

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

57th Legislative Day

June 15, 1989

Speaker Breslin: "Ladies and Gentlemen, the hour of 10:00 o'clock having arrived, I would ask Members to be in their seats and we will begin. Representative Levin and others, we are ready to begin. If you would take your seats, please. The Chaplain for today will be the Reverend Jim Elzerman, from the Morris Free Methodist Church in Morris. Reverend Elzerman is the guest of Representative Weller. I invite our guests in the gallery to rise and join us for the invocation."

Reverend Elzerman: "Shall we pray. Dear Heavenly Father, we thank You for this day that You've given to us. Thank You for the freedom that we enjoy in this land. Help us Lord not to take that freedom for granted, but to participate in the system that has given us the freedom. Thank You for the Representatives gathered here and for their work, I ask Lord, that You would Bless them and help them, give them wisdom as they come to the close of this Session, that they might do all that You would have done to ensure the safety and the freedom that we hold dear in our land and in this state. I pray in Jesus...name. Amen."

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

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

Speaker Breslin: "Roll Call for Attendance. Representative Matijevich, are there any excused absences on the Democratic side?"

Matijevich: "Only the one. Representative Capparelli is still recovering from his injuries and is doing fine."

Speaker Breslin: "Representative Capparelli has an excused

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

57th Legislative Day

June 15, 1989

absence due to illness. Has everyone else answered the Roll Call. Representative Kubik."

Kubik: "Thank you, Madam Speaker. Would the record reflect that Representative Ropp and Representative Ewing are excused today."

Speaker Breslin: "Representative Ropp and Representative Ewing have excused absences today. One hundred and fifteen people answering the Roll Call. A quorum is present. Ladies and Gentlemen, many have inquired as to whether or not we will be in Session tomorrow. The answer is yes, we will be in Session tomorrow. It is hoped that if we can put in a reasonable hour...hours tomorrow, that that will certainly cut down on our workload next week and maybe we won't have to go so late into the evenings next week. So, plan to be here tomorrow and make the necessary arrangements for this evening if you have not already done so. Now we will read...the Clerk will read all of the Bills on the Consent Calendar, Third Reading, Second Day and we will take a vote shortly."

Clerk O'Brien: "Consent Calendar, Third Reading, Second Day. Senate Bill 33, a Bill for an Act to amend the Foreign Banking Office Act. Third Reading of the Bill. Senate Bill 51, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. Senate Bill 60, a Bill for an Act in relation to financial services. Third Reading of the Bill. Senate Bill 90, a Bill for an Act in relation to drug testing. Third Reading of the Bill. Senate Bill 104, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 145, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 177, a Bill for an Act to amend the Hospital Licensing Act. Third Reading of the Bill. Senate Bill 194, a Bill for an Act to amend the Illinois Vehicle

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

57th Legislative Day

June 15, 1989

Code. Third Reading of the Bill. Senate Bill 218, a Bill for an Act in relation to cemetery maintenance districts. Third Reading of the Bill. Senate Bill 220, a Bill for an Act to amend the Conservation District Act. Third Reading of the Bill. Senate Bill 228, a Bill for an Act to amend the Meat and Poultry Inspection Act. Third Reading of the Bill. Senate Bill 293, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill. Senate Bill 353, a Bill for an Act in relation to certain land in Kane County. Third Reading of the Bill. Senate Bill 383, a Bill for an Act in relation to nursing home care. Third Reading of the Bill. Senate Bill 388, a Bill for an Act to amend the Illinois Savings and Loan Banking Act. Third Reading of the Bill. Senate Bill 395, a Bill for an Act to amend the Animal Control Act. Third Reading of the Bill. Senate Bill 477, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 589, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 597, a Bill for an Act in relation to blood donations. Third Reading of the Bill. Senate Bill 625, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. Senate Bill 705, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill. Senate Bill 774, a Bill for an Act in relation to district hospitals. Third Reading of the Bill. Senate Bill 790, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill. Senate Bill 806, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 870, a Bill for an Act concerning development of agricultural commodity based plastics. Third Reading of the Bill. Senate Bill 884, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. Senate Bill 889, a Bill for an Act to

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

57th Legislative Day

June 15, 1989

amend an Act concerning child support orders. Third Reading of the Bill. Senate Bill 914, a Bill for an Act to amend an Act in relation to state occupation and use tax's application. Third Reading of the Bill. Senate Bill 971, a Bill for an Act in relation to increases in property tax levies. Third Reading of the Bill. Senate Bill 989, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. Senate Bill 990, a Bill for an Act to amend the Personnel Code. Third Reading of the Bill. Senate Bill 1008, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill. Senate Bill 1018, a Bill for an Act to amend the Illinois Lottery Law. Third Reading of the Bill. Senate Bill 1023, a Bill for an Act in relation to controlled substance addiction. Third Reading of the Bill. Senate Bill 1024, a Bill for an Act in relation to safety inspections. Third Reading of the Bill. Senate Bill 1030, a Bill for an Act in relation to the Department of Public Health. Third Reading of the Bill. Senate Bill 1032, a Bill for an Act in relation to insurance. Third Reading of the Bill. Senate Bill 1088, a Bill for an Act concerning House and Senate Journals. Third Reading of the Bill. Senate Bill 1114, a Bill for an Act to amend the Emergency Medical Services Systems Act. Third Reading of the Bill. Senate Bill 1126, a Bill for an Act in relation to forest products transportation. Third Reading of the Bill. Senate Bill 1128, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill. Senate Bill 1186, a Bill for an Act to amend the Nursing Home Care Act. Third Reading of the Bill. Senate Bill 1217, a Bill for an Act to amend the Business Corporation Act. Third Reading of the Bill. Senate Bill 1256, a Bill for an Act to amend the Illinois Savings and Loan Act. Third Reading of the Bill. Senate Bill 1269, a

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

57th Legislative Day

June 15, 1989

Bill for an Act to amend Radiation Protection Act. Third Reading of the Bill. Senate Bill 1288, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill. Senate Bill 1328, a Bill for an Act to amend an Act in relation to the Guardianship and Advocacy Commission. Third Reading of the Bill. Senate Bill 1396, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 1414, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill. Senate Bill 1425, a Bill for an Act to amend an Act relating to an agenda for cost effective (sic - effectiveness) in education. Third Reading of the Bill."

Speaker Breslin: "Representative Matijevich."

Matijevich: "Madam Speaker, I've been informed that there are two other excused absences that are on the Democratic side of the aisle. Kurt Granberg and Art Turner are excused absences."

Speaker Breslin: "Representative Turner and Representative Granberg will be listed as excused absences, Mr. Clerk. Consent Calendar, Second Reading."

Clerk O'Brien: "Consent Calendar, Second Reading, Second Day. Senate Bill 55, a Bill for an Act concerning fire protection. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "...on this...this Bill. Mr. Clerk and Ladies and Gentlemen, on the Consent Calendar, Third Reading, Second Day appears Senate Bill 971 by Representative Currie. The Lady asks leave to return that Bill to the Order of Second Reading for the purposes of an Amendment. Does she have leave? Hearing no objection, leave is granted. Are there any Motions or Amendments filed, Mr. Clerk?"

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

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

57th Legislative Day

June 15, 1989

Currie."

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. This is a technical Amendment changing the word 'of' to the word 'or'. I move its adoption."

Speaker Breslin: "The Lady moves the adoption of Amendment 2 to Senate Bill 971. On the question, is there any discussion? There being none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment's adopted. Are there any further Amendments?"

Speaker O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. The Lady now asks leave to return this Bill to the Consent Calendar, Second Read...Third Reading, Second Day. Are there any objections? Hearing none, the Bill is returned to that Order of Business. Ladies and Gentlemen and Mr. Clerk, on the Consent Calendar, Third Reading, First Day appears Senate Bill 182. Representative Cowlshaw is the Sponsor. The Lady asks leave to return this Bill to the Order of Second for the purposes of an Amendment. Does she 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: "Madam Speaker, please table Amendment #1."

Speaker Breslin: "Withdraw Amendment 1. Are there any further Amendments?"

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

Speaker Breslin: "Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the

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

57th Legislative Day

June 15, 1989

House. This Amendment simply permits park districts to lease their premises for the purposes of special recreation programs for children in special education. I have discussed this with Representative Cullerton, he says 'that's fine', and so I would move the adoption of Floor Amendment #2 to Senate Bill 182."

Speaker Breslin: "The Lady moves the adoption of Amendment 2 to Senate Bill 182, and on the question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. I talked to the Lady about a change in the original drafting of the Amendment, but I don't have a copy of it."

Speaker Breslin: "You don't have a copy of it did you say?"

Cullerton: "I don't believe it's been printed and distributed."

Speaker Breslin: "Mr. Clerk. I see. Representative Cowlshaw, the Clerk indicates that it has not been printed and distributed. I would ask you to take it out of the record at this time and we'll get back to it as soon as you see that it has been printed and distributed. We'll leave the Bill on Second. Okay?"

Cowlshaw: "Very good. Thank you, Madam Speaker."

Speaker Breslin: "Very good. Out of the record. Ladies and Gentlemen, it is the intention of the Chair to start today's business at the top of the Special Orders beginning with State and Local Government, Second Reading. So, look over that Order and be prepared to present your Bills. The first Sponsors are Hannig, Williamson, Munizzi, Novak, Morrow, Ewing, Leverenz, Terzich, Parke, Stange, Ronan and Bugielski. So please be on the floor so that your Bill can be moved at this time. On the Special Order of State and Local Government, Second Reading. First Bill; Senate Bill 65, Representative Hannig. Mr. Hannig. Out of the record. Senate Bill 77, Representative Williamson. Clerk, read the

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

57th Legislative Day

June 15, 1989

Bill."

Clerk O'Brien: "Senate Bill 77, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Williamson."

Williamson: "Thank you, Madam Speaker. Amendment #1 would help the Secretary of State's Office with a special license plate. There would be an initial \$15.00 charge to the person purchasing the plate. Any time after that, it would be a renewal fee of \$2.00 that would help with the costs to the administration. I ask for its adoption."

Speaker Breslin: "The Lady has moved the adoption of Amendment 1 to Senate Bill 77. On the question is there any discussion? Hearing none, the question is, 'Shall Amendment 1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment's adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 243, Representative Munizzi. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 243, a Bill for an Act to amend an Act to create sanitary districts. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Did you say there were Motions or Amendments?"

Clerk O'Brien: "No Committee Amendments."

Speaker Breslin: "Third Reading."

Clerk O'Brien: "No..."

Speaker Breslin: "Any Floor Amendments?"

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

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

57th Legislative Day

June 15, 1989

McAuliffe."

Speaker Breslin: "Representative McAuliffe. The Gentleman is not in the chamber. Representative Munizzi, what is your pleasure? Do you want to keep the Bill in this Order and wait for Representative McAuliffe to come back? Your other alternative is to table the Amendment and move the Bill to Third. If you want the Amendment on..."

Munizzi: "We can move to table the Amendment if that's possible."

Speaker Breslin: "Okay. The Lady moves to table Amendment #1 to Senate Bill 243..."

Munizzi: "Excuse me, Madam Speaker. Could we take it out of the record right now, please."

Speaker Breslin: "Surely. Out of the record. Senate Bill 247, Representative Munizzi. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 247, a Bill for an Act to amend an Act to create sanitary districts. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Parcels."

Parcels: "Thank you, Madam Speaker. This Amendment was the same Amendment that we added to the House Bill that is now in the Senate. It merely says that the amount of the transfers, this was to be able to transfer from department to department, the main Bill said, and this said the amount of the transfer shall be limited to 2 percent of the budget of the department or departments from which the transfers are made. This keeps it in line with what our procedures are here at the state and what most local government does, so that you aren't transferring whole department line items to another department. And it was unanimously accepted here in the House when we put it on the House Bill that

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

57th Legislative Day

June 15, 1989

went to the Senate and I move for the adoption of Floor Amendment #1 to Senate Bill 247."

Speaker Breslin: "The Lady has moved the adoption of Amendment 1 to Senate Bill 247, and on the question, is there any discussion? The Lady from Cook, Representative Munizzi."

Munizzi: "Thank you, Madam Speaker. We're asking that this Amendment not be adopted. It would...it would put a 2 percent cap on any of the transfers that would be transmitted and it's really not necessary. Apparently the district has certainly demonstrated in the past that they don't play fast and loose with the money and don't really need the 2 percent cap."

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

Cullerton: "Yes. I would ask the Sponsor to yield for a question."

Speaker Breslin: "The Lady will yield for a question."

Cullerton: "What is the genesis of your Amendment, Representative Parcels?"

Parcels: "The purpose was as I stated to...so that they wouldn't be transferring entire department line items into another department."

Cullerton: "No, I didn't ask you the purpose, I want to know the genesis."

Parcels: "The genesis? You mean to whose idea was it?"

Cullerton: "Right."

Parcels: "Mine."

Cullerton: "Okay. Now the current law allows for a transfer within a department of sums of money appropriated without any 2 percent limitation."

Parcels: "I thought that's what the law...that she's trying to pass did."

Cullerton: "No. Her...if you look at the Bill, all her Bill does

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

57th Legislative Day

June 15, 1989

is add the words 'or between departments'."

Parcells: "Right."

Cullerton: "So, there are...transfers within a department are allowed right now. The protection you have is that there's a two-thirds vote of all Members of the Body. So, I don't think that there's a need for the 2 percent limitation. There certainly isn't a 2 percent limitation now, when they transfer within the department. All the Lady's Bill does is to allow for that transfer between departments and it still requires a two-thirds vote. So, I...I agree with her, I don't think the Amendment is necessary and I would oppose the Amendment."

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

Parcells: "Well, we did pass this Amendment onto the Bill that went to the Senate unanimously when it was in the House. This is keeping it in line with other governmental units. Yes, the Sanitary District operates very well and we want to keep them operating that well as we do our state government and all other local governments. And I'd ask for your 'aye' vote and I'd like a Roll Call, please."

Speaker Breslin: "The question is, 'Shall Amendment #1 to Senate Bill 247 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 46 voting 'aye', 65 voting 'no' and none voting 'present'. The Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 249, Representative Novak. Clerk, read the...out of the record. Senate Bill 341, Representative Morrow. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 341, a Bill for an Act to amend an

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

57th Legislative Day

June 15, 1989

Act in relation to rehabilitation of disabled persons.
Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 370,
Repres...Representative Piel, for what reason do you seek
recognition?"

Piel: "I... Yes, Madam Speaker. There was a fiscal note request
on that Bill."

Speaker Breslin: "Mr. Clerk, do you have a fiscal note requested
on this Bill? Representative Piel, there has been no
request for a fiscal note on this Bill, so the Bill has
been properly moved. Representative Piel."

Piel: "No, I just talked to Representative Morrow who's the
Sponsor and he said there was one that was requested by
Representative McCracken, and the fiscal note is in his
office. He's going to have it brought over here, but
he...unless Representative McCracken..."

Speaker Breslin: "Fiscal notes have to be filed with the Clerk,
Representative Piel, but Representative Morrow..."

Piel: "No. No. No. I am saying that the request, Madam Speaker,
was turned in. In fact the Sponsor can even tell you that
the request was turned in. Now, I don't know if it was
withdrawn by Representative McCracken at a later time, but
it was turned..."

Speaker Breslin: "Representative Morrow, can you enlighten us?"

Morrow: "Thank you, Madam Chairman (sic - Speaker), Members of
the House. Representative Piel is correct. I was informed
by DORS that there was a fiscal note filed. They have a
reply to that note, it's in my office. Once it comes
ove...I think the staff person is giving it to the Clerk
right now."

Speaker Breslin: "Okay. So that the record is clear, the Clerk

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

57th Legislative Day

June 15, 1989

does not have a fiscal note on file, but a fiscal note has been...a fiscal note request on file, but a fiscal note has been filed. It is in the possession of the Chair. So the Bill is still properly on Third Reading. Representative Piel."

Piel: "Question of the Chair and possibly the Clerk, Madam Speaker. Could you explain to this Body exactly what the normal procedure is when a fiscal note request is filed? The reason I'm asking the question, is because I think this is about the fourth time that a request has been filed and all of a sudden, you know, we turn around and you've got no...no verification that we had filed for this request, and I would just like to know that what the normal procedure is and if there is a glitch in the system there, maybe we could get a little oil on the glitch or so to speak."

Speaker Breslin: "Yes, Representative Piel. Just a moment."

Piel: "Oily glitches are not good."

Speaker Breslin: "Okay. The Clerk will explain the process at this time."

Piel: "Thank you."

Clerk O'Brien: "When a request for a note is filed, that request is recorded on the computer for bill status identifying who requested it and it's printed on the Daily Calendar, the fact that there is a request on file."

