you wish to Representative Novak. Representative Cullerton for what reason do you rise?"

Cullerton: "I wanted to req...have a parliamentary inquiry. This is a Motion to take this Bill back to Second. Does it require a sixty or does it require a majority vote."

Speaker Breslin: "It requires sixty votes."

Cullerton: "I would just ask the Parliamentarian to tell me which rule that is so we can put that one down."

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

Novak: "Madam Speaker, I'd like to take this Bill out of the record, please."

Speaker Breslin: "The Bill is out of the record. It's rule 37(c) Representative Cullerton in answer to your inquiry. Representative Novak, your Bill remains on the Order of Third Reading since the Motion was not declared, as passed. With leave of the Body we'll go back to House Bill 535, Clerk, read the Bill."

Clerk Leone: "On Page 44 of the Calendar, House Bill 535, a Bill for an Act to amend the State Salary an Annuity Withholding Act. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam Speaker. The State Salary Annuity Withholding Act, currently provides that employees or annuitants may voluntarily withhold a portion of their salaries for the following purposes. Purchase of U.S. Savings bonds, payments of premium on life or accident and health insurance. This Bill simply would provide for salary withholding also for payments of automobile or homeowner's insurance premiums. The fiscal note says it has a minimum cost to the agencies. I move for the passage of this Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 535, this Bill is on the order of Short Debate. Does anyone rise in opposition? Representative McCracken."

McCracken: "We were curious about the cost. I haven't seen the fiscal note, is there a number specified, or is it just stated in those terms."

McPike: "No, it's from CMS it says that...fiscal impact of the State would be directly related to the number of employees and companies involved it is anticipated there will be a

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minimum cost to the agencies and the comptrollers office in processing these, period."

McCracken: "Alright, thank you."

Speaker Breslin: "The question is 'shall House Bill 535, pass?'

All those in favor, vote 'aye' opposed vote 'no'. Voting is open. Have all voted who wish? this is final passage. Have all voted who wish? The Clerk will take the record. On this question, there are 100 voting 'aye' 1 voting 'no' none voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. The next Special Order of Business is State and Local Government. We will begin with those Bills on the order of Second Reading. State and Local Government, this is a long order of business, so look over the order and if you have a Bill on this order, please be prepared to move it. The first Bill is House Bill 103, Representative Saltsman. Clerk, read the Bill."

Clerk Leone: "On page 21 of your Calendar, House Bill 103."

Saltsman: "Were are we at..."

Speaker Breslin: "Representative Saltsman, what are you saying?"

Saltsman: "We haven't got on the Mandates Act, we haven't got the reply back from DECCA."

Speaker Breslin: "How long have you been waiting, Representative?"

Saltsman: "Quite a while."

Speaker Breslin: "More than two weeks?"

Saltsman: "No."

Speaker Breslin: "No, Okay, there is gonna be a request to move those along so, we'll try to get those."

Saltsman: "Well, I'll ask you request know if there staff has looked it over that the Bill could be moved without it. It is a very small item."

Speaker Breslin: "I think we will wait to do that next week."

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Saltsman: "Alright."

Speaker Breslin: "Okay, House Bill 106, Representative Matijevich. Clerk, read the Bill."

Clerk Leone: "House Bill 106, a Bill for an Act to amend an Act concerning fees and salaries. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, is being offered by Representative Kubik-et - al."

Speaker Breslin: "Representative Kubik."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. What Floor Amendment #1 would do is to remove Cook county from the legislation, as you know this is a superintendents salary increase Bill and there are many of us from suburban Cook county who believe that the provisions of this Bill should not be, should not effect suburban Cook county, because of the occupant of that particular office at this time. Normally, I wouldn't get up and offer an Amendment, this type of an Amendment to this legislation, but I truly believe that it would be unconscionable to give the current occupant in Cook county a fifteen thousand dollar pay raise, and I might point that he is probably, he is the highest paid regional superintendent in the State. His office has been a hallmark of...abuse on local school districts throughout Cook county and I can't think of anybody who shouldn't receive a pay raise than this particular individual. I would certainly be happy to answer any questions on the Amendment and would hope that all of my colleagues would take a good look at this legislation, and I might point out in offering this particular Amendment, I have no problem with with any other region throughout the State, I'm only speaking of Cook county, I'm sure that all of the other

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regional superintendents are doing a fine job and I would have no problem with the particular legislation as it effects the rest of the State. But I truly believe that it is unconscionable for us to give the current occupant in Cook county a fifteen thousand dollar pay raise. I would appreciate your support on the Amendment. I would ask for a Roll Call vote on this Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 1 to House Bill 106, on the question, the Gentleman from Lake, Representative Matijevich."