Piel: "Could I ask a question? You know, as I say, about four different instances we've had problems on what has happened to the request. Is that just where things got tied up a little bit and they didn't have a chance to put them into the computer?"

Clerk O'Brien: "In most instances we check with the Journal Clerk to see if they have one on file in case we missed it here on the podium. In this case she has no record of a request

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

57th Legislative Day

June 15, 1989

on file."

Piel: "Okay. Thank you, very much."

Speaker Breslin: "It should be noted that the Clerk has recorded all fiscal note requests that have been made and they have gone through this process. On occasion, staffs have been directed to request fiscal notes. Sometimes there are many at one time and sometimes that...that work just doesn't get done. But there is a backup system built into the Clerk's system and if they don't have it on file then that has to be...has to be noted. The next Bill is Senate Bill 370, Representative Hannig. Out of the record. Senate Bill 513, Representative Ewing. Out of the record. Senate Bill 785, Representative Novak. Out of the record. Senate Bill 852, Representative Leverenz. Out of the record. Senate Bill 925, Representative Terzich. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 925, a Bill for an Act to amend Sections of the Highway Advertising Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

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

Speaker Breslin: "Third Reading. Senate Bill 1096, Representative Ewing. Out of the record. Senate Bill 1182, Representative Parke. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1182, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. Senate Bill 1254, Representative Stange. Out of the record. Senate Bill 1374, Representative Munizzi. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1374, a Bill for an Act to amend the Metropolitan Transit Authority Act. Second Reading of the

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

57th Legislative Day

June 15, 1989

Amendment 1 to Senate Bill 243, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment's adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. The next Order...Special Order is State and Local Government, Third Reading. The first Bill is Senate Bill 8, Representative Cullerton. Out of the record. Senate Bill 26, Representative Virginia Frederick. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 26, a Bill for an Act to amend Sections of an Act in relation to establishment and maintenance of county and multi-county public health departments. Third Reading of the Bill."

Speaker Breslin: "Representative Frederick."

Frederick: "Yes. Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 26 amends the County Health Department's Act and allows any county under one million to include a...or to establish a mental health program with a referendum. I ask for your 'aye' vote."

Speaker Breslin: "The Lady has moved the passage of Senate Bill 26, and on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 26 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 voting 'aye', none voting 'no' and 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 146, Representative Hultgren. Clerk, read the Bill."

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

57th Legislative Day

June 15, 1989

Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. Senate Bill 1415,
Representative Ronan. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1415, a Bill for an Act to amend the
Illinois Act on the Aging. Second Reading of the Bill. No
Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1451,
Representative Bugielski. Out of the record. We'll go
back now to the top of the call for those Bills that were
not called or Members were not present. The first Bill is
Senate Bill 65, Representative Hannig. Clerk, read the
Bill."

Clerk O'Brien: "Senate Bill 65, a Bill for an Act to amend the
Illinois Vehicle Code. Second Reading of the Bill. No
Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 243, Representative
Munizzi. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 243, a Bill for an Act to amend an
Act to create sanitary districts."

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

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

Speaker Breslin: "Representative McAuliffe."

McAuliffe: "Madam Speaker and Ladies and Gentlemen of the House,
Amendment #2...Amendment #1 would increase the salaries of
the trustees of the Metropolitan Sanitary District \$2,000."

Speaker Breslin: "The Gentleman has moved the adoption of

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

57th Legislative Day

June 15, 1989

Clerk Leone: "Senate Bill 146, a Bill for an Act to amend an Act to revise the law. Third Reading of the Bill."

Speaker Breslin: "Representative Hultgren."

Hultgren: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We discussed this Bill yesterday when it was amended and in fact the Amendment became the Bill. It provides that in counties where a recorder and a county clerk are elected separately, because the population of a county exceeds sixty thousand. If as a result of the 1990 census the population would fall below that threshold, the county board may, but is not required, to continue to elect both offices rather than to combine the offices into one. Would ask for your favorable vote and would be glad to answer any questions."

Speaker Breslin: "This Bill is on the Order of Short Debate. The question is, 'Shall Senate Bill 146 pass?' Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 146 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? The Clerk will take the record. On this question there are 111 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 240, Representative Granberg. Out of the record. Senate Bill 601, Representative Stern. Clerk, read the Bill. 601, on Third Reading."

Clerk Leone: "Senate Bill 601, a Bill for an Act in relationship to county law libraries. Third Reading of the Bill."

Speaker Breslin: "Representative Stern."

Stern: "Mr. Speaker and Members of the House, this is a very modest Bill that increases the permissible law library fee in counties over four hundred thousand from six dollars to

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

57th Legislative Day

June 15, 1989

ten dollars, and is only imposed if the county board votes to do so."

Speaker Breslin: "The Lady moves for the passage of Senate Bill 601. This Bill is on regular Third Reading. Is there any discussion? There being none, the question is, 'Shall Senate Bill 601 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? The Clerk will take the record. On this question there are 97 voting 'aye', none voting 'no' and 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 647, Representative Hannig. Clerk, read the Bill."

Clerk Leone: "Senate Bill 647, a Bill for an Act to amend the Illinois Farm Development Act. Third Reading of the Bill."

Speaker Breslin: "Representative Hannig."

Hannig: "Madam Speaker, would it be possible to have leave to hear both 647 and 650 together? They're companion Bills."

Speaker Breslin: "The Gentleman asks leave to hear Senate Bills 647 and 650 together as one Bill, as they are companion Bills. Is there any objection? There being no objection, leave is granted. Proceed, Representative Hannig, on both Senate Bill 647 and 650."

Hannig: "Yes. Thank you, Madam Speaker and Members of the House. This is a simple set of Bills. It amends the Illinois Farm Development Act and permits the authority to enter into a cooperative agreement with the University of Illinois to assess and evaluate current and proposed credit and financial programs administered by the authority. And the Bill also provides for the funding mechanism whereby part of the interest earned by the funds would be held by the authority for financing this study. The estimated cost is about a hundred and fifty thousand dollars. The authority

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

57th Legislative Day

June 15, 1989

is in agreement with this proposal. The University of Illinois who'll be doing the studies is in agreement of the proposal. It came out of the AG Committee unanimously and I know of no opposition and would ask for your 'yes' vote."

Speaker Breslin: "The Gentleman moves the passage of Senate Bills 647 and 650. Does anyone rise in opposition? The Gentleman from Vermilion, Representative Black."

Black: "Well, thank you, very much, Madam Speaker. I'm not sure I rise in opposition, but I would like to ask the Gentleman a question."

Speaker Breslin: "Proceed."

Black: "Thank you. Representative, we've had many a discussion in the last few months on continuing versus annual appropriations and control of this Body and so forth and so on. If I read your Bill correctly, you are taking about a one and a half million dollars which would flow into GRF and you're simply removing that from any control...appropriation control of the General Assembly. Is that correct?"

Hannig: "Representative, it's my understanding that we're talking about a hundred and fifty thousand dollars for the study and that would be all that we're really looking at with the Bill."

Black: "Well, I think if you'll look at Senate Bill 647, where you are taking the interest earned on IFDA's loss reserve and automatically retaining those funds in that reserve account. I think, unless I'm looking at the wrong analysis and I don't think I am, that you are statutory...your going by statute to commit about a one and a half million dollars into IFDA's loss reserves rather than what currently happens and that is flowing into GRF. Is that...is that your understanding?"

Hannig: "Representative, on Senate Bill 650 it provides that

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

57th Legislative Day

June 15, 1989

earnings equal to one half of one percent of the...of the agricultural loan guarantee shall remain in the fund, and that we estimate is about a hundred and fifty thousand."

Black: "So...but to the issue at hand then. Whether it's a million or a hundred and fifty thousand, that is money that we are giving up all control as far as appropriation over that amount of money. Is that correct?"

Hannig: "Yes, Representative, in a sense that is correct that this money...if we pass this, we will be affirming that we're giving them the authority to spend this additional money specifically for this study, but it will take our affirmative votes and the signature of the Governor to do that."

Black: "Well, I'm not sure you're answering the question. It appears to me that the combination of these two Bills takes appropriation authority away from the General Assembly and now that seems to be an issue. Is that an issue as you understand your Bill, or is it not?"

Hannig: "Well, Representative, I'm not aware that there have been any objections to this Bill along those lines and perhaps you may or may not have a point, I'm really not certain. I guess partly what your point is..."

Black: "Well, thank you, Representative. Madam Speaker, to the Bill. I guess this is an issue that some people are going to have to take a look at. I really believe that the Bill in question does in fact remove the General Assembly's appropriation control over an amount of money. Now, that amount of money may be debatable as to whether it's a million or a hundred fifty thousand or what have you, but I think there are some people that need to take a look at that, because it's my understanding that you are giving up this Body's appropriation control over some amount of money. And there are people in here who find that to be an

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

57th Legislative Day

June 15, 1989

onerous provision. Thank you, Madam Speaker."

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

Hannig: "Yes. Thank you, Madam Speaker and Members of the House. Through the Senate where this was a bipartisan effort that passed overwhelmingly and in the House AG Committee there was really no controversy about this Bill. Basically it's set up to try to help farmers in the downstate agricultural areas. It's to provide a hundred and fifty thousand dollars, so that the University of Illinois by agreement, would provide for the...for a study in cooperation with the authority, to study and assess and evaluate the current and proposed credit and financial programs that are administered by the program...by the authority. So, as I said, it's simply an effort to try to make the authority more in tune with the needs of the Illinois farmer. I certainly believe it's a good proposal and I'd ask for your 'yes' vote."

Speaker Breslin: "The question is, 'Shall Senate Bills 647 and 650 pass jointly?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. We are voting on two Bills. This is final passage. They are companion Bills six Bills...Senate Bills 647 and 650. All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 89 voting 'aye', 16 voting 'no' and 4 voting 'present'. These Bills having received the Constitutional Majority, are hereby declared passed. Senate Bill 699, Representative Black. Clerk, read the Bill."

Clerk Leone: "Senate Bill 699, a Bill for an Act to amend the Illinois Act on Aging. Third Reading of the Bill."

Speaker Breslin: "Representative Black."

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

57th Legislative Day

June 15, 1989

Black: "Well, thank you very much, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 699 is sponsored in the Senate by Senator Berman. It simply says that the Department of Aging shall devise and implement a plan for the increased cooperation of local and community senior citizen centers and the function and duties of the area agencies on aging. Now the plan shall also provide a mechanism for the input of local and community senior citizen centers into the department's policy-making process. It is a recommendation of many senior citizen centers statewide. I would ask for your favorable consideration of Senate Bill 699."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 699. This Bill is on the Order of Short Debate. Does anyone rise in opposition? The Gentleman from Madison, Representative Wolf."

Wolf: "Thank you, Madam Speaker. I'm not opposed to the Bill exactly. I'd just like to ask the Sponsor a question."

Speaker Breslin: "Proceed."

Wolf: "Representative Black, I note that in the analysis it indicates that the Department of Aging is opposed to this Bill. Could you tell me why?"

Black: "They are opposed, Representative, and I think they base their opposition on the fact number one; they say that it violates some federal rules and regulations and everybody I talk to say that simply is not the case. They also think that it perhaps might circumvent the area agencies from doing the task that the department wants them to do, and I again don't agree with that. You know, I think we need to involve the people who are delivering the service at the point of contact, and that is the area senior citizen in your district...or senior citizen center in your district and in my district. And I think many of those people feel

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

57th Legislative Day

June 15, 1989

that they simply are not involved in some of the program initiatives that the department puts forth, and they think by the time it trickles down to that center, they're simply not being asked for their input and I think they should be. I think those are the people on the front line, the firing line if you will, and I think that Senator Berman has an excellent Bill here."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Senate Bill 699 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? The Clerk will take the record. On this question there are 106...107 voting 'aye', 1 voting 'no' and 2 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 702, Representative Santiago. Clerk, read the Bill."

Clerk Leone: "Senate Bill 702, a Bill for an Act to amend the Illinois Act on Aging. Third Reading of the Bill."

Speaker Breslin: "Representative Santiago."

Santiago: "Madam Chairman (sic - Speaker), Bill...Senate Bill 702 provides that the Department on Aging shall establish a pilot program providing emergency shelters for elderly victims of abuse, utilizing existing resources where possible."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 702. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 702 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 the question there are 113 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the

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

57th Legislative Day

June 15, 1989

Constitutional Majority is hereby declared passed. Senate Bill 703, Representative Sutker. Clerk, read the Bill."

Clerk Leone: "Senate Bill 703, a Bill for an Act to amend the Illinois Act on Aging. Third Reading of the Bill."

Speaker Breslin: "Representative Sutker."

Sutker: "Madam Speaker and Ladies and Gentlemen of the House, Senate Bill 703 requires the Department of Aging to establish an awards program for worthy senior citizens in the area of community service, education, the arts and the labor force. It would provide for four senior citizens a year to receive such awards based on their accomplishments from a list of forty-four senior citizens submitted to the Department of Aging. I urge its adoption and passage."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 703. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 703 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 111 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1016, Representative Goforth. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1016, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Speaker Breslin: "Representative Goforth."

Goforth: "Thank you, Madam Speaker. This amends the Administrative Code for the Department of Mines and Minerals Administration. It requires that the application and other documents submitted to the Department of Mines and Minerals for permits, certificates and licenses, can be affirmed under oath."

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

57th Legislative Day

June 15, 1989

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1016. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 1016 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', none voting 'no' and none voting 'present'. This Bill have received the Constitutional Majority is hereby declared passed. Senate Bill 1036, Representative Goforth. Clerk, read... Representative Goforth."

Goforth: "I hit my button, but the speaker's button is on and the green button didn't come on."

Speaker Breslin: "I see. Okay. With leave let us drop that Roll Call, so that the Gentleman can get on his own Bill. Let's go back... Drop the Roll Call, Mr. Clerk. Senate Bill 1016. Representative Cullerton, do you object? Representative Cullerton."

Cullerton: "Well, I think you've already declared the Bill passed, so I think we should reconsider the Bill."

Speaker Breslin: "I see. Okay, that's a good procedure. Representative Goforth, moves to reconsider the vote by which Senate Bill...he didn't vote for it."

Cullerton: "He didn't vote. I'll move to reconsider."

Speaker Breslin: "Okay. Representative Cullerton, will move to reconsider the vote by which Senate Bill 1016 passed. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. By use of the Attendance Roll Call, the Bill is reconsidered. Representative Goforth now moves for the passage of Senate Bill 1016. Representative Cullerton."

Cullerton: "I think it's a bad Bill."

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

57th Legislative Day

June 15, 1989

Speaker Breslin: "All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Representative Weller, for what reason do you seek recognition?"

Weller: "Madam Speaker, I rise for a point of personal privilege. I'm proud to say that my student advisory committee is in the gallery this afternoon. My student advisory committee is researching substance abuse education and prevention programs. Let's give them a warm welcome today."

Speaker Breslin: "Representative Weller, we are happy to have your advisory committee with us; however, you are in violation of the rules and especially at this time...and especially at this time when we have so much work to do. The Chair would request that all Members refrain from making such introductions in violation of the rules. Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Tony Young in the Chair."

Speaker Young: "Senate Bill 1036, Representative Goforth. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1036, a Bill for an Act to amend the Illinois Oil and Gas Act. Third Reading of the Bill."

Speaker Young: "Representative Goforth."

Goforth: "Thank you, Mr. Chairman (sic - Speaker). Can I have permission to take this Bill back to Second for an Amendment?"

Speaker Young: "The Gentleman asks leave to take this Bill back to Second Reading for purposes of an Amendment. Does he have leave? Leave is granted. Second Reading. Read the Bill, Mr. Clerk."

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

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

57th Legislative Day

June 15, 1989

Representative Goforth."

Speaker Young: "Representative Goforth, on Floor Amendment #1."

Goforth: "Thank you, Mr. Speaker. This is an agreed Amendment."

Speaker Young: "The Gentleman moves for the adoption of Floor Amendment #1, and on that question, is there any discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. Would the Sponsor yield for a question?"

Speaker Young: "He indicates he'll yield for a question."

Cullerton: "You indicate this is an agreed Amendment?"

Goforth: "That was my information, Representative, from all parties concerned."

Cullerton: "What does that mean, an agreed Amendment?"

Goforth: "Well, I thought it agreed nobody had any opposition to it."

Cullerton: "Well, who was...who was involved with the agreement?"

Goforth: "Department of Public Health, Department of Mines and Minerals and the Rural Electric Cooperative Association."

Cullerton: "You know what it does?"

Goforth: "I can read this...all this to you on here, if you want to know it."

Cullerton: "Well, I suspect that it is perhaps agreed among all those parties that you've stated, and I suppose that everybody else would find it basically pretty boring. It excludes from the definition of water well, monitoring wells, includes two definitions on the Illinois Water Well Construction Code, closed loop well and monitoring well. It has to do with loop wells. Do you know what a loop well is?"

Goforth: "Well, it's my understanding it's a hole in the ground outside of a...like your heat pump or something, I believe, is what my definition of it was."

Cullerton: "Okay, thank you."

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

57th Legislative Day

June 15, 1989

Goforth: "Sealed water tight loop. A pipe buried outside a building foundation intended to recirculate a loop."

Cullerton: "Well, this one provision makes sense to me; it adds the provision requiring water wells, boring and monitoring wells to be plugged if they have been abandoned."

Goforth: "Yes."

Cullerton: "That sounds good."

Goforth: "Yes."

Cullerton: "Okay, thank you."

Goforth: "You're welcome."

Speaker Young: "Further discussion? Hearing none, the Gentleman moves for the adoption of Floor Amendment #1 to Senate Bill 1036. All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Young: "Third Reading. The Gentleman requests leave for immediate hearing of Senate Bill 1036. Leave is granted by use of the Attendance Roll Call. Representative Goforth, on Senate Bill 1036."

Clerk Leone: "Senate Bill 1036, a Bill for an Act to amend the Illinois Oil and Gas Act. Third Reading of the Bill."

Goforth: "Thank you, Mr. Speaker. Again, it's the Department of Mines and Minerals Bill, it's a lot of technical language along with the last Amendment just passed. I move for...ask for your favorable recommendation."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 1036. On that question is there any discussion? Hearing none, all those in favor vote 'aye', those opposed vote 'no'. This is final passage. Have all vote who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the

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

57th Legislative Day

June 15, 1989

I'd like to take the Bill out of the record."

Speaker Young: "Out of the record. Senate Bill 1271, Representative Doederlein. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1271, a Bill for an Act providing for the organization of rescue and squad...of rescue squad districts. Third Reading of the Bill."

Speaker Young: "Representative Doederlein."

Doederlein: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1271 allows for the formation of rescue squad districts by front door referendum. I recommend the support of this Bill."

Speaker Young: "The Lady moves for the passage of Senate Bill 1271. On that question is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1271 pass?' All those in favor vote 'aye'... The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. Would the Lady yield for a question? Representative, was there an Amendment #1 adopted?"

Doederlein: "Yes, it has been."

Cullerton: "And that's the part that added the tax?"

Doederlein: "That's right."

Cullerton: "And is that with... What kind of tax is that? Property Tax?"

Doederlein: "Yes, by a front door referendum."

Cullerton: "Front door?"

Doederlein: "Yes."

Cullerton: "And the purpose of the fund is for creating rescue squads...create a rescue squad district?"

Doederlein: "Only...they may be formed only in an area where it is not included within a fire protection district."

Cullerton: "I see. Fine. Thank you."

Speaker Young: "Further discussion? Representative Doederlein, to close. Do you wish to close, Representative

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

57th Legislative Day

June 15, 1989

Doederlein?"

Doederlein: "I wish for a favorable vote on Senate Bill 1...1271."

Speaker Young: "The Lady moves for the passage of Senate Bill 1271. 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? Mr. Clerk, take the record. On this question there are 98 voting 'aye', 11 voting 'no' and 2 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 1375, Representative Munizzi. Out of the record. Senate Bill 1441, Representative LeFlore. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1441, a Bill for an Act to amend the Illinois Human Rights Act. Third Reading of the Bill."

Speaker Young: "Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1441 authorizes the Department of Human Rights to require state agencies to establish minority employment training programs, when agencies fail to comply with equal employment opportunities and affirmative action goals. This Bill passed Committee without any dissenting votes and I'd just ask for an affirmative vote on the Bill."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 1441. On that question is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "On behalf of various human beings, I rise in opposition to this Bill. Government is inherently coercive. It does not create rights, it does not create dignity. It takes it away. And that's why the Bill of Rights and our U.S. Constitution was such a landmark in the history of western civilization. And although the intention is good, all this Bill does is perpetuate legal

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

57th Legislative Day

June 15, 1989

discrimination. It does not comport with the recent Supreme Court case requiring various findings of intentional discrimination. It does nothing more than pay lip service to what is the U.S. constitutional law, the most important document in the history of western civilization. And this flies in the face of that. It flies in the face of freedom and liberty and it is not a good precedent. I encourage a 'no' vote."

Speaker Young: "Further discussion? The Gentleman from Cook, Representative LeFlore, to close."

LeFlore: "I'd just ask for a favorable vote, Mr. Speaker."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 1441. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Mr. Clerk, take the record. On this question there are 68 voting 'yes', 44 voting 'no' and 1 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Representative Novak, for what purpose do you seek recognition?"

Novak: "Mr. Speaker, for the record on Senate Bill 1271, I was recorded as voting 'yes'. Let the record reflect that my vote should have been 'no'. Thank you."

Speaker Young: "The Journal will so reflect...transcript. Senate Bill 1456, Representative Capparelli. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1456, a Bill for an Act in relationship to governmental units. Third Reading of the Bill."

Speaker Young: "Representative Terzich for Representative Capparelli."

Terzich: "Yes, Mr. Speaker, I would like to have leave to bring this Bill back to Second Reading for a technical Amendment."

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

57th Legislative Day

June 15, 1989

Speaker Young: "The Gentleman moves to return this Bill to Second Reading for purposes of an Amendment. Does he have leave? Leave is granted. Second Reading."

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

Speaker Young: "Representative Terzich on Floor Amendment #1."

Terzich: "Yes. All that Senate (sic - House) Amendment #1 simply amends is that the Act takes effect on becoming law and I would move for its adoption."

Speaker Young: "The Gentleman moves for the adoption of Floor Amendment #1, and on that question, the Gentleman from Vermilion, Representative Black."

Black: "Well, thank you, very much, Mr. Speaker. I'm certain that the Amendment is worthy of consideration, but I don't think we have it. I would simply ask the Chair if it's been printed and distributed."

Speaker Young: "I am told the Amendment has not been printed and distributed, so we'll take this out of the record."

Black: "Thank you."

Speaker Young: "Representative Terzich."

Terzich: "Why don't we just leave it on Second until..."

Speaker Young: "Okay. The Bill will remain on Second Reading. On the same order appears House Joint Resolution 33, Representative Brunsvold. Out of the record. We are now going to the Order of Education. Education. The first two Bills on this order are Representative Levin and Representative Flinn. Then we will do Education, Third Reading. The Sponsors on that order are Representatives Satterthwaite, Cullerton, Curran, Cowlshaw and Williams. Senate Bill 116, Representative Levin. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 116, a Bill for an Act to amend an Act to require reporting of certain information by state

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

57th Legislative Day

June 15, 1989

supported colleges and universities. It's been read a second time previously. Amendments #1, 2 and 3 were adopted in Committee."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "There are no Motions filed. Floor Amendment #4, is being offered by Representative Levin."

Speaker Young: "Representative Levin, on Floor Amendment #4."

Levin: "Yes. Has Floor Amendment #4 been passed out yet?"

Speaker Young: "Representative Levin, Amendment #4 has not been printed and distributed."

Levin: "Okay. Can we hold it for a few minutes until that's done."

Speaker Young: "The Bill will be held on Second Reading. Senate Bill 629, Representative Flinn. Out of the record. Before we start Education, Third Reading, we will go back to a Bill that we took out of the record that was on State and Local Government. Senate Bill 1037, Representative McCracken. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1037, a Bill for an Act to amend an Act in relationship to natural resources. Third Reading of the Bill."

Speaker Young: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. This Bill would create the Illinois Superconductivity Coordinating Council, and it would be a council designed to encourage and promote the practical application of superconductivity technology...in various institutions in Illinois."

Speaker Young: "Excuse me, Representative. Representative Cullerton, for what purpose are you seeking recognition?"

Cullerton: "Well, Mr. Speaker, I have an inquiry. What Order of Business are we on? You announce that we are on the Order of Education. We started the Order of Education and now we're going back and picking up people's Members...other

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

57th Legislative Day

June 15, 1989

people's Bills. Now when people are here for us to conduct our business in an orderly fashion, we want to be able to be prepared to go down the Calendar and pick all these Bills up in the order in which they're called. Now we're going back and picking up your friend's Bills. So, I just want to know what Order of Business are we on and where are we going after we do this particular Bill?"

McCracken: "Serves me right, I shouldn't have done this. I'll... John, I'm very happy."

Speaker Young: "Your point is well taken, Mr. Cullerton, but there is one Bill on this order. We're calling the Order of the Speaker's Friends. Representative McCracken, on Senate Bill 1037. That's the real Speaker by the way."

McCracken: "There's nothing I value more than that good will. This would create the Superconductivity Coordinating Council and would promote the application of applied technology in superconductivity. The University of Illinois is a leading institution in this field, as is Argonne among other institutions in Illinois. There would be a grant proposal made as a part of this. It would be funded by the Department of Energy and Natural Resources in the amount of two hundred thousand a year. There'd be a matching grant of two hundred thousand per year over ten years made by Commonwealth Edison for this purpose. The expenses realized, would be only travel of the Members, they would not be paid, only expenses would be compensated. As Illinois is a leading area in this field, we see this as a good public/private match to develop that applied technology. I move the Bill's passage."

Speaker Young: "The Gentleman has moved for the passage of Senate Bill 1037. On that question the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. Would the Sponsor yield?"

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

57th Legislative Day

June 15, 1989

McCracken: "Yes."

Speaker Young: "He indicates he will yield for a question."

Cullerton: "Isn't this Bill very similar to other Bills that you have killed?"

McCracken: "Me personally?"

Cullerton: "Yeah, by standing up and opposing."

McCracken: "Well that's inconceivable, I can't imagine I've ever done that."

Cullerton: "Well, maybe the part about the two hundred thousand dollars that it costs."

McCracken: "Certainly I'm in favor of money efficiently and well spent."

Cullerton: "I see and in this case we're going to spend two hundred thousand dollars of state money to set up a new council which in past years would have probably been called a commission, which is going to study applied superconductivity research. Is that right?"

McCracken: "This is a... No. No. No, they're not going to study it, they're going to promote it. I mean they don't...they aren't the studying entity, they will be making grants..."

Cullerton: "Well they're going...they're going to give the money away."

McCracken: "Right."

Cullerton: "They're going to raise four hundred thousand and they're going to give away..."

McCracken: "Right."

Cullerton: "...this money. Who are they going to give the money away to."

McCracken: "Well, Illinois institutions among others. Argonne, University of Illinois and things of that nature."

Cullerton: "We're going to give more money to the University of Illinois?"

McCracken: "Yes. I'm told this is oil refund money, it's not GRF

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

57th Legislative Day

June 15, 1989

money."

Cullerton: "What kind?"

McCracken: "Oil refund money. Oil overcharge money, I should say."

Cullerton: "Oh, isn't that the fund we use to use to feed the poor and shelter the homeless? Isn't that that same fund that we used to use? That Exxon refund money, didn't we use that for our IRAP Program and provide homeless shelter for people? Well keep it in mind this is a Senate Bill, now."

McCracken: "Now...right. Now, I guess my retort is, if we find some superconductivity technologies, the energy to heat those homes will be much cheaper."

Cullerton: "I see. Well, I certainly based on my voting record can't vote against it, but I just wanted to...I think it's appropriate for me to point out and remind the Members of the General Assembly, that Representative McCracken's Bill will cost two hundred thousand dollars of state...or not state money, oil refund money that otherwise would go for some other good purpose, I'm sure. So, I stand in support of the...another council being established, so they can give out four hundred thousand dollars."

McCracken: "As with the good will of the Speaker, I value Representative Cullerton's good will and I thank him for the support and I move its passage."

Speaker Young: "Further discussion? Hearing none, the Gentleman moves for the passage of Senate Bill 1037. All those in favor vote 'aye', those opposed vote 'no'. 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 113 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the required Constitutional Majority is hereby declared passed. We will

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

57th Legislative Day

June 15, 1989

now go to the Order of Education - Third Reading. The first Bill on this Order is Senate Bill 27. Representative Satterthwaite. Out of the record. Senate Bill 70, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 70, a Bill for an Act to amend an Act concerning the recruitment of women. Third Reading of the Bill."

Speaker Young: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is Senate Bill 70, which is sponsored by Senator D'Arco, and he asked me to sponsor this Bill for him in the House. This establishes a program to ensure greater minority in female representation in the engineering and science field. So in a way it's very similar to Representative McCracken's Bill that we just passed, just that this doesn't cost any money yet. The Bill is is...creates the Engineering and Science Recruitment Fund. These moneys would...could come not only from appropriations, but also federal grants and public or private donations. I would specifically emphasize that, because what we're talking about are private corporations interested in improving the quality of the...and the quantity of people who go into engineering and the science field, especially minorities and female representation. The Bill is modelled after a number of other states, specifically, the State of Washington, the State of California and the States, I believe, of North Carolina. One of the things that they've done is to develop a program in high school. This is the purpose. They go into the high schools and encourage minorities and women that can be found to be interested in science and engineering to get them targeted by having pre-high school...schools...I'm sorry, in addition to high school students, also pre-high

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

57th Legislative Day

June 15, 1989

school students, specifically grades six through nine. They have training for teachers, particularly in enhancing the teachers' awareness of the needs of minority and female students. So, as far as an appropriation, Representative...or Senator D'Arco came to the committee and indicated he was attempting to get an appropriation, I think, of about \$200,000, which is almost exactly the same amount that Representative McCracken's Bill just involved. I don't know if that is...been done in the appropriation process, but in either case, even if that is...no money is appropriated to the state, this would set up this program that could be funded by private donations. So, I'd be happy to answer any questions and appreciate an 'aye' vote."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 70. On that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 70 pass?' All those in favor vote 'aye', those opposed vote 'no'. 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 108 voting 'yes', 2 voting 'no' and 2 voting 'present'. This Bill, having received the required Constitutional Majority is hereby declared passed. Senate Bill 187, Representative Currie. Out of the record. Senate Bill 309, Representative Cowlshaw. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 309, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 309 was sponsored in the Senate by Senator Arthur Berman. All it does is that it provides that special education joint agreements may hire a director

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

57th Legislative Day

June 15, 1989

under multi-year contracts and provides for that the exactly same provisions as we now have for superintendents of schools. And I move for its adoption."

Speaker Young: "The Lady moves for the passage of Senate Bill 309. On that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 309 pass?' All those in favor vote 'aye', those opposed vote 'no'. 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 109 voting 'yes', none voting 'no' and none voting 'present'. This Bill, having received the required Constitutional Majority is hereby declared passed. Senate Bill 333, Representative Williams. Out of the record. Senate Bill 335, Representative Williams. Out of the record. Senate Bill 449, Representative Curran. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 449, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Curran."

Curran: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 449 raises the mandatory school attendance in the State of Illinois from age 16 to age 18. In the State of Illinois, the mandatory age of 16 has been in effect since 1907. We've had that same rule for the last 82 years, even though society has changed tremendously. And I'm suggesting to you, and I think the merits of this idea suggest to you, that it makes good sense in Illinois to suggest to students that the law says they got to stay in school until age 18. Because at this point, the law says that they can drop out at age 16, and a lot of them wait until their 16th birthday and drop out. What do we have when kids drop out of school? We have kids who are unemployed and who are unemployable and who become

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

57th Legislative Day

June 15, 1989

a burden on society for very often the rest of their entire lives. So I would suggest to you that Senate Bill 449 is a Bill with tremendous merit. And I would be glad to answer any questions and ask for a favorable Roll Call."

Speaker Young: "The Gentleman has moved for the passage of Senate Bill 449. On that question, the Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Leader...Mr. Speaker, Ladies and Gentlemen of the House. In all due respect to the Sponsor and some of the advocates of this legis...of this legislation, I must rise in opposition to the increased school leaving age. I do this based on 30 years of teaching in a secondary school and having the opportunity to be aware of the impact that this kind of legislation could have on a school, on a high school or on high schools, at the current level of funding support by the state as well as the local communities for those schools. Students drop out for a variety of reasons. Some of them good reasons, some of them not...not good at all. But until we get in a position where we can, across this state, provide alternative programs for these young people, you do an injustice not only to them but also to the students who remain by keeping people in school between 16 and 18 that do not want to be there, for whatever the reason. I would suggest to you that the dropout problem is not a 16 year old problem. The dropout problem is a pre-school, primary school problem. By that I mean, unless the student comes to those later grades with the skills and the talent and the developmental level of those skills and talent to meet the task, they're not going to be successful. These people who are dropping out, in most cases for one reason or another, are not functioning satisfactorily in the contemporary high school. We ask...we ask students, some

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

57th Legislative Day

June 15, 1989

who come with a steam shovel and others who come with a broken stick, to do exactly the same thing. That is the crux of the problem. And until we're willing to fund education programs which will give us the opportunity and the ability to deal...school districts to deal with these young people, we then do all of them a disservice, those who dropped out as well as those who stayed. Because many of the people who leave the school cannot and cannot adjust to that particular environment, and therefore make it difficult for the teachers, and make it difficult for the students who want to learn. And I say that without malice to those who cause the difficulty, because I...I dealt with a number of them over that period of time. I would just conclude by saying that I do not know a single high school classroom teacher, in the best of my judgement, I do not know a single high school teacher who would support this legislation, for all the reasons that I've mentioned and probably in many cases other. And therefore, I reluctantly arise in opposition to this, not in derogation to those who would drop out, but in recognition of the fact that the state and the local communities are not providing the kinds of programs that would be helpful and useful for these young people. We're dealing with the symptom and not the cause. And we do everyone an injustice with this approach."