Matijevich: "Would the Gentleman yield to a question?"

Speaker Breslin: "He will."

Matijevich: "Representative Kubik, I just...was doing some work here on the Floor and someone introduced young Panayotovich, you know that young baby, you gotta support a young kid. What you do if Sam Panayotovich was the candidate on the Republican side for Superintendent of Schools, would you deny that fellow a pay a deserving pay raise. Sam Jr. a little baby like that, that just came into the world, diapers on changing diapers at all hours of the night."

Kubik: "Representative in response to your question. I would hope that Representative Panayotovich would beat the current Member of that office and secondly, I would tell you that even if we didn't move this vote for the salary increase Representative Panayotovich would get a salary increase no matter what, because he is being paid more than he would be if he's in the General Assembly, so he certainly would be making more money than he is now or was by getting this...by occupying the office."

Matijevich: "Madam Speaker...let me say in preference to something I'm going to do. I'm handling this Bill for the regional superintendent association, they wanted it to be

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statewide and I think they are right in wanting...to be that way, I don't think we ought to ever legislate and I mean this sincerely, I don't think we ever should legislate personality, we should never legislate personalities into our statute books, but at this time I'm going to take it to...out of the record and I'm going to take with Representative Kubik, I know he's been asked to put this Amendment in, we did this once before you know...and made a big political issue out of it and I think that was about eight years ago, whenever that last pay raise. And nothing came out of it you know, the people really didn't care they, they voted for him again and I don't know if he's gonna run again but I'm going to talk to Representative Kubik myself because I don't think he's the type of person that would legislate personalities and I'm gonna see if I can talk him into withdrawing it, if not we'll have this battle and do it over, I'll withdraw at the present time."

Speaker Breslin: "Out of the record. House Bill 211, Representative McNamara. Representative McNamara, out of the record. House Bill 215, Representative Currie. Representative Currie. Clerk, read the Bill. Out of the record. House Bill 225, Representative Phelps. Out of the record. House Bill 509, Representative Ryder. Out of the...out of the record. House Bill 618, Representative Matijevich. Clerk, read the Bill."

Clerk Leone: "House Bill 618, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

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

Clerk Leone: "House Bill 757, a Bill for an Act to amend an Act in relationship to the Illinois..."

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Speaker Breslin: "Out of the record. House Bill 762, Representative Hannig. Out of the record. House Bill 777, Representative Countryman. Clerk, read the Bill."

Clerk Leone: "House Bill 777, a Bill for an Act to amend an Act in relationship to telephone companies. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Countryman."

Countryman: "Withdraw Amendment #1."

Speaker Breslin: "Withdraw Amendment #1, any further Amendments?"

Clerk Leone: "Floor Amendment #2, if being offered by Representative Countryman." Speaker

Breslin: "Representative Countryman."

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #2 is an agreed Amendment, the underlying Bill initially required companies which were in the telephone communication business, to secure permission of the Illinois Commerce Commission before they could seek eminent domain even though they were governed under federal law. This Bill now, as amended would delete that provision and would require the Illinois Commerce Commission to adopt reasonable rules governing the negotiation procedures which would be used by such companies in precondemnation negotiations and it would bring it in line with what we currently require for domestic telephone companies, with regard to precondemnation..."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 2 to House Bill 777. Is there any discussion? Hearing none, the question is, 'Shall Amendment 2 be adopted?' All those in favor say 'aye', opposed 'nay' in

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the opinion of the Chair the 'ayes' have it and the Amendments adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 1042, Representative Parcells. Is the lady here? Out of the record. House Bill 1090, Representative Currie. Clerk, read the Bill."

Clerk Leone: "House Bill 1090, a Bill for an Act to prohibit partisan political consideration from effecting the terms and conditions of state employment. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Is there a fiscal note?"

Clerk Leone: "There is no fiscal note requested."

Speaker Breslin: "Third Reading. House Bill 1142, Representative Didrickson. Out of the record. House Bill 1266, Representative Currie. Representative Currie. Clerk, read the Bill."

Clerk Leone: "House Bill 1266, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Representative Currie, there is a fiscal note request that has not yet been complied with. The Bill remains on the order of Second. House Bill 1300, Representative Currie. Clerk, read the Bill."