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

Cowlshaw: "Thank you, Mr. Speaker. For me this is one of the most difficult Bills of this Session to address, because I don't think there's anybody in this chamber who would not like to keep young people in school at least until they receive their high school diploma and hopefully well beyond that. Never-the-less, I think we have to look at the practical aspects of this Bill. First, Mr. Speaker, most

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

57th Legislative Day

June 15, 1989

of us in this chamber are parents and most of us are parents of children who are at least into their teenage years. And so we have had personal experience as the mother or the father of a young son or daughter to know what changes occur in young people's attitudes by the time they reach the age of 16. Mr. Speaker, we can cause our will to be done in our children when they are six or eight or ten, perhaps even when they are 12, but Mr. Speaker, there isn't one of us that can make our will...impose our will upon a child, no matter how much affection we have for that child and him or her for us, once that child is 16 years old, by that time they have achieved sufficient independence to make their own decisions and insist that those incisions...decisions be respected. Finally, Mr. Speaker, I ask that we look at this not only from the point of view of our...the reality of what a 16 year old is like, but also from the viewpoint of the other students involved in our secondary schools. Now I recognize that the Sponsor says that these youngsters if they don't want to remain in a regular school setting can go to an alternative school, but many of them will remain in that traditional setting. And I would point out to you that a disproportionate share of the time of teachers is demanded by those few students who don't want to be there. Consequently, most of the students, other students, are deprived of the time and the attention that they need and deserve. If you force these few problem students to sit in a school room for an additional two years, the cost of that decision, in the form of lost time and attention from the teacher, will be borne by the remaining members of the student body. I submit to you that this proposal is not fair to the students who want to be in school and want to receive their diploma. And finally, Mr. Speaker, like the previous

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

57th Legislative Day

June 15, 1989

speaker, I have consulted several people whom I know personally who are high school teachers in my own district. I have asked them about this particular Bill. I have even provided copies of this Bill and the Amendment to them. Not one of them, Mr. Speaker, has anything favorable to say about this Bill. Every one of them is opposed to it. It seems to me, we ought to listen to our teachers. I think they know what is the best thing for students, far better than those of us who do not stand in those classrooms and attempt to teach youngsters 16, 17 and 18 years old. For all of those reasons as well as many more for which there is no time to cover, Mr. Speaker, reluctantly but strongly, I rise in opposition to this Bill."

Speaker Young: "The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Thank you...thank you, Mr. Speaker and Members of the House. I, likewise, rise in opposition to my good friend, Representative Curran's Bill. If any of us who have had any children, and we were fortunate enough in our family...in my family to have six children, all of who...all of which are beyond the high school stage right now, anyone knows when they reach that age of 16 years old there's a lot of things that they're...that is very difficult to convince them to do one way or the other. And the most difficult thing to do is to convince somebody at age 16 that they're suppose to stay in high school and try to finish up. To extend this from 16 to 18, I think, is absolutely ludicrous. In the years that I have spent in the classroom myself, not as long as Representative Hoffman has spent in a classroom, I found that kids are in three categories: Those students who are going to get what they are...they're going to get their assignments. They're going to do well regardless, in spite the teacher or

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

57th Legislative Day

June 15, 1989

anybody else. And there are those who just plain don't care and then the middle group, which is the average group. The bottom group is the one that takes 90percent of your time. And to suggest that we're going to keep those students or make those students stay in school for two additional years and occupy so much more of the teacher's time, the faculty time, the whole school's time, I think is really out of line. And for these reasons alone, I think that...I think Representative Curran's intent is well, but it's just not a practical Bill. I don't think it's going to work. And on top of it, the alternative program which we're talking about is going to cost some \$12,000,000, and goodness gracious, we have enough alternative programs already. So I reluctantly rise in opposition to the Bill."

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

Klemm: "Thank you, Mr. Speaker. Perhaps would the Sponsor yield for a short question?"

Speaker Young: "Indicates he will yield for a question."

Klemm: "Representative Curran, I...just curious, a number of young people in my district and I, myself, years ago graduated when we were 17 years old. What would we have to do? Hang around the playground for a semester or a year, until we get 18 or how is it handled under your Bill out of curiosity?"

Curran: "I'm glad you asked the question. You would not have to stay now as it is now in the State of Illinois. Let's say you graduate at age 15. You are a whiz kid, and you graduate at age 15. You don't have to stay till age 16 in high school. That would be silly. The law would be silly if it reflected that kind of an attitude. But the law says that you got to stay in until either...till you graduate or until age 18. Now nobody is going...till age 16.

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

57th Legislative Day

June 15, 1989

Nobody is going to be put in jail, no parents are going to be harrassed if their kid graduates at age 17, like I did and like you did and went on to college? Nope, that would never happen. It'd just be preposterous."

Klemm: "And do you think keeping a child then in school irrespective of some problem such as...so many people have single families today, and many times the children are forced, because of necessity, to go out and help the family. It may be a temporary situation and as you know, if you were in the military, and I believe you were and I, we had courses and tests that young servicemen took to get their high school diploma, because they had to leave early. How would this then affect those circumstances? And we do see more single family homes every year."

Curran: "Let's take the example of the child dropping out of school at age 16 and then trying to be a support to his family. What kind of support could a child be to the family at age 16 without a high school diploma?"

Klemm: "Well, could they always come back and help out and go get their diploma later on? But because of necessity, it's better to keep the family together and maybe have a semester to help out. I just..."

Curran: "I just can't imagine it being in anybody's best interest for that child to drop out of school to try to help Mom and Dad or what...or Mom or Dad financially. I just think that that child would reap infinitely more and obviously more beneficial if the child would stay in school. Let me tell you that one of the options that we put on in the House would be optional alternative education, which would let a child be in those kinds of cooperative programs where they could be part-time employed and part-time in school. This Bill allows for that and that would probably answer your question."

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

57th Legislative Day

June 15, 1989

Speaker Young: "The Lady from Cook, Representative Davis."

Davis: "Thank you, Mr. Speaker. Ladies and Gentlemen, I, too, rise in support of this legislation, because I believe that the choice is: Is it easier for us as adults to let them drop out at 16 or is it easier for us as adults to keep them in school until they're 18? Certainly, it's much easier if we allow them to drop out at eight...at 16 and not make a sincere effort to keep children in school until they are at least 18. If we don't do something about the problem, problems that we are facing in the State of Illinois today, will continue to grow. We have a problem and it's not being addressed. The problem is many years ago there was an employment...there was employment available for these people who drop out of school at the age of 16. They could go to the stockyards and work. They could go to the steel mills and work. Many of you could have them on farms working. Today those options no longer exist for people who do not stay in school until they are at least 18 years old. This Bill states that they can attend alternative schools. And what it says to the young people is we care about you. You may be 16 and you may think you have all the answers, but because we've had many experiences, we recognize that school is much more important than you may realize at the age of 16. What this legislation says to the parents and the pupils of the State of Illinois is we're going to pass legislation that will truly encourage and motivate educators, teachers and administrators to promote programs of interest to people over 16, hopefully to keep them in school and prepare them for a technological society, rather than a prison. We know it's much easier to say: 'We've dealt with you for these 16 years and we're through. Now it's over, you're on your own.' It's easier, but in the long run, we pay. We suffer

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

57th Legislative Day

June 15, 1989

and we pay. I believe that children who are under the age of 18 still deserve the guidance of their parents and of other adults. I believe that guidance counselors and other educators would be much more amenable to addressing the dropout problem if the law stated that students must stay in school until they are 18 years old...of age. I encourage you on this one to do what is not easy, to do what is difficult, but to do it for what is best for the State of Illinois and also for the children of this state. Thank you."

Speaker Young: "The Gentleman from Lake, Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, this debate reminds me of that old quotation about the kid who said when he was 16 years old, he didn't think his mother and father knew anything. And then when he was 21 years old, he was amazed how much his father and mother learned in...short five years. Mr. Speaker and Ladies and Gentlemen of the House, let us think for a moment what happens when a kid may turn 16 years old. What happens is the kid may tell his parents: 'The law says I don't have to be in school. You mean to tell me, you, my mother and father, are going to demand that I stay in school?' And so the law is an out. The parents will say, 'Well, alright.' The parents very often give in to their own children. What we are saying, and I at first had the inclination to vote against this Bill, but what we are saying as public policy, we are...we are telling everybody, we are saying to everybody: 'Without a high school education, you're nobody. Without a high school education, you are nobody.' And I think that it's right that people...that they ought to have a high school education. And what is happening is that many 16 year olds are making a mistake. They're

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

57th Legislative Day

June 15, 1989

opting to get out of school. Within a year or two, they find out that they made a mistake, and they are enrolling in adult education courses. And we are telling them you ought not to make that mistake. Sometimes it's a day, that they had a bad day or two days or three in a row and they give up. And they say I don't want to continue my education. And I think that we ought to keep them in school. We are telling teachers that you have a challenge. Yes, you have a challenge. You must provide education even to some who have a difficult time, who may not want to learn. That's a greater challenge. It's an easier challenge for educators, for teachers. I remember when I was in school, there were kids that just didn't want to learn. They were the most challenging to those teachers. But the teachers used every means. They used some other...other students and accepted that challenge. I think with the dropout problem that we have, that we should not just be teaching those who want to educate, to learn. We ought to be providing a high school education for all. And I, at first reluctant, but as I look at this Bill, I think it is an answer to our dropout problem. It will tell us, too, the Legislature that we've got to provide more funding for alternative programs. I don't think that we ought to give up on our young. Sixteen years old is a very, very young age. I don't think 16 year olds ought to be making that decision, because believe me, it really isn't parents who are making the decision, it's the 16 year old. And I think that this is an experiment that's worth trying. Other states have tried it. It's not anything new. Other states have 17 years as the age when they must remain in school...and 18. So it's not anything innovative. So I rise in support of the Bill."

Speaker Young: "The Gentleman from St. Clair, Representative

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

57th Legislative Day

June 15, 1989

Flinn."

Flinn: "Mr. Speaker, I move the previous question."

Speaker Young: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor vote 'aye', those opposed vote 'no'. The 'ayes' have it and the main question is put. Representative Curran to close."

Curran: "Mr. Speaker, I would like to have Representative Didrickson, with your approval, close on this Bill."

Speaker Young: "Representative Didrickson to close."

Didrickson: "Thank you, Mr. Speaker, Members of the House. This is a tough issue and we have given it a fair hearing, I think, here. But I think we have to just simply ask ourselves: Is a 1907 standard, the kind of a relevant standard that we need today for our young people with regards to educational standards? In 1907 it was something if you graduated from high school. Today it no longer is. Today a minimum requirement is almost a college education. And I ask you to think whether or not we're going to be moving our young people into the 1990's and the 21st Century by having a 1907 standard with regards to age when one can make that decision as Representative Matijevich said so very well. I don't think so. Ask yourself about the work place. What are we going to be expected of our... of the workers out there? It's going to need a skilled work force. We're reading that everyday, minimum by 1995. I think the fact that we've debated on the floor extensively with regards to the dropout situation, not just on this Bill but on many other Bills, we know what we've done so far isn't working. Let's give this a chance. Even if we attack 25 to 30 percent of the dropout rate, we have made tremendous gains. I think an 'aye' vote is really the appropriate vote on this."

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

57th Legislative Day

June 15, 1989

Speaker Young: "The question is, 'Shall Senate Bill 449 pass?'

All those in favor vote 'aye', those opposed vote 'no'.
Voting is open. This is final passage. The Gentleman from
Cook, Representative Ronan, one minute to explain his
vote."

Ronan: "Thank you, Mr. Speaker, Members of the House. I just
wanted to rise to support Representative Curran's Bill.
Especially...this is important not only from a statewide
perspective, but my legislative colleagues from the City of
Chicago. We've got a serious problem with all the
different gang activities and the motivating factors that
really put kids in the bad direction. By having those
young people in school even when they're not probably
motivated the right way to be there, we have an environment
that is much safer than a lot of the other problems that
exist on the streets in the poor neighborhoods of Chicago.
It's a problem that plagues my district. I think this is a
good idea. It's going to go a long way to giving people
the proper role models to show that there are alternatives
better than street crime and those kinds of serious
problems that plague our society. I hope that my
colleagues support this fine concept."

Speaker Young: "The Lady from Sangamon, Representative Hasara,
one minute to explain her vote."

Hasara: "Thank you, Mr. Speaker. I urge some more 'yes' votes up
there. One of the previous speakers said that a student
these days ought to have a high school education. I would
say that a student absolutely has to have a minimum of a
high school education. As you can imagine being a
Legislator from the Capital City, I have many, many young
people coming to me asking for help with employment. I
have no idea what to tell a young person without a high
school diploma to do. There are no alternatives. We must

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

57th Legislative Day

June 15, 1989

address this problem. And this certainly seems to me to be the best solution that we have on the table this year to begin to solve the dropout problem in Illinois."

Speaker Young: "The Gentleman from Rock Island, Representative DeJaegher, one minute to explain his vote."

DeJaegher: "Thank you, Mr. Speaker. Debate was closed, but there is a question that I'm quite concerned with, and I'd like to ask the Speaker for clarification of my question. Is this possible?"

Speaker Young: "You're explaining your vote, Representative."

DeJaegher: "The thing that I am concerned with is the emergency provision, if there is an emergency provision, and I'm not knowledgeable to the fact that there is an emergency provision. You know, it's very easy for us to take issue with children and mandating basically that that child stays in school till the age of 18. By and large, most of you Legislators were quite fortunate. You had no problem. You don't know what poverty is. I left school at an early age and the reason I left school at an early age was to provide for my family. I think them circumstances still rise today, that there are extenuating circumstances where a youngster must leave school...thereafter. And that's what I'm concerned about. Is there an emergency provision in this particular legislation?"

Speaker Young: "Bring your remarks to a close, Representative. The Gentleman from Grundy, Representative Weller, one minute to explain his vote."

Weller: "Thank you, Mr. Speaker. I encourage more 'yes' votes for this, what really is a good Bill. Some of our distinguished colleagues have argued that we need to do more to reach the young people at an early age. Well, frankly this legislation does reach young people at an early age, because if we tell them that they're going to

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

57th Legislative Day

June 15, 1989

have to stay in school till they're 18 or till they receive a high school diploma, they're not going to give up in seventh or eighth grade and coast for those final years till they turn 16. We all know that if you're going to get a quality job, the kind of job that you can raise a family and afford a quality lifestyle, you must have a high school diploma. That's a fact that we see every day in our own districts. I urge an 'aye' vote."

Speaker Young: "The Gentleman from Macoupin, Representative Hannig, one minute to explain his vote."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. Just to point out for the record that in committee, it was my understanding that the IEA supported this Bill. I know that the State Board of Education is for it. And so for those who feel that perhaps there's no teachers or teachers' groups that are for it, they're certainly not correct. But just let me say that some people have said, 'Well, this is a hard Bill to vote for. It's a hard Bill to enforce.' But, Ladies and Gentlemen of the House, just because it's difficult, just because it's hard, that's no reason to vote 'no'. In fact, that's that much more reason that we should be supporting this Bill, that we should be voting 'yes'. It's a difficult problem we face with dropouts today, and we have to make some difficult decisions. And this is one way that we can at least try...at least try to solve the problem. Now if we let these kids drop out at 16, at an age when they can't vote, when they can't drink, when they can't join the armed forces, when they can't work, when they can't sign legal contracts, you know, why can we...why are we giving them the opportunity to make this major decision which would probably condemn them either to our prisons or to a lifetime of public aid. I think it's important that we

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

57th Legislative Day

June 15, 1989

tell these kids that it's important for them to be in school, that they be there for a couple more years and that they try to learn something. That's the message we need to send to our youngsters today. And I ask for a 'yes' vote."

Speaker Young: "The Lady from Kane, Representative Doederlein, one minute to explain her vote."

Doederlein: "Thank you, Mr. Speaker. This is, indeed, a very difficult vote. And all of us believe that everyone should have a high school education. And if we can keep that child in high school after 16, they may change their mind. But our local communities have had no input on this issue. And I believe that community input is necessary if this to be a success. And therefore, I would vote 'no' at this time and would encourage hearings around the state with the local people, because the local people and the local communities must be advised of this. We cannot spring this on them as a surprise."

Speaker Young: "The Gentleman from Cook, Representative McNamara, one minute to explain his vote."

McNamara: "Thank you, Mr. Speaker. I rise in support of this legislation. It's very easy for us as parents to abrogate our responsibility of educating kids, but not...let's not let the law make it easier. By that I mean, that the law right now says to our children, yes, parents you must take care of your children till the age of 18, but the law says you can have them drop out of school at 16. Where are our responsibilities and where are our basic values? We are here to be teachers of the children. It's the responsibility of the parents, it's the responsibility of our society to give the hope to those parents. I encourage everyone to have an 'aye' vote on this, because it is so important that our children get the education that is

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

57th Legislative Day

June 15, 1989

necessary to carry them through life. This is a very important measure. I'm happy to vote 'yes'."

Speaker Young: "The Gentleman from Cook, Representative Parke, one minute to explain his vote."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, may I remind everybody that the Illinois school system is not...does not have the responsibility of being a baby-sitting clinic. I want to tell you that...put yourself in the place of your youngster, your young adult that's going to schools, who might be 15 or 16 or 17 in their senior year, sitting next to one or two or three 17 year old young adults, who do not want to be there, who are going to be disruptive. Those are the very students that we want to have a quality education, the ones that want to be there. Why should we tell anybody that they have to be in school when they don't want to be there. And all they're going to do is disrupt, make it difficult for the other students that want a quality education. What we ought to be doing is asking school districts to encourage a program that will motivate students to stay in school, instead of mandating something that makes it difficult for teachers to teach. I just think...I also remind everybody that this is a mandate. This will cost school districts money. Your school districts will now have to hire extra people to go out and check and see why these students are not in school. It's going to cost school districts money to have extra classes for those students."

Speaker Young: "Bring your remarks to a close."

Parke: "And I might point out in closing the Illinois Association of School Boards, the Illinois Association of School Administration, the Illinois Education Network of DuPage County and the Education and Research Development Group are against this legislation."

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

57th Legislative Day

June 15, 1989

Speaker Young: "The Lady from Lake, Representative Stern, one minute to explain her vote."

Stern: "Mr. Speaker and Members of the House, this is one occasion on which the debate has turned me around. I was prepared to vote 'no' on this Bill, because I remember a lot of contrary teenagers in my house, to whom if I had said you must stay in school or you must do X, they would have done Y. But the more I have listened, the more I feel that it...we do have a responsibility to here, to offer this option and to require it of our young people who are not old enough to go in the army, who are not old enough or skilled enough to get a real job. In honor of my colleagues who have debated so eloquently, I am going to vote 'yes'."

Speaker Young: "The Gentleman from Peoria, Representative Leitch, to explain his vote."

Leitch: "Thank you, Mr. Speaker. Yesterday was lobby day and there were a number of educators who came to Springfield and to this chamber. And I guess I expected to hear the glees for financial support and for tax increases and the like, but I was very surprised...their appeal, 'Don't pass mandatory 18'. They...the people on the front lines of this know that passing a law does not simply solve the problem. I think we have a very, very major problem. In Peoria we could fill a fourth high school with dropouts, and so there's hard work being done, but what we need to do is look at alternative schools, look at literacy programs, look at magnet schools, look at a whole host of other programs. We are looking at the wrong end of the telescope here. And so I would strongly urge a 'no' vote. Thank you."

Speaker Young: "The Lady from Cook, Representative Currie, one minute to explain her vote."

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

57th Legislative Day

June 15, 1989

Currie: "Thank you, Mr. Speaker and Members of the House. I think the message behind Senate Bill 449 is the right message, a sound and sensible message, but I think requiring youngsters to stay in school until they're 18 is not the right message for Illinois students. Of course, our youngsters should stay in school. Everybody knows that. All of us who are parents know that, and we try to inculcate those values in our young people. But the children who are dropping out at age 16 are children who didn't get that message. For whatever reason, their schools are not working for them. For whatever reason, the alternative educational program isn't available or isn't attractive. We're told that a youngster can meet the requirements of this Bill by doing a truant alternative, a dropout alternative program. But we know, Members of this chamber, that we have failed adequately to fund those programs. If those programs are going to have a chance to work..."

Speaker Young: "Bring your remarks to a close."

Currie: "We have to put the dollars into the programs to make them available, and if those programs are effective, our youngsters between the ages of 16 and 18 will flock to them without this kind of statutory requirement. The 'no' vote is the right vote."

Speaker Young: "The Lady from Cook, Representative Barnes, one minute to explain her vote."

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation. I've been listening to some of the speakers and they talk about cost. Do you know we spend more money on drug prevention, on alcohol prevention, on gang crime units? We ought to spend the money on educating these kids. You're afraid that they're going to be thrown in with the students that want

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

57th Legislative Day

June 15, 1989

to stay there, that's where they should be. 'An idle mind is the devil's workshop.' That's why every time we open up the papers, you're reading about the drug shooting, you're reading about the stabbing. These kids should be in school where they belong. I think this is a very important piece of legislation and I would urge some more 'aye' votes."

Speaker Young: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. You know, I've listened to the debate, and I'm for this legislation. When you look at a common denominator of public aid, correction system and the unemployment lines, it's lack of education. Many...many of those individuals have dropped out of school...are there because they lack an education. Back in 1907 when this Body passed the 16 year age requirement to remain in school, maybe...maybe to stay in longer was not necessary, but since that time we've had a lot of things happen in this world and we're now in a world economy. Education is to prepare children for the world, for jobs and for business. I think that 'yes' is a proper vote. I've heard it mentioned that back in 1907 and so forth, you could find a job on the farm without a high school diploma. Today I wouldn't hire one. I would not hire one because of the equipment that we run, and it's the same in any business and the same in any manufacturing association or whatever. I encourage more 'yes' votes up there. This is not a tough vote, it's an easy vote. We're to do the responsible thing here and that's a 'yes' vote."

Speaker Young: "The Gentleman from Kane, Representative Kirkland, one minute to explain his vote."

Kirkland: "Thank you, Mr. Speaker. I voted against this Bill in committee and then switched my vote to allow it to come out to the House floor for more debate, and I'm glad I did."

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

57th Legislative Day

June 15, 1989

It's a Bill that can be thoroughly debated. However, I still remain against the Bill. Teachers...students go into teaching because they want to teach, not because they want to discipline. And I think more and more of them are finding out that the disciplinary duties are overwhelming compared to the teaching duties. And it's discouraging to have youngsters in schools with no interest in learning. And that may be a reason for the teacher shortage. Too many high school grads, also, in fact, and unfortunately, haven't learned. They don't know how to read. Ask any of your business people these days when they have high school graduates come in to take the minimum tests for hiring, how well they're prepared. It's very discouraging. So the question is with..."

Speaker Young: "Bring your remarks to a close."

Kirkland: "The question is with a minimal amount of money, where should the money be concentrated? And I think it should be concentrated in those youngsters we have in school, especially in the earlier years, to try to motivate them. Encourage youngsters to stay in school, yes. Require them by law to stay in school, it's a mistake. It's a controve... We have controversy as to how to treat truants, now we're just going to create more truants. I think if we voted for this Bill, it's just a cop-out from providing better programs to youngsters to motivate them to stay in school. I urge a 'no' vote."

Speaker Young: "The Gentleman from Williamson, Representative Woolard."

Woolard: "I, too, rise in support of this legislation. I believe that I am one of those converts that was spoke of earlier. Probably, to begin with I felt that it was not necessary for us to mandate that students stay in school either to 16 or 18 or whatever age. But I'm convinced by testimony that

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

57th Legislative Day

June 15, 1989

I heard in committee that it is beneficial, that there are parents who choose to have their children to remain in school, but don't really have the ability to do so. All of those students who are leaving school at age 16 today, we can possibly convert and make good earners out of them, good citizens out of them. Those students that are leaving at age 13 and 14 and 12 and 10 and wherever it might be, we're going to lose and we're going to continue to lose. But those that are leaving at age 16 and not getting their high school education, not getting completion of that education that we so deservedly give them, those are the ones that we may make a difference. I heard mentioned dollars, and I think dollars definitely is a consideration. I heard mentioned mandates and I think mandates sometimes are necessities. And we, as Legislators, have responsibilities, and we're going to have to make some mandates at various times, and this is one of those mandates that can be good. Those dollars that we save in the future will be well spent in educational, additional dollars today."

Speaker Young: "The Gentleman from Henry, Representative Sieben, one minute to explain his vote."

Sieben: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. One of our previous speakers made the...recited the quote that the 'idle mind is the devil's workshop'. Well, it seems to me that the...many of these students at age 16 that have made a decision to drop out of school have done so because they do have an idle mind. For whatever reason, they have chosen not to continue to pursue that education. They've lost interest in education, and very definitely that 16 year old that's decided to drop out of school probably does have an idle mind and probably is involved in the devil's workshop. And do we want to continue to spend

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

57th Legislative Day

June 15, 1989

public education dollars to keep that young person who's involved in the devil's workshop in our schools? I'm also reminded of another quote that might apply also in this situation, that 'You can lead a horse to water, but you can't make him drink.' And I think that's what happens with a lot of young people, and I would urge more 'no' votes on this Bill."

Speaker Young: "The Gentleman from Cook, Representative McGann, one minute to explain his vote."

McGann: "Mr... Mr. Speaker, how am I recorded?"

Speaker Young: "You are recorded as 'present'."

McGann: "Would you change my vote to 'aye'. And I feel as though that this is a good piece of legislation, that maybe it's time due. We've tried everything else with regards to dropouts. Why not try something new? If we can raise the age to 18, maybe we can keep them in school for another year or so. I vote 'aye'."

Speaker Young: "Voting is still open, Representative. Have all voted who wish? Have all voted who wish? Mr... Mr. Clerk...Mr. Clerk, take the record. On this question there are 57 voting 'aye' and Representative Curran requests a Poll of the Absentees."

Clerk O'Brien: "Poll of those not voting. Representative Harris and no further."

Speaker Young: "Representative Curran."

Curran: "Would you put this Bill on Postponed Consideration?"

Speaker Young: "This Bill is being placed on the Order of Postponed Consideration. The next Bill is Senate Bill 612, Representative White. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 612, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative White."

White: "Mr. Speaker and Ladies and Gentlemen of the House, I'd

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

57th Legislative Day

June 15, 1989

like to bring this Bill back to Second Reading for the purpose of an Amendment."

Speaker Young: "The Gentleman requests leave to return this Bill to the Order of Second Reading for purposes of Amendment. Leave is granted by use of the Attendance Roll Call. Second Reading."

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

Speaker Young: "Representative Cowlshaw, Floor Amendment #3."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 to Senate Bill 612 adds the words, 'District policy shall provide the procedure and reasons by and for which a grade may be changed' and then goes on with the language already in the statutes. This is an agreed Amendment that Representative White and I have worked on, along with several other people. It has been approved by the State Board of Education. It has been examined by the representatives for the Illinois Education Association, and I move for its adoption."

Speaker Young: "The Lady moves for the adoption of Floor Amendment #3 to Senate Bill 612. On that question, is there any discussion? Hearing none, the question is, 'Shall Floor Amendment #3 be adopted?' All those in favor say 'aye', those opposed say 'nay'. In the opinion of the Chairs, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young: "Third Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 612, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Young: "The Gentleman asks leave to have... for immediate consideration of Senate Bill 612 on Third Reading. Leave is granted by use of the Attendance Roll Call."

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

57th Legislative Day

June 15, 1989

Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, this is a simple piece of legislation. It was heard in the Elementary and Secondary Education Committee. I indicated to Representative Cowlshaw and to the Members that I would not move this Bill until we had reached an agreement on the Amendment that was just passed. It's a simple Bill. It's...It will allow the grades that were given...the grades that were given by the teacher to remain in place and would allow the School Board to establish rules and guidelines pertaining to the change of a grade if needed. So I move for its passage."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 612. On that question, the Lady from Cook, Representative Pullen."

Pullen: "I'd like to ask the Sponsor a question or two, please."

Speaker Young: "Indicates he will yield for a question."

Pullen: "Could you please explain what the problem is that this Bill is seeking to correct? What is it that is happening now that would require this legislation?"

White: "Well, in the beginning the Bill seeked to allow the teacher...the grade that was given by the teacher to remain in place. In certain areas across the State of Illinois, some of the grades that were given by the teachers were changed by the principal or the assistant principal or the district superintendent, et cetera. This Bill seeks to allow the grade of the teacher to remain in place with certain exceptions. One is that if a final grade was absent of a mistake or fraud or bad faith or incompetency, that would be the basis for the Bill...that would be the basis for the changing of the grade. However, I'm told that that provision is no longer in the Bill and that the Amendment that was accepted by the IEA and offered by

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

57th Legislative Day

June 15, 1989

Representative Cowlshaw deletes that and that is...I think that question should be referred to Representative Cowlshaw now."

Pullen: "Well, I'm not asking about that detail. I'm asking about the original purpose of the Bill."

White: "That was the purpose of the Bill, but as I said earlier, her Amendment took that provision out."

Pullen: "So the problem is that people who have not been directly supervising these students are coming along and changing the grades over the teacher's...head."

White: "That is correct."

Pullen: "...afterwards. Is social promotion a part of that problem?"

White: "That I cannot address. I don't think that that was the problem. I...Yes, I guess it would be one of the problems. Yes."

Pullen: "Cause I'm trying to figure out why someone who didn't supervise the student would do something like that over the teacher's head."

White: "Well, I think that they would do it for political reasons."

Pullen: "Which deals probably with social promotion for the most part."

White: "Yes."

Pullen: "I think it's a good Bill. Thank you."

White: "Yes, thank you."

Speaker Young: "Further discussion? Representative White to close."

White: "I think it's a good Bill. It isn't all that I wanted, but I'm satisfied with...welcome whatever I can get right now. So I move for the adoption of Senate Bill 612 and hope that the Members will join me in its passage."

Speaker Young: "The Gentleman moves for the passage of Senate

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

57th Legislative Day

June 15, 1989

Bill 612. All those in favor vote 'aye', those opposed vote 'no'. 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 109 voting 'yes', none voting 'no' and none voting 'present'. This Bill, having received the required Constitutional Majority is hereby declared passed. Senate Bill 659, Representative Hoffman. Read the Bill, Mr... Out of the record. Senate Bill 681, Representative McNamara. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 681, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Young: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker and Members of the Assembly. Senate Bill 681 addresses an issue where there has been some confusion with regards to which non-teaching full-time employees are entitled to receive sick days. What Senate Bill 681 does is it clarifies for the purposes of this Section of this Section of the School Code that other full-time employees are those eligible to participate in the IMRF Pension Fund coverage. And the Bill clarifies for the employees and the school boards who's entitled to the six (sic - sick days. I urge its approval."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 681. On that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 681 pass?' All those in favor vote 'aye', those opposed vote 'no'. 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 110 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the required Constitutional Majority is hereby declared passed. Senate Bill 939, Representative

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

57th Legislative Day

June 15, 1989

Countryman. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 939, a Bill for an Act to amend an Act creating a Board of Higher Education. Third Reading of the Bill."

Speaker Young: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Apologize for my lack of voice today, and I'll do my best. This Bill requires the Department...or the Board of Higher Education to establish a provision for treatment of alcohol, drug addiction or related diseases and the student health benefit programs offered at public and non-public institutions of higher education. I believe it's a good concept and I ask for your support."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 939. On that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 939 pass?' All those in favor vote 'aye'...wait, Representative...the Lady from Champaign, Representative Satterthwaite. I guess you'll explain your vote. I'm sorry."

Satterthwaite: "Mr. Speaker and Members of the House, although on the surface this sounds like a good idea, I am concerned that what we will be doing by this is really bringing up the cost to students of their health plans. There are provisions in some systems to do this, and if that system wants to do it, I think that is fine. But I really feel that what we are doing by this method is providing a mechanism where we will find students getting added health costs for a situation that may not be a problem on that particular campus. And so for that reason, I'm objecting to the passage of the Bill."

Speaker Young: "The Gentleman from Cook, Representative Williams."

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

57th Legislative Day

June 15, 1989

Williams: "Yes, excuse me for...this is an inquiry of the Chair, I guess. Is Amendment #1 on the Bill? Has this Bill been amended?"

Speaker Young: "There are no Amendments on this Bill."

Williams: "Okay. Thank you very much."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 97 voting 'yes', 11 voting 'no' and 2 voting 'present'. This Bill, having received the required Constitutional Majority is hereby declared passed. Senate Bill 960, out of the record. Senate Bill 1070, Representative Curran. Representative Curran. Out of the record. Senate Bill 1080, Representative Woolard. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1080, a Bill for an Act to amend the Public Community College Act. Third Reading of the Bill."