Clerk Leone: "House Bill 1300, a Bill for an Act concerning repair and maintenance of real property. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Is there a fiscal note requested?"

Clerk Leone: "There is no request for a fiscal note."

Speaker Breslin: "Third Reading. House Bill 1435, Representative Hasara, out of the record. House Bill 1542, Representative Currie. Clerk, read the Bill."

Clerk Leone: "House Bill 1542, a Bill for an Act to amend an Act concerning compressible work. Second Reading of the Bill.

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There are no Committee or Floor Amendments."

Speaker Breslin: "Is there a fiscal note requested?"

Clerk Leone: "Fiscal note has been requested, there is none filed."

Speaker Breslin: "Has it been complied with? Is it on file?"

Clerk Leone: "There is no fiscal note on file."

Speaker Breslin: "The lady believes the fiscal note has been filed, but we'll give you a second one."

Clerk Leone: "Fiscal note is now on file."

Speaker Breslin: "Bill moves to Third Reading. The next Bill is House Bill 1659, Representative Churchill. Clerk, read the Bill."

Clerk Leone: "House Bill 1659, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Fiscal note filed."

Clerk Leone: "Fiscal note is requested, there is none on file."

Speaker Breslin: "The Bill remains on the order of Second, Representative Churchill. House Bill 1870, Representative Pullen. Out of the record. House Bill 1926, Representative Currie. Clerk, read the Bill. Out of the record. House Bill 2005, Representative William Peterson. Mr. Peterson. Out of the record. House Bill 2006, out of the record. House Bill 2031, Representative Keane. Out of the record. House Bill 2145, Representative Currie. Clerk, read the Bill."

Clerk Leone: "House Bill 2145, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2272, Representative Mautino. Clerk, read the Bill."

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Clerk Leone: "House Bill 2272, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. There is no, there are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Mautino. Martinez, Representative Martinez is not in the chamber. Representative Mautino, what is your pleasure."

Mautino: "Let me make a clarification. I think this occurs in more times than in none...enough. But that's my Amendment, it should be Mautino, not Martinez."

Speaker Breslin: "Okay."

Mautino: "So, someone made a mistake."

Speaker Breslin: "The Chair will take judicial notice that this is Representative Mautinos Amendment."

Mautino: "We are both minorities but..."

Speaker Breslin: "I see...Amendment #1, Representative Mautino. Proceed."

Mautino: "Thank you. Basically what this Amendment says is where a farmer owns land in the county adjacent...two counties on a county line and we have the hunting permits for deer, I know what an Italian is yes. It's been a long day. This allows a farmer who owns land in both counties to file for a deer hunting permit in either of the counties of which he owns property. That's what the Amendment does."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment 1 to House Bill 2272, on the question the Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Madam Speaker, Members of the House. I just rise in support of the Amendment. I'd appreciate your 'aye' vote."

Speaker Breslin: "The question is, 'Shall Amendment 1, be

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adopted?' All those in favor say 'aye', opposed 'nay' in the opinion of the Chair the 'ayes' have it, and the Amendments adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2550, Representative Matijevich. Out of the record. House Bill 2568, Representative Currie. Clerk, read the Bill."

Clerk Leone: "House Bill 2568, a Bill for an Act to create the Illinois Science Foundation. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker, Members of the House. The Amendment takes out some obsolete language, the committee recommended the adoption of the Amendment when the Bill was heard in state government administration. I'd be happy to answer your questions and would appreciate your support."

Speaker Breslin: "The Lady has moved for the adoption of Amendment 1 to House Bill 2568, on the question, the Gentleman from DuPage, Representative McCracken."

McCracken: "I try not to indulge myself in this job, but I just have to make an observation. Do you want communist to be able to apply for these things? I mean what is it that this Amendment does."

Currie: "Representative McCracken, it was Representative Churchills suggestion that I clean up the language of this Bill. The Bill was modeled on..."

McCracken: "No more loyalty oaths?"

Currie: "Right, you got it. Representative Churchill suggested that a...that was not the right way to go. So, at his suggestion, I offer Amendment 1 to take that questionable

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language out."

Speaker Breslin: "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 Amendments adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Representative Currie. There is a fiscal note requested that hasn't been filed. So, the Bill has to remain on the order of Second unless you have it in your possession."

Currie: "I don't know who would file this fiscal note. Okay, leave it on Second."

Speaker Breslin: "Okay, with leave of the Body, I'll go back to House Bill 1266, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1266, a Bill for an Act to amend the Civil Administrative Code, radio and televi...relating to radio and television stations. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Has a fiscal note been filed?"

Clerk O'Brien: "The fiscal is not filed."

Speaker Breslin: "Now, the Lady says that she came up and filed the fiscal note...just a moment ago. Representative Harris for what reason do you seek recognition."

Harris: "Thank you, Madam Speaker, am I the person who requested that fiscal note?"

Speaker Breslin: "Mr. Clerk."

Clerk O'Brien: "The fiscal note is filed on House Bill 1266."

Speaker Breslin: "It is filed. Can you tell us if Representative Harris requested the fiscal note."

Clerk O'Brien: "No, that information is upstairs."

Speaker Breslin: "We don't have that information before us,

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Representative Harris. But it is on file. So, the Bill moves to Third Reading. All Bills on the order of State and Local Government, Third Reading, will be called know. The first Bill is House Bill 156, Representative Ackerman. Clerk, read the Bill."

Clerk O'Brien: "House Bill 156, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Ackerman."

Ackerman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bills adds three new catagories of vehicles which would be eligible to purchase and display the vanity plates. These three categories would be RV's, recreational trailers, and antique autos. This would bring in substantial new revenue to the state and I move for the passage of this Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 156, this...is there any discussion? Hearing none, the question is, 'Shall House Bill 156, pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted? Have all voted who wish? It's not his first Bill. We know better. The Clerk will take the record. On this question there are 93 voting 'aye' none voting 'no' none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 316, Representative Cullerton. Clerk, read the Bill."

Clerk O'Brien: "House Bill 316, a Bill for an Act to add sections of the Illinois Aeronautics Act. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton"

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I would like to ask leave to bring this Bill back to Second Reading for the purposes of an Amendment."

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Speaker Breslin: "The Gentleman asks leave to 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 #1, offered by Representative Cowlshaw."

Speaker Breslin: "Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker, and thank you, Representative Cullerton. This Bill applies to only three very small privately owned airports in Illinois. And in order that we could satisfy everyone concerned with all other kinds of airport issues that in fact that is indeed the only three airports to which it will ever apply. We offer this Amendment which explains that the term restricted landing area as used in the Bill is that definition that applies at the time that this Amendatory Act becomes effective and not any changes in that definition that may occur in the future and with that Amendment added then there would be no opposition to this Bill whatsoever, everyone would be in accord. So, I move for the adoption of Floor Amendment #1 to House Bill 316."

Speaker Breslin: "The Lady moves for the adoption of Amendment 1 to House Bill 316. On the question, the Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Madam Speaker, will the Lady yield."

Speaker Breslin: "She will."

Countryman: "Representative, what three private airports would this apply and how do we know that its just to those three?"

Cowlshaw: "The legislation, the underlying Bill refers to restricted landing areas, within the RTA region with 20 or more based aircraft, an according to the definitions now in place by the division9of aeronautics of IDOT there are

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three and only three privately owned airports. A restricted landing area is a private...or privately owned airport, alright. There are only three of them. One is located just outside of the city limits of Naperville in DuPage County. One is located just south of Elgin in Kane County, and the other is located just south of Downers Grove in DuPage County."

Countryman: "Well if DeKalb County were to join the RTA so people could take the train to Chicago, would it apply to the Sandwich airport if it had more than 24 fixed aircraft on it?"

Cowlshaw: "I'm sorry Representative, I could not hear your question."

Countryman: "If Dekalb County were to join the RTA so people could travel to and from Chicago on the train and the Sandwich airport which is privately owned and has more than 24 aircraft stationed at it, would this apply?"

Cowlshaw: "Depends on whether it fits into the definition of a restricted landing area."

Countryman: "Well...I thought you said a restricted landed area was the definition of a privately owned airport."

Cowlshaw: "No, a restricted landing area is not only a privately owned airport it also is one in which there is one connection of one type or another with residential...that is that there are residential areas immediately adjacent to the landing strip were the people who own those aircraft live."

Countryman: "Well, that would be true at the Sandwich airport."

Cowlshaw: "Okay."

Countryman: "So, what your saying is that this only applies to three airports but the way its drawn it could apply to more if the RTA area expanded."

Cowlshaw: "That is correct. If at some future time an

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additional county or more than one additional county were added to the RTA region then the provisions of this Bill would apply and would in fact continue as it is intended to apply now to these three airports, to protect them from having hazards built within the area that they need in order to take off and land, so that your airport at Sandwich or wherever it is, would be protected from that kind of urban sprawl and from the fact that you have people there who have used these airports for years and who certainly don't want a five story apartment building built at the end of the runway. So you could protect Sandwich with this Bill too."