Speaker Young: "Representative Woolard."

Woolard: "Yes, what this Bill does...thank you, Mr. Speaker. It amends the Public Community College Act and provides for comment and questions at any open meeting by the public and/or employees of the district. I move for favorable vote."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 1080. On that question, the Gentleman from DuPage, Representative Hoffman."

Hoffman: "Would the Sponsor yield to a question?"

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

Hoffman: "What is...what is the motivation for this legislation? Don't community college boards or most public bodies have opportunity for, I mean, public comment?"

Woolard: "There's nothing in the statutes that prohibits that as we know today. But there's also nothing in there that guarantees that and there has been instances where they have been denied that opportunity."

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

57th Legislative Day

June 15, 1989

Hoffman: "Where the public has been denied an opportunity to petition the board?"

Woolard: "Yes. Where they have been denied the opportunity to speak at an open meeting."

Hoffman: "Alright, I thank you. Mr. Speaker, Ladies and Gentlemen of the House, I understand where the Gentleman is coming from, and it just illustrates what we do so much of the time here and that is legislate against the worst case scenario. And I guess in a sense we have no alternative in many cases. I'm not sure this is one, however."

Speaker Young: "Further discussion? The Gentleman from Williamson, Representative Woolard, to close."

Woolard: "I would just ask the Body for a favorable vote."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 1080. All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Mr. Clerk, take the record. On this question there are 108 voting 'yes', 2 voting 'no' and none voting 'present'. This Bill, having received the required Constitutional Majority is hereby declared passed. Senate Bill 1165, Representative Dunn. Out of the record. Senate Bill 1184, Representative Edley. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1184, a Bill for an Act to amend the Baccalaureate Assistance Law. Third Reading of the Bill."

Speaker Young: "Representative Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is Senator Topinka's Bill. We've got...we've received bipartisan support on it, and it provides up to 500 nursing scholarships to high school graduates and associate nurses. And I'm ready to respond to any questions."

Speaker Young: "The Gentleman moves for the passage of Senate

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

57th Legislative Day

June 15, 1989

Bill 1184. On that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1184 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Mr. Clerk, take the record. On this question there are 105 voting 'yes', none voting 'no', 3 voting 'present'. This Bill, having received the required Constitutional Majority is hereby declared passed. Senate Bill 1257, Representative McNamara. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1257, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Young: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. This amends the School Code to provide that the State Board of Education may provide scholarships each year for nursing education and it provides for pay back of the scholarship for recipients who fail to fulfill the employment requirements. I urge for its adoption."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 1257. On that question, is there any discussion? The Gentleman from Cook, Representative Williams."

Williams: "The Gentleman yield for a question?"

McNamara: "Yes."

Williams: "Now what the Bill does is it requires students to first of all, it requires them to...if they're nursing students to work in the State of Illinois for three years. Is that correct?"

McNamara: "That's correct."

Williams: "Okay. And...the only thing that it says is that if, in fact, they do not do that, does it provide any kind of circumstances or any sort of reasons or other things that might exempt them from that?"

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

57th Legislative Day

June 15, 1989

McNamara: "It does not. What it does is it's to ensure that if the scholarship is by Illinois money, that we get the value of the nurses in Illinois or they will refund the tuition."

Williams: "What about extengent (sic - extenuate?) circumstances? A person's hurt or something, just unable to work."

McNamara: "That is not covered in this Bill, nor was it anticipated."

Williams: "Okay, now I don't want to discuss it at this time. I think what you're trying to do is good, but I'm just saying that maybe we can think about it. There may be some unforeseen circumstances that might allow for a waver. I don't want to specify it in the statute, but you may want to give someone the discretion to allow that to occur. So, at this time, I'll just, you know, I'll support what you're trying to do."

McNamara: "I understand your point and we will take a look at that."

Speaker Young: "Further discussion? Representative McNamara to close."

McNamara: "I just urge for the approval of Senate Bill 1257."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 1257. All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'yes', none voting 'no' and one voting 'present'. This Bill, having received the required Constitutional Majority is hereby declared passed. Senate Bill 1333, Representative Pullen. Out of the record. Senate Bill 1338, Representative Weller. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1338, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Young: "Representative Weller."

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

57th Legislative Day

June 15, 1989

Weller: "Thank you, Mr. Speaker. House...excuse me, Senate Bill 1338 is part of the Governor's drug-free schools initiative. A similar Bill...the identical Bill in the House received overwhelming bipartisan support. Basically, what the Bill does is it just clarifies any statutory authority to allow schools to use sniffer dogs, dogs trained to detect drugs, and use them to find drugs in their schools and of course clean drugs out of our schools. I urge an 'aye' vote."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 1338. On that question, is there any discussion? The question is, 'Shall 1338 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Mr. Clerk, take the record. Representative Williams."

Williams: "This Bill, if I'm correct, allows for the use of law enforcement officers to conduct searches with dogs and things of that nature in schools?"

Speaker Young: "You're explaining your vote right now, Representative Williams."

Williams: "Yes, I am. At this point, I would say I'm not certain that that's really what we should be trying to do in our schools and I vote 'present' at this time."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. This...there are...this Bill, having received 99 voting 'yes', 3 voting 'no' and 10 voting 'present', this Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 1346, out of the record. We'll now return and go through the Order again for Sponsors who were not in the chamber when their Bill was called originally. Senate Bill 27, Representative Satterthwaite. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 27, a Bill for an Act to amend the

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

57th Legislative Day

June 15, 1989

School Code. Third Reading of the Bill."

Speaker Young: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, Senate Bill 27, which is cosponsored by myself and Representative Ropp and others in this House who are interested in it, are...is the preferred version of a revision of the Merit Scholarship Program. I say preferred because this is the one that the Illinois State Scholarship Commission is proposing as one that is best for them to implement. It provides for a single scholarship of \$1,000 rather than the current program which provides for \$500 over a two-year period. It restricts the awards to the top 5 percent of the graduating class and it provides that the student must make a timely application for the funds. And I think that this is a program that we would find both easier to implement and one that would put us back on track for funding process for the Merit Scholarship Program. I urge your support in passage of the legislation."

Speaker Young: "The Lady moves for the passage of Senate Bill 27. And on that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Young: "Indicates she will yield."

Black: "Thank you. Representative, I certainly have no quarrel with where you're headed with this Bill. And I agree with you, it's probably the best of the two or three that are out there. But if I heard you correctly, you said the ISSC supports this Bill. I thought in committee they said they did not support it."

Satterthwaite: "Now that the Bill has been amended, this is supported by the Scholarship Commission."

Black: "I see. In other words, it does answer some of the

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

57th Legislative Day

June 15, 1989

questions that I believe many of us had on the committee that, you know, if we're not going to fund this program, then we might as well do away with it."

Satterthwaite: "Well, I think that that is a question that has been on the minds of many of the Legislators because it does seem difficult for us to explain that the program exists but no funding is there, and so the students are disappointed. However, the funding for this program is back in the budget for this year, and if that stays on track, we would find ourselves in a position of renewing the funding for the Merit Scholarship Program."

Black: "Thank you very much, Representative."

Speaker Young: "The Gentleman from Cook, Representative Williams."

Williams: "Yes, will the Madam yield?"

Speaker Young: "Indicates she will yield for a question."

Williams: "Okay. Representative, my question is do you have an idea of how many students would possibly be affected by the fact that you are reducing the number of eligible recipients of this scholarship when you reduce the number from 5...from the top 5 percent of their class...I mean, from the top 10 percent to the top 5 percent of their class?"

Satterthwaite: "The staff of the Scholarship Commission indicates that probably is about 8,000 students. However, what we should keep in mind is that we have not funded the program at the 10 percent level."

Williams: "But at the same time, if you're doubling the amount and you're doing with the 5 percent, the funding would be the same amount for the 5 percent at 1,000 as it is for the 10 percent at 5,000 (sic - 500). Is that correct?"

Satterthwaite: "No, no, Representative. We're not changing the total amount of money that would go to an individual

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

57th Legislative Day

June 15, 1989

student. Under the current law, they are... they would anticipate \$500 for each of the first two years that they are in a college program. This would simply make it a one time \$1,000 grant. So, the same amount of money would be going to the individual student, provided that the Legislature appropriates the money. Originally, the program called for the awards going to the top 5 percent of the student class. We changed that to 10 percent, but then we didn't fund it. So, we would simply be going back to the original purpose of the Bill for the top 5 percent."

Williams: "Then I'm assuming the purpose of the Bill is because of the fact...the reason for the change then is the fact that there was not adequate funding under the old formula."

Satterthwaite: "That's...that's accurate, yes."

Williams: "Another question, you says if they...the Bill says what is...the Bill removes the requirement that they apply within so many days and now they...or within a certain period of time and now it says within a timely manner. What would be considered a timely manner? Is..."

Satterthwaite: "It would be...it would be up to the Scholarship Commission to, by rules and regulations, determine what that was."

Williams: "Is it possible that a timely manner then, could be less than the period of time that's in...that's presently required in the Bill?"

Satterthwaite: "I would think that it's more likely to be more time. The timeliness... It's more likely to give the student more time to apply."

Williams: "Okay. Thank you."

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

Hallock: "Thank you. Will the Sponsor yield?"

Speaker Young: "Indicates she will yield for a question."

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

57th Legislative Day

June 15, 1989

Hallock: "As I understand the program now, we have a program which acknowledges and gives a scholarship... or it's purported to give a scholarship to the top 10 percent. Is that correct?"

Satterthwaite: "Well, Representative, the legislation says the top 10 percent. However, we have never appropriated the funds to give it to the top 10 percent."

Hallock: "And so your Amendment...or your Bill as proposed here today would cut that back from giving those to the top 10 percent to giving those to the top 5 percent?"

Satterthwaite: "That's right. That's the way the original legislation that created the Merit Scholarship was in law, and it was funded during that time. At the same time that the legislation came in to change it to 10 percent, we found that we didn't have funding for the program, and so we really didn't fund it at the 10 percent level."

Hallock: "This Bill also then would suggest that we cut back from a two year to a one year allocation?"

Satterthwaite: "At double the grant level."

Hallock: "Well, Mr. Speaker, Members of the General Assembly, although this is a very important issue to many people, it should be noted that we have not funded this program correctly in past years. However, I do believe that with this year's growth in the economy, this is one thing we should fund and fund it very well. But I think the Members on this Bill should be aware that what they've been asked to do if they support this Bill, they're being asked to make a conscience decision here in the General Assembly and that decision they're being asked to make is: Do you, in fact, want to cut back the Merit Scholarship from a two year to a one year program? And secondly, do you want to, in fact, cut that down from the top 10 percent of scholars to the top 5 percent? I personally believe that's the

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

57th Legislative Day

June 15, 1989

wrong approach to take and I would suggest this Bill should be defeated."

Speaker Young: "The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr...thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the concept totally. Over the last few years, we have not funded this. Now we're going to fund it. We're going to put it in the program. Does that mean next year we're not going to fund it? I will tell you that your constituents are going to call you on the phone and say, 'Sure, my one child qualified last year because you were willing to put the money in. Now it's this year and you're not going to fund it. And she or he was planning on that money.' I think we're being unfair to set the sights of these students up and then turn around and a year from now or two years from now to not fund this. I think since the state needs to use their money as effectively as possible and we are limited from year to year, I think though the idea has got merit, I think it is not fair to the young people and the parents of those young people of Illinois. And I would ask that we should vote 'no' on this and vote 'no' on all these Bills, because we, in fact, are not dealing in good faith when we do not fund these programs that we set the high sights of our citizens. And I would vote 'no' on this Bill."

Speaker Young: "Representative Satterthwaite to close."

Satterthwaite: "Mr. Speaker and Members of the House, there have been proposals running the complete gambit in regard with what we should do to the Merit Scholarship Program. There have been people who have suggested a total repeal of the Merit Scholarship Program, especially in light of the fact that we have not been funding it for the last few years. There have been others who are suggesting that, in fact, we

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

57th Legislative Day

June 15, 1989

expand it. However, this is a proposal that has received overwhelming support by the Senate. It passed on Third Reading in the Senate by 58 to nothing. It is a compromise, yes, to not fund 10 percent of the top of the class but only to limit that as it was originally limited to 5 percent of the class. That makes it a more realistic goal to attain, one that has been funded in the budgets that are in process during this legislative year and one which we would have every intention of funding for next year. Obviously, we cannot guarantee that the funding would be there in future years. That will depend on each year's legislative process. But for now, the money is in the budget. It is a commitment we would like to go back to to pick up on a program that was originally designed to help to keep our top students in the State of Illinois for their education and hopefully, to have them continue to be residents and productive citizens of the State of Illinois. I recommend to you a 'yes' vote on this Bill in confirmation of the overwhelming support it got in the Senate."

Speaker Young: "The Lady has moved for the passage of Senate Bill 27. All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Representative Davis, one minute to explain her...Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 90 voting 'yes', 9 voting 'no' and 12 voting 'present'. Representative Shaw. On this question there are 90 voting 'yes', 9 voting 'no' and 12 voting 'present'. This Bill, having received the required Constitutional Majority...turn his light on. Representative Shaw would like to be recorded as 'no'. On this question there are 89 voting 'yes', 10 voting 'no' and 12 voting 'present'. This Bill, having received the

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

57th Legislative Day

June 15, 1989

required Constitutional Majority is hereby declared passed. Senate Bill 187, Representative Curran. Out of the record. Senate Bill 333, Representative Williams. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 333, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Williams: "Yes, this Bill what it tries to do is it says that the...in dealing with bilingual education teachers, there's a shortage of such teachers, and it says in the first instance that if a person does not...in taking a certification test, does not pass, he'll have an opportunity to get his certification by the...what we would call a substitute certificate, if he holds such. And he must be told of what's wrong in his application for the certificate, and it also provides for a stipend in order to increase the number of such teachers that we now have. Bilingual teachers are the number one shortage in this state, and we're trying to do it. This Bill is supported by the Illinois Board of Higher...the Illinois State Board of Education and it's their Bill, and we would hope that you would be able to support this legislation."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 333. And on that question, the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Would the... Thank you, Mr. Speaker. Would the Sponsor yield for a question or two?"

Speaker Young: "Indicates he will yield for a question."

Cowlshaw: "Since there is a proposed stipend in this legislation, I wonder if you could tell me, number one, what do you anticipate the annual cost of this Bill to be, and also is there an appropriation provided for this year to accommodate this?"

Williams: "Yes. The amount that is anticipated is \$200,000. It

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

57th Legislative Day

June 15, 1989

is included in the Board of Higher Education's budget based upon the figures that they now have dealing with the 5 percent increase, I believe. It is presently in their funding package under other programs."

Cowlshaw: "I see. Let me ask one other question if I may, please. It's my understanding now that this, although this is going to cost money, that it...that, in fact, may not be...particularly if you are certain that the Board already has taken this into account in its appropriations process, but I...let me see if I understand the actual effect of this. This would provide that for an unqualified bilingual education teacher to claim a bilingual teaching position during the period of time during which he or she is accumulating the additional professional preparation to qualify for the certificate. Is that, in fact, the effect of what this Bill does?"

Williams: "No, it is not intended to allow him to be able to operate while he's unqualified. What it says is that if he takes the exam, is found to be unqualified, they'll let him know, in fact, what is the nature of his unqualification, but it does say that in many instances these individuals can qualify for a substitute teaching certificate and allows them to operate under a substitute teaching certificate if they have the qualifications while they continue to work for their permanent teaching certificate. It does not allow for unqualified individuals. They would have to qualify as a substitute teacher certificate. And we did work this out with Representative Hoffman and others in the committee, who then later supported it."

Cowlshaw: "Thank you very much."

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

Levin: "Will the Gentleman yield?"

Speaker Young: "Indicates he will yield for a question."

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

57th Legislative Day

June 15, 1989

Levin: "I'm very intrigued by this Bill, because I have a problem in my district where we have a substantial shortage of Asian bilingual teachers. And they've been cited by the State Board. And what part of the problem is that we have many people who, you know, had the education back in Cambodia or Laos, but, you know, they were not able to...they didn't have some of the courses here. Would this help them in terms of being able to get in and fill some of these vacancies?"

Williams: "Yes."

Levin: "Sounds like a good idea and I would urge support for it."

Williams: "Thank you."

Speaker Young: "Representative Williams to close."

Williams: "I move for a favorable Roll Call."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 333. All those in favor vote 'aye', those opposed vote 'no'. 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 105 voting 'yes', 4 voting 'no' and none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. We'll now go to Education, Second Reading. The first Bill on that Order is Senate Bill 116, Representative Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 116, a Bill for an Act to amend an Act to require reporting of certain information by State supported colleges and universities. Second Reading of the Bill. Amendments #1, 2 and 3 were adopted in Committee."

Speaker Young: "Are there any Floor Amendments?"

Clerk O'Brien: "No Motions. Floor Amendment #4, offered by Representative Levin."

Speaker Young: "Representative Levin on Floor Amendment #4."

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

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

57th Legislative Day

June 15, 1989

House. Amendment #4 becomes the Bill as a result of negotiations with University of Illinois, the State Board of Higher Education, the Board of Regents and the Board of Governors and is acceptable to everybody. What it does is to embody some of the key recommendations from the Joint Committee on Minority Access to Higher Education and in particular, it would provide for a system of being able to track academic progress in the public colleges and universities and get the information back to the high schools in terms of the students that come out of the high schools so that they can know how their students are doing and whether their programs were successful or not. Secondly, it provides for the State Board of Higher Education to encourage minority recruitment and retention in the public colleges and universities. Just encourage adoption of the Amendment, which becomes the Bill."

Speaker Young: "The Gentleman moves for the adoption of Floor Amendment #4 to Senate Bill 116 and on that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Young: "Indicates he will yield for a question."

Black: "Thank you. Representative, when you presented this Bill in Committee, as I recall, you said you would not move this Bill unless an Amendment was put on it that all segments of the Higher Education community were in agreement with. That's correct, isn't it?"

Levin: "This is their Amendment."

Black: "This is their Amendment? Alright, let me ask you a couple of questions, then. In the original Bill we had...you had some language in about the Office of Minority Affairs and the Board of Higher Ed, is that still in here? I don't see it."

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

57th Legislative Day

June 15, 1989

Levin: "No. That is excluded."

Black: "Okay. That's out. Is the Illinois Community College Board a party to this Bill as amended?"

Levin: "They are not covered by this Bill. They are excluded from this Bill."

Black: "Alright. So basically, what we're talking about then is, you have the University of Illinois and SIU, the Board of Regents and the Board of Governors, is that correct?"

Levin: "Correct."

Black: "Alright, thank you very much."

Speaker Young: "Further discussion? The Lady from DuPage, Representative Cowlshaw."

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

Speaker Young: "Indicates he will yield for a question."

Cowlshaw: "Thank you. Representative, since we all understand that it takes time to do things like prepare reports, what do you estimate it's going to cost our universities to comply with this...with this legislation?"

Levin: "It's my understanding that the...they're already beginning to do the student feedback and that it's part of the budget. And they have a commitment to that."

Cowlshaw: "I'm sorry, I couldn't hear your answer."

Levin: "It's my understanding they're already beginning to do the student feedback and that it is part of the budget. Current budget."

Cowlshaw: "What will it cost? An estimate would be fine. A number."

Levin: "They have not provided us with a figure, but as I say, it's in their budget now. They are beginning to do this."

Cowlshaw: "Well, I had heard somewhere floating around here that the figure seven million dollars, but I think that may be a little bit exaggerated, it may be a tad high. Would you

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

57th Legislative Day

June 15, 1989

please explain to me though, since we're going to require these universities to submit all these reports to every single high school in Illinois telling them which students who came from their high school are still in school and whether they're doing well and all those kind of interesting things...to what use are the high schools going to put all this valuable information?"

Levin: "Representative, first of all, we're not asking for individualized data for every student. We're asking for aggregate data."

Cowlshaw: "Right. And to what use is the high school going to put this information?"

Levin: "It helps the high schools in their preparation of their high school students to go on to college. To be able to see how their students perform in college."

Cowlshaw: "Well...I certainly would be interested in knowing how many students who graduated from a specific high school actually went all the way through the public university systems in Illinois, but frankly I don't see what earthly use that information is to our high schools throughout this State. What we ought to be using money for is to improve the quality of education in our secondary schools so that more students stay in school, more students can be admitted to our public universities and can go all the way through and earn a bachelor's degree. I think this is a total waste of money."

Speaker Young: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I rise in support of the Gentleman's Motion for the adoption of Amendment #4. In Committee, when the Bill was discussed, we realized that we did not have the appropriate language to accomplish the purpose that the Sponsor intended by the

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

57th Legislative Day

June 15, 1989

Bill. We voted the Bill out of Committee on the basis of continuing discussions with the systems of higher education within the state to agreed language that would accomplish the purpose of the Sponsor and still be in manageable form by the university systems. That language is the language before you in Amendment #4. Whether or not you vote for the Bill on Third Reading is a different question, but the Gentleman, in proposing the adoption of amendment #4 is specifically abiding by the instruction that was given in Committee for how the Bill should be handled and whether or not the Bill would move forward from this point. It's my understanding that the beginnings of this reporting process are already underway and are in the process of being implemented, but putting it into legislative language will assure the Sponsor and those who are interested in reporting this data that it will follow through and it will be provided. It's a method of helping to determine the effectiveness of our high schools and our high school programs. If there is a high school within the State of Illinois that is claiming to meet the minimum course requirement for admission to college, but in fact is not adequately preparing their students in those courses to actually survive in the higher education system, then we ought to have that information so that we can tell that... tell that high school that they are creating a situation where their students cannot compete in the higher education system. The universities are totally agreed to this Amendment and I recommend the adoption of the Amendment."

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

Weaver: "Thank you, Mr. Speaker. As one of the Members...the House Members on the Senate Joint Committee on Minority Student Access to Higher Education, this Bill is part of our final report that we want to use to help elementary and

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

57th Legislative Day

June 15, 1989

secondary school districts get the information of successful programs who have moved minority students who have in the past had a very difficult time getting into higher education. So in answer, I guess, to some previous speaker's questions, the reason for the reports that this Amendment asks for is to help those school districts that are having trouble getting minority students into college access the successful programs of school districts that are achieving success in getting minority students into college. I think this is a first step in what is a long overdue process of helping minorities get into higher education and get into more successful careers. I...as a member of the Committee, I rise in support, very strong support of this Amendment and of the overall Bill."

Speaker Young: "The Gentleman has moved for the adoption of Floor Amendment #4 to Senate Bill 116. All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. The Gentleman now moves for immediate consideration of Senate Bill 116. Leave is given by use of the Attendance Roll Call. Third Reading, Mr. Clerk."

Clerk O'Brien: "Read the Bill?"

Speaker Young: "Read the Bill a Third time, please."

Clerk O'Brien: "Senate Bill 116, a Bill for an Act to require reporting of certain information by state supported colleges and universities. Third Reading of the Bill."

Speaker Young: "Representative Levin."

Levin: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I think we've had a discussion of what is now in Senate Bill 116. It is one of the major recommendations from the Joint Committee on Minority Access to Higher Education which Representative Weaver, Representative Countryman and many other Members of this Body served and there were

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

57th Legislative Day

June 15, 1989

hearings held around the state and one of the things we found is that there is a need for much closer communication between the public high schools of this State and the public colleges and universities in terms of making it possible for minority students and other students to be able to be qualified and equipped and be able to go on for higher education. That's what this Bill does is to provide some of the information and ability for that process to go on. If there are any other questions I'll be happy to answer them. Otherwise, I would just ask for an affirmative Roll Call."

Speaker Young: "The Gentleman has moved for the passage of Senate Bill 116. On that question is there any discussion? Hearing none, the question is, 'Shall Senate Bill 116 pass?' All those in favor vote 'aye', those opposed vote 'no'. 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 80 voting 'yes', 30 voting 'no' and none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. We'll now go to the Consent Calendar. Mr. Clerk, are there any Bills that have been removed from the Consent Calendar?"

Clerk O'Brien: "Consent Calendar Third Reading, Second Day. Senate Bill 33 has been removed from the Consent Calendar and Senate Bill 60...and Senate Bill 60 has been removed from the Consent Calendar. No other Bills have been removed."

Speaker Young: "Have all the Bills been read a third time?"

Clerk O'Brien: "All Bills have been read a third time."

Speaker Young: "So the question is, 'Shall the Bills on the Consent Calendar pass?' All in favor vote 'aye', those opposed vote 'no'. Voting is open. This is the Consent

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

57th Legislative Day

June 15, 1989

Calendar. Have all voted who wish? Representative Hultgren, one minute to explain his vote."

Hultgren: "Mr. Speaker, an inquiry. What Bill was removed?"

Speaker Young: "Pardon me?"

Hultgren: "An inquiry. What Bill was removed from the Calendar?"

Speaker Young: "Mr. Clerk."

Clerk O'Brien: "Senate Bill 33, first Bill and the third Bill, Senate Bill 60."

Speaker Young: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'yes', none voting 'no' and none voting 'present'. And the Bills on the Consent Calendar...Representative Klemm."

Klemm: "Thank you, Mr. Speaker. Will we have a list of these Bills that we could...perhaps if we were voting 'present' or 'no' on that we would be able to have time to review and present to the Clerk's office?"

Speaker Young: "No, there's no list for the Consent Calendar. There is no option. That's the option for the Agreed Bill list."

Clerk O'Brien: "One further Bill being removed from the Consent Calendar, Senate Bill 1425 is removed from the Consent Calendar."

Speaker Young: "Have all voted who wish on the Consent Calendar? Have all...have all voted who wish? Mr. Clerk, take the record. On the Consent Calendar there are 113 voting 'yes', none voting 'no' and none voting 'present'. These Bills having received the required Constitutional Majority are hereby declared passed. We will now go to the Order of Insurance. On the Order of Insurance, Second Reading, appears Senate Bill 97, Representative Lang. Out of the record. We will now go to the Order of Insurance, Third Reading. On the Order of Insurance, Third Reading, appears

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

57th Legislative Day

June 15, 1989

Senate Bill 374, Representative Jones. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 374, a Bill for an Act to amend the Health Maintenance Organization Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Young: "The Chair would like to advise that lobbyists are not permitted on the floor. It's been brought to the Chair's attention a couple of times that there are lobbyists on the floor and we'd ask them to please remove themselves from the floor. Representative Jones on Senate Bill 374."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. Senate Bill 374 amends the Health Maintenance Organization Act to require a health maintenance organization's coverage to include emergency transportation by ambulance. By law, ambulance providers must respond to an emergency call and provide emergency service within a service area on a per need basis without regard to the patient's ability to pay for such service. Basically, what this Bill says is that if the ambulance service has...if the ambulance service has responded to an emergency situation, then they should be reimbursed and I ask for a favorable vote."

Speaker Young: "Mr. Clerk, would you read the Bill for a third time, please?"

Clerk O'Brien: "Senate Bill 374, a Bill for an Act to amend Sections of the Health Maintenance Organization Act. Third Reading of the Bill."

Speaker Young: "The Lady moves for the passage of Senate Bill 374. On that question, is there any discussion? Hearing none the question is...the Gentleman from Will, Representative Regan."

Regan: "Thank you, Mr. Speaker. Would the Representative yield for a question, please?"

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

57th Legislative Day

June 15, 1989

Speaker Young: "She indicates she will yield for a question."

Regan: "The purpose of the legislation is to take care of ambulance driver...ambulance companies that transport people to hospitals and then the hospitals...the HMO denies to pay it because they say it wasn't an emergency, is that what the situation is?"

Jones, L.: "Yes, Representative."

Regan: "The...I think the main problem to address in the whole issue is the definition of the word 'emergency'. It's extremely vague. I have sympathy for the ambulance companies when they have to eat the cost of transporting people to the hospital, but on the other hand, if this Bill passes, HMO's will have to pick up anything at all. Could be used as a taxicab service and I think the HMO's have a right to be able to deny payment on someone that is using the emergency vehicle when it's not really an emergency. So I have to stand opposed to this. Thank you."

Speaker Young: "Further discussion? The Gentleman from Cook, Representative Williams."

Williams: "Yes. I rise in support of this measure. What we're really trying to do is fairness because in many instances the HMO's and other organizations, whether it's good or bad, they must respond to the call. Now I understand, in fact, what the Gentleman was saying, that sometimes it's not an emergency, but at the same time, if the provider must respond, then I think that it's got something to do with the HMO's trying to deal with their own clientele. I think that if you must respond, you're forced into a situation where you cannot acquire the proper refund for the act and services that you've given. I just think it's wrong if they're HMO providers and if they're members of those HMO's they should pay. So I would urge an 'aye' vote on this piece of legislation."

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

57th Legislative Day

June 15, 1989

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

Barger: "Thank you, Mr. Speaker. Would the Lady yield for a question?"

Speaker Young: "Indicates she will yield for a question."

Barger: "In this particular instance, you're talking about ambulances and the fact that someone orders an ambulance, goes to the hospital and then the HMO refuses to pay for the ambulance. Is not the person who ordered the ambulance responsible, just as they would be if they ordered a taxicab? I know it's a very humorous question, but I..."

Jones: "No. This is the second time I've heard 'taxicab'. You know...wait a minute...wait a minute, Representative, you know we're talking about..."

Barger: "Well, alright, let's say 'any other livery vehicle'."

Jones: "We're talking about an emergency situation where HMO declares itself, they're the ones that say it's not an emergency. It could be three or four weeks later, after they get the bill. At the time of the call, it could be made from various sources could order this ambulance under an emergency situation. And you know, the previous speaker alluded to being a taxi service and I think an ambulance...I mean, I just think it's not a taxi service, it's a legitimate ambulance call."

Barger: "Thank you. Mr. Speaker, it's a little hard to hear in here. Could something be done about that? Thank you."

Speaker Young: "Could we have it a little more quiet in the chamber, please? A little more quiet in the chamber, please."

Barger: "Mr. McCracken offered to leave the room and we appreciate it. She has an advisor over there. I was wondering if she could tell me, is a person who orders a vehicle out responsible for that vehicle for ordering it,

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

57th Legislative Day

June 15, 1989

or is the insurance company the only one responsible, because if it is so that the insurance company's responsible for anything that anyone orders in their name, then we have a...an extreme change in the way the laws of the State of Illinois should be."

Jones: "Well Representative, also the HMO's should seek reimbursement from that person also. That orders that ambulance."

Barger: "Okay. Thank you, Mr. Regan. So, the person who does order the ambulance is responsible? It's just that that person cannot get their reimbursement from the HMO, so who are we going to have pay it, the HMO or the state government?"

Jones: "The H...the HMO, I feel is responsible."

Barger: "You're going to force the HMO now? Who...that will increase the cost to the HMO program by a considerable amount and I was just wondering, the rates then on the HMO program will be required to be increased in order to cover this additional service, won't it?"

Jones: "Well, the alternative then would be the ambulance would be making the...the ambulance driver would be making the judgment call whether it was an emergency, and I don't think they should do that either."

Barger: "If you call an ambulance out or any other livery vehicle, as an individual, aren't you responsible for seeing to it that the fare for the trip that you take in that vehicle is paid and not put the livery company in the position of having to collect from a third party?"

Jones: "No, I don't. No."

Barger: "No?"

Jones: "No."

Barger: "This is an absolutely ridiculous Bill..."

Jones: "They collect from third party providers all the time."

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

57th Legislative Day

June 15, 1989

Barger: "...and I think that it very definitely should be voted down. Thank you."

Speaker Young: "Further discussion? Representative Jones to close."

Jones: "I also would like to state, Mr. Chair...that this...there was an Agreed Amendment..."

Speaker Young: "Just a second, Representative Jones, there's another Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 374, which was heard in our Insurance Committee, was very similar to a House Bill that was heard there. At the request of the Sponsor, Representative Jones, we had provided an Amendment addressing the definition of 'emergency', which to the best of my knowledge, was agreed to by all parties including the Department as well as the HMO people and those that were in opposition to the original legislation. I think what was brought out at that time was very evident. That you have some small ambulance services that are caught in the middle. The state statute says that they must provide the services when there is an emergency phone call to provide those services and then they cannot basically collect for those services because of the vague provisions in the emergency nature and the definition of emergency. What that Amendment did, I think, cleared up the Bill in total and I think provided for the same definition that appears in the public health sector and I think that it will resolve many of those problems that the small ambulance services found themselves in and I stand in support of the legislation."

Speaker Young: "The Gentleman from Lake, Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I

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

57th Legislative Day

June 15, 1989

would concur with the remarks of the Chairman of the Insurance Committee, Representative Mautino. The arguments against this Bill are all arguments against the Bill unamended. The amended form of the Bill takes care of the problem where the emergency was really a subjective matter. Really, it was up to the person who was going to be picked up by the ambulance to determine whether it was an emergency or not. This has...the Amendment has taken care of that definition of 'emergency' and now I believe that all ought to support the Bill in its amended form and I surely do support it."

Speaker Young: "The lady from Cook, Representative Jones to close."

Jones: "Thank you, Mr. Speaker. I ask for a favorable vote."

Speaker Young: "The Lady has moved for the passage of Senate Bill 374. All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Representative Doederlein, one minute to explain your vote."

Doederlein: "I just wanted to ask a question, whether this applied to all people, or just to those that belong to HMO's?"

Speaker Young: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are...on this question there are 74 voting 'yes', 32 voting 'no' and none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Representative Breslin in the Chair."