Countryman: "So your saying this could be a good Amendment for my district?"

Cowlshaw: "Representative Countryman, they'll love you in Sandwich."

Countryman: "Well, you come on out, we'll get you up there and let you parachute out of the planes."

Speaker Breslin: "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 Cullerton, now asks leave for immediate consideration of this Bill as Amended the same day, does he have leave? Hearing no objection, by use of the Attendance Roll Call, he has leave. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 316, a Bill for an Act to add section of the Illinois Aeronautics Act. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

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

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House. I have noticed that today we have called a number of Bills on Special Orders and majority of those Bills, if not almost all the Bills are Sponsored by Republicans this is really no exception this Bill is Representative Cowlshaws Bill she asked me to become the Sponsor of it to try to enhance its passage. And I was happy to accomodate her. I really have no idea what this Bill does other than what she just explained on Second Reading and if it means that I think the Bill has something to do with encouraging Dekalb County with joining the RTA. And If that will, if this Bill will encourage Dekalb to join the RTA I think it probably is not a bad idea. So for that reason I would urge an 'aye' vote."

Speaker Breslin: "The Gentleman moves the passage of House Bill 316. On the question the Gentleman from Morgan, Representative Ryder."

Ryder: "The previous speaker is perhaps correct, we haven't ran through the computer the statistics on the order of call. However, I think that Representative Cowlshaw, should be complimented for having the wisdom to know that unless she asks Representative Cullerton to Sponsor this Bill, it wouldn't have been on an order of call or got out of committee. Out compliments to Representative Cowlshaw for having that kind of wisdom, and we'll get back to you on the statistical analysis, John, to see how the numbers toted out."

Speaker Breslin: "The question is, 'Shall House Bill 316, 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 95 voting 'aye' none voting 'no' none voting 'present'. This Bill having received the Constitutional Majority is hereby declared

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passed. House Bill 413, Representative Johnson. Clerk, read the Bill. Representative Johnson. Out of the record. House Bill 414. Out of the Record. House Bill 575, Representative Wennlund, Representative Grandpa Wennlund. Is he still here? Clerk, read the Bill. Read the Bill please, 575."

Clerk O'Brien: "House Bill 5..."

Speaker Breslin: "Out of the record. House Bill 576, Representative Williamson. Are you ready? Out of the record. House Bill 729, Representative Bob Olson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 729, a Bill for an Act to amend an Act to revise the law in relations to counties. Third Reading of the Bill."

Speaker Breslin: "Representative Olson."

Olson, B.: "With leave I'd like to go back to Second, for a technical Amendment.."

Speaker Breslin: "The Gentleman asks leave..."

Olson, B.: "See if its been distributed?"

Speaker Breslin: "Has it been...is it Amendment #1 or #2."

Olson, B.: "#2, #2 is passed."

Speaker Breslin: "#2, has it been distributed?"

Clerk O'Brien: "Two, is not distributed."

Speaker Breslin: "Two, has not been distributed, Representative Olson."

Olson, B.: "Out of the Record, Mame."

Speaker Breslin: "Out of the record. House Bill 873, Representative Matijevich. Out of the record. House Bill 963, Representative Hensel. Out of the record. House Bill 977, Representative Hannig. Out of the record. House Bill 1158, Representative Kirkland. Out of the record. House Bill 1164, Representative McAuliffe. Out of the record. House Bill 1207, Representative Ewing. Out of the record."

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House Bill 1244, Representative Curran. Mr. Curran.
Clerk, read the Bill."

Clerk O'Brien: "House Bill 1244, a Bill for an Act to amend the
Child Care Act. Third Reading of the Bill."

Speaker Breslin: "Representative Curran."

Curran: "Madam Chairman, I'd like to have leave to take this Bill
back to Second for a Floor Amendment."

Speaker Breslin: "The Gentleman ask leave to 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 #2, offered by Representative
Curran."

Speaker Breslin: "Representative Curran."

Curran: "Madam Chairman, Speaker, this Amendment deletes the
proposed change to the Code of Criminal Procedure, and as
originally Amended House Bill 1244, would give the court
the authority to control and direct crossexamining,
examination of children. This Amendment would strike that
language."

Speaker Breslin: "The Gentleman moves for the adoption of
Amendment 2 to House Bill 1244, and on that question is
there any discussion? Hearing none, the question is,
'Shall Amendment 2 adopted?' All those in favor say 'aye',
opposed 'nay' in the opinion of the Chair the 'ayes' have
it and the Amendments adopted, are there any further
Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House... Representative Curran,
now ask leave for immediate consideration of House Bill
1244, as Amended. Does he have leave? Hearing no
objection, by use of the Attendance Roll Call he has leave.
Read the Bill, Mr. Clerk."

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Clerk O'Brien: "House Bill 1244, a Bill for an Act in relation to the Safety and Welfare of Children. Third Reading of the Bill."

Speaker Breslin: "Representative Curran."

Curran: "Thank you, Madam Speaker. House Bill 1244, is amended now that would allow an individual who currently holds a valid Illinois School Bus Drivers Permit and drives a school bus for public, parochial or school district contractor to be in compliance with the requirements for transporting children to and from day care centers. It also authorizes a twelve month waiting period for renewing child care facilities license if it was revoked. And finally it gives one more protection for children in judicial proceedings, establishing...by allowing a court to determine in a judges chambers and camera, the childs competency to testify. And this is a Department of Children and Family Services Bill and I ask for a favorable roll call and I'd be glad to answer any questions."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1244, this Bill is on the order of Short Debate, does anyone rise in opposition? Being none, the question is, 'Shall House Bill 1244, 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 100 voting 'aye', none voting 'no' and none voting 'present.' This Bill having received the Constitutional Majority is hereby declared passed. Representative Homer, is recognized for a Motion."

Homer: "Thank you, Madam Speaker, having previously being the moveant and objecting to the Consent Calendar status of House Bill 2663, I would at this time ask to withdraw my

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objection an reassign that Bill to the Consent Calendar."

Homer: "at this time ask to withdraw my objection and to reassign that Bill to the consent Calendar."

Speaker Breslin: "Representative Homer, moves to reassign House Bill 2663, to the Consent Calendar is there any objection? Hearing none. House Bill 2663, will be returned to the order of the Consent Calendar. Third Reading. And that is done by the use of the Attendance Roll Call. Agreed Resolutions. Message from the Senate."

Clerk O'Brien: "Message from the Senate, by Mrs. Hawkers Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has passed Bills, with the following title, passage which I am instructed to ask concurrence of the House towith. Senate Bills #28, 104, 123, 168, 176, 218,271, 353, 467, and 487, passed by the Senate May 12, 1989. Linda Hawker, Secretary."

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

Stephens: "Was that the Illinois Senate?"

Speaker Breslin: "That was the Illinois Senate, passed some Bills."

Stephens: "That's good news."

Speaker Breslin: "Adjournment Resolution."

Clerk O'Brien: "Senate Joint Resolution 59, resolved by the Senate of the Eight-Sixth General Assembly of the State of Illinois of the House of Representatives concurring herein. That when the Senate adjourns on Friday, May 12, 1989, it stands adjourned until Monday, May 15, 1989 at 12:00 noon. And when the House of Representative adjourns on Friday, May 12, 1989 it stands adjourned until Tuesday, May 16, 1989 at 12:00 noon."

Speaker Breslin: "The Chair would like the record to reflect that House Bill 2663, recently put back on the Consent Calendar,

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should be put on the order of Second Reading, Second day. It has not been read a second time it therefore, will appear next week on the order of Second Reading, Second day. Representative Matijevich moves the adoption of the Adjournment Resolution. All those in favor say 'aye' opposed 'nay' in the opinion of the Chair the 'ayes' have it and the adjournment resolution is adopted. Agreed Resolutions."

Clerk O'Brien: "House Resolution 446, offered by Representative Williamson. 447, Weaver, 450, McNamara, 451, Hartke, 452, Weaver, 453, McNamara, 454, Morrow, 455, Black, 456, Matijevich, 457, Williamson, 458, Keane, 459, Edley, and 462 Johnson."

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. The Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 50, offered by Representative Phelps. House Resolution 448, offered by Representative Balanoff, and House Resolution 449, offered by Representative Balanoff."

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

Clerk O'Brien: "House Resolution 461, offered by Representative Johnson, with respect to the Memory of Frank R. Carlock."

Speaker Breslin: "Representative Matijevich moves the adoption of the Death Resolutions. Hearing no objection, the Death Resolution is adopted. Representative Bugielski, now moves that this House stand adjourned until 12 noon on May 16. All those in favor say 'aye', opposed 'nay' in the opinion of the Chair the 'ayes' have it and this House stands adjourned until 12 noon on Tuesday, May 16th."

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