Speaker Breslin: "The next Bill is Senate Bill 577 on the Order of Insurance, Representative Shaw. Representative Shaw. Out of the record. Senate Bill 732, Representative Mautino. Clerk, read the Bill."

Clerk Leone: "Senate Bill 732, a Bill for an Act to amend the

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

57th Legislative Day

June 15, 1989

Illinois Insurance Code. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Mister...Madam Speaker and Ladies and Gentlemen of the House. Senate Bill 732 has followed the pattern that was provided for the firefighters in the State of Illinois which allowed for the fire...this Bill addresses firemen and firefighters...allows for the firemen's continued privilege to be used to exercise during their retirement or disability period the continuation of their insurance. Currently, that continuance privilege is provided in municipalities of 5,000 or more persons and less than 500,000 people. This legislation permits that retired or disabled firefighter to opt for a continuation of the group health program and the benefits derived at any time during that retirement period. Or disability period. Not merely within that first fifteen days of their retirement or disability. The firefighters of Illinois have asked for this legislation to be included just as the policemen have under the same provisions and I'd be happy to answer any questions and move for its adoption and seek your support."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 732 and on that question is there any discussion? The Lady from Lake, Representative Stern."

Stern: "Will the Gentleman yield, Madam Chairman?"

Speaker Breslin: "He will. He will."

Stern: "I had a call from an anxious municipal mayor who seems to feel that what this means is, that a fireman who retires in good health can allow...can stop paying for his health insurance and not participate in it and then a couple of years later or twenty years later when he is feeling poorly or needs surgery he can opt back in again. Is that the kind of provision that is involved here?"

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

57th Legislative Day

June 15, 1989

Mautino: "The option that is provided current...the current law is that 15 days after their retirement or disability they can make that option. This window opens up for any time during their retirement or that disability has occurred. I would say the twenty year period...that you mention is certainly not the intent, but I do believe that in our discussions with the firefighters that what we're talking about is a period longer than the 15...15 days. In the area of a year to two. So yes, I guess in answer to your question it may...or could very well be correct, yes."

Stern: "So, it could be...it's kind of an indefinite period? Okay. Thank you very much."

Speaker Breslin: "Any further discussion? There being none, Representative Mautino to close."

Mautino: "I believe that everyone understands exactly what this legislation does, and I move for your support."

Speaker Breslin: "The question is, 'Shall Senate Bill 732 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 102 voting 'aye', 5 voting 'no' and 3 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 865, Representative Hasara. Clerk, read the Bill."

Clerk Leone: "Senate Bill 865, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Breslin: "Representative Hasara."

Hasara: "Thank you, Madam Speaker. Senate Bill 865 allows companies to write policies that would pay 25 percent of the values of a life policy to the holder upon being diagnosed as having a terminal illness. This form of life insurance is currently not authorized in the State of

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

57th Legislative Day

June 15, 1989

Illinois. Approximately 24 states have already authorized this type of insurance. I move for the passage of this Bill."

Speaker Breslin: "The Lady has moved for the passage of Senate Bill 865. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 865 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...Representative Parcells is already recorded as voting 'aye'. On this question there are 109 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1301, Representative Phelps. Representative Phelps. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1301, a Bill for an Act to amend an Act in relationship to health care. Third Reading of the Bill."

Speaker Breslin: "Representative Phelps."

Phelps: "Thank you Madam Speaker and Ladies and Gentlemen of the House. Senate Bill 1301 attempts to try to provide additional financial help for medically underserved areas in the state, shortage of health manpower, shortage of doctors and other medically underserved areas and shortages. What it would do would actually take the foreign insurance corporations, the privilege tax that they pay for doing business in this State and deposit it in the...or revise the formula for distributing from the medically underserved counties fund and give that to the Public Health Department to use for assistance to shortage areas in the way of health care provisions."

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

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

57th Legislative Day

June 15, 1989

Bill 1301. On the question, the Gentleman from Cook, Representative Terzich."

Terzich: "Yes. Representative Phelps, what is the foreign insurance corporation tax? What's the percentage, when was it put in and what is it used for at the present time?"

Phelps: "Out of state insurance companies selling policies...doing business in this State pay a two percent privilege tax."

Terzich: "Two percent?"

Phelps: "Yes."

Terzich: "What insurance...right now, from what I understand that the foreign insurance tax at the present time, which was basically applied to casualty insurance company on fire insurance is applied towards the fire prevention and is distributed through the fire service for the fire protection agencies. What...is this the same tax or is this...does this apply to all types of insurance? Life insurance, health, automobile, casualty, fire, theft? What does it apply to?"

Phelps: "Representative Terzich, I don't...I'm not sure I know all the answers to what you ask, but I believe that it goes into...right now those funds go into the GRF and if they are specified for reasons...it's not known to me, but I think that it includes any insurance company corporation doing business out of the state...from out of the state, inside Illinois."

Terzich: "Well, I am not familiar at all. I know that there's an insurance premium tax for companies doing business in the State of Illinois and I also know that supposedly there's a foreign insurance tax on casualty insurance companies, but I don't know where this money would be coming from. Madam Speaker, may I have a little quiet in the House..."

Phelps: "Representative Terzich, I might get a little more

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

57th Legislative Day

June 15, 1989

information. I believe right now the tax paid by foreign or alien companies, so the Public Health Department states it, on accident and health insurance policies sold in Illinois."

Speaker Breslin: "Ladies and Gentlemen, Representative Terzich indicates that he cannot hear the responses. That includes the pages and all other Members of the Assembly. Please lower your voices."

Terzich: "Thank you, Madam Speaker. Well, Representative Phelps, do you know one is that...if that's the case, I really don't know where this here foreign insurance corporation tax is and if this is applicable that is basically taking money away from the fire service, which I believe the tax was originally meant for, I really don't...you know, I really cannot support this legislation. At the same time that you're talking about a foreign tax on insurance that supposedly going to use for some medical services in rural areas, I guess we could use the General Revenue Funds for medical services throughout the entire State of Illinois and I really don't know what possibly, or where the money would be distributed, for what purpose and what use and I really...I really don't appreciate..."

Phelps: "Representative Terzich, I agree. I would not want to jeopardize funds that would go to help firemen either, and I...according to Public Health Department, the direction of the insurance privilege tax revenue right now goes to the General Revenue Fund and then to the Department. And even your district, Cook County, would be receiving some benefits from the medically underserved areas. This is just not for rural areas."

Terzich: "Well, if that's the case, then can you tell me what the percentage of the tax is?"

Phelps: "Two percent."

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

57th Legislative Day

June 15, 1989

Terzich: "And what...and what...well, that's what I understand the present foreign insurance tax, which does go to the fire service, which is basically applied to casualty insurance companies, and in turn that if there's some 14 million dollars or something coming from some foreign insurance tax, that is certainly going into the General Revenue Fund, what would the distribution formula be for health care or something from this here tax that's basically collected from throughout the state, and if I might add that probably the majority of the tax would come from the Cook County area, specifically in the Chicago and Schaumburg area where we got high density of buildings and insurance needs, so the majority of the money would probably come from those areas and I assume that there would be some type of equal distribution formula for health services throughout the entire state and I would like to know, basically, what the distribution formula would be if this Bill is passed."

Phelps: "I think what it would give the Public Health the authority to set up a grant program, so 'distribution formula', I'm not sure is the right terminology. And I respect your right to disagree with it if you feel like it jeopardizes your area, but it does not just target rural areas. It would come back in your district also."

Terzich: "Well again, may I speak very non...if this is basically the case that basically there are really no answers to the specific Bill. Supposedly some foreign insurance tax is going to some health care plan and unless there is some more clarification basically on the distribution and also where this here money is coming from, I think that the Legislature should vote 'no' or 'present' on this piece of legislation."

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

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

57th Legislative Day

June 15, 1989

Regan: "Thank you, Mrs. Speaker. Members of the House, it seems pretty clear what this does. Previously this tax went to the General Revenue Fund and then it was appropriated out into the different agencies along with all our tax dollars. Right now this is just...jumps over that process and it takes the tax from a foreign insurance carrier and plops it right into the Department of Public Health. So, if you believe in the appropriation process, you should vote 'no' and if you don't, you should vote 'yes'. Thank you."

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

Saltsman: "Yes. Will the Sponsor yield?"

Speaker Breslin: "He will."

Saltsman: "Yes. Representative Phelps, is this tax collected by the Municipal League?"

Phelps: "I do not believe so."

Saltsman: "Well, the foreign fire tax, which is just on foreign fire...fire insurance only, which goes to the fire services, that tax is optional and the Municipal League gets a cut out of that money. And I'm just wondering if someone else besides your local municipality, who is collecting this insurance?"

Phelps: "I believe there's some confusion, Representative Saltsman on the different funds and the...that you're talking about. I think this is..."

Saltsman: "Well, it says 'just insurance'. It's also...would be covering fire insurance, which is already taxed."

Phelps: "I...this is...we're not creating a new tax. This is a privilege tax that out of state companies pay to Illinois now, that goes into the General Revenue Fund. Two percent privilege tax."

Saltsman: "That goes into the State General Revenue Fund automatically?"

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

57th Legislative Day

June 15, 1989

Phelps: "Yes. Yes."

Saltsman: "And it's not collected by the municipalities on the basis of population? Or the amount of...in that area?"

Phelps: "No. Deposited in General Revenue Fund."

Saltsman: "Sounds a little better."

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

Barger: "Thank you, Madam Speaker. I have had some experience with the fire insurance taxes because I was on the Board of Directors of the Municipal League and I would hate to see any opportunity taken to take money away from the needy fire districts to give it to Public Health for a service that was not figured into the basic tax collection that the Municipal League and the State of Illinois have been handling for the rural fire districts. Expanding programs that are already in existence and which are serving a good purpose so as to dilute the amount of money that's available for a particular service seems to me to be a...an aberration of the desires of the Legislature at the time those Bills were enacted and I would suggest that we probably should support Mr. Terzich in opposing this Bill. Thank you."

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

Pedersen: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. The foreign insurance companies, when this original legislation was passed were very unhappy because they thought it was unfair and so they have...they filed a lawsuit about it and there've been some negotiating going on and apparently they have reached a settlement where the money that had been set aside would finally get into the General Revenue Fund. However, it's our understanding that...that if there are further changes in the statute

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

57th Legislative Day

June 15, 1989

that they probably would reinstitute that lawsuit again. So, I think that's just another reason why we should oppose this Bill."

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

Black: "Thank you very much Madam Speaker, will the Sponsor yield?"

Speaker Breslin: "He will."

Black: "Thank you. Representative, you know, I think you and I have districts somewhat similar and I would tend to agree with you that rural health care is a real problem, but I'm not sure that we're going to address the problem here without creating another problem. Let me see now if I'm on the right track. Let me ask you some questions here. What you're doing...is what you're doing taking that two percent of net insurance premium from foreign insurance companies and putting it into a dedicated fund? Is that what you're doing here?"

Phelps: "Yes."

Black: "Okay. Now, if you take that two percent privilege tax and you put it into a dedicated fund, then it would appear to me that you're going to divert that money from General Revenue Fund. Is that correct?"

Phelps: "Not the entire amount, but a portion, yes. For health and accident purposes."

Black: "Can you give me a rough idea of how many millions of dollars you're going to divert?"

Phelps: "It is my belief that the full tax coming from out of state insurance companies is something in the hundred and some million. It is my belief this would be somewhere between 30 to 60 million."

Black: "Okay. I...our analysis shows in excess of 60 million dollar diversion from the General Revenue Fund. I really

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

57th Legislative Day

June 15, 1989

have a problem with this, Representative. I know where you're headed and I commend you for that, but Madam Speaker, to the Bill. If we're going to divert 65 million dollars from the General Revenue Fund to attack a problem that the Gentleman is correct, it is a problem in rural areas, we may create an even bigger problem with the other services that we are anticipating giving to people in the State of Illinois. Make no mistake about it, even though this goes into a fund that would be administered by the Department of Public Health, they are opposed to the measure. I think the Gentleman's got a good idea here. Perhaps he could pull it and do a little work on it, because there are some of us here that have some difficulties in the continuing process of taking General Revenue Funds out of the appropriations process and this is a pretty heavy hit. Again, I commend the Gentleman for where he's headed, but I think when you divert another 65 million from GRF, shortly the Appropriation Committees are only going to have to meet about an hour a session. Thank you very much, Madam Speaker."

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

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I respect the line of questioning I've had from my colleagues and I do know that any time we are to tap funds in the GRF, reallocate, divert in a different direction or whatever, that the discount of concern should be raised. However, Cook County, the collar counties, the downstate counties, everybody would benefit. This is not targeting one particular area of the state which I represent. At the same time, Representative Black mentioned about the diverting of funds and taking out of GRF. The issue has been raised by...in the other House, the Senators and

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

57th Legislative Day

June 15, 1989

President Rock, about the Cook County hospitals. I have had two hospitals close in my district. Then all of a sudden the amounts of 40 million dollars, exceeding that amount to come to rescue hospitals in the metropolitan area. Where do you think those funds are going to come from? General Revenue. Now I believe this is a fair way to show proceeds that are collected from out of state, that go in the General Revenue Fund to better utilize those funds and target into a area of greatest need, which all of us have a need of medical attention. And the underserved areas are not necessarily isolated to the rural. We have a degree of extreme. But you too, would benefit, and this is a better utilization of money coming into this State. I urge your 'aye' vote."

Speaker Breslin: "The question is, 'Shall Senate Bill 1301 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Parke, one minute to explain your vote."

Parke: "Thank you, Madam Speaker. If this gets the required number of votes to pass, I would like to ask for a verification of the Roll Call."

Speaker Breslin: "Very good. This is final passage. Have all voted who wish? Have all voted who wish? Representative Hultgren, one minute to explain your vote."

Hultgren: "Thank you. Because of a potential conflict, I'll not be participating and vote 'present' on this issue."

Speaker Breslin: "The Clerk will take the record. On this question there are 47 voting 'aye', 44 voting 'no' and 14 voting 'present'. Representative Phelps asks for postponed consideration. Put the Bill on the Order of Postponed Consideration. The next item is a House Joint Resolution 45. Representative Curran. This Bill (sic Resolution) on the Speaker's Table. Is Representative Curran in the

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

57th Legislative Day

June 15, 1989

chamber? Out of the record. The next Special Order is the Special Order on Civil Law, Second Reading. The Sponsors are Mulcahey, Cullerton, Satterthwaite, Dunn, Countryman, Flowers, Sutker, Barnes, Steczo. The first Bill is Senate Bill 10, Representative Mulcahey. Is Mr. Mulcahey in the chamber? Out of the record. Senate Bill 68, Representative Cullerton. Out of the record. Senate Bill 129, Representative Satterthwaite. Is Mrs. Satterthwaite in the chamber? Clerk, read the Bill."

Clerk Leone: "Senate Bill 129, a Bill for an Act to amend certain Acts in relationship to debts incurred by married persons. It's been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Amendments filed?"

Clerk Leone: "No Motions filed. Floor Amendment #2 is offered by Representative Satterthwaite."

Speaker Breslin: "Has it been printed and distributed? No, it has not. Leave the Bill on Second, Mr. Clerk. Next Bill is Senate Bill 134, Representative John Dunn. John Dunn. Out of the record. Senate Bill 603...Representative Dunn is here. Let's go back to 134, Mr. Clerk. Read the Bill."

Clerk Leone: "Senate Bill 134, a Bill for an Act to amend the Marriage and Dissolution of Marriage Act. It's been read a second time previously. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Johnson."

Johnson: "Go ahead?"

Speaker Breslin: "Proceed."

Johnson: "This Amendment abolishes grandparents visitation altogether. Until a few years ago, the concept that in an

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

57th Legislative Day

June 15, 1989

existing marriage, or for that matter, in a divorce, people outside the unitary family would have an opportunity to intervene and meddle in the...in an ongoing family or in a divorcing family would've been so alien to everybody in this General Assembly that we wouldn't even have thought about the concept. And now we're talking in this Bill about expanding grandparent's visitation to the place where, in an existing, ongoing marriage, grandparents can petition the court for visitation. We don't have an extended family concept in this country, at least in our legal system, we historically haven't, and to me the whole concept is something that not only is alien to our...the history of our family concept, but I think in the long run, really works alien to the interest of an existing family. I'm going to withdraw this Amendment, but I really think... because I realize it's not very politically advantageous at this point to want to abolish grandparent's visitation altogether, but I think when we go to expanding it, as this Bill does, that people in this General Assembly ought to look real carefully at what's happening in this area and look to see what can be done and what can be done to the family by brothers and sisters and grandparents and best friends and in-laws and everybody else having the opportunity to legally present petitions, spend money, run up attorney fees and intervene in a unitary family existence. I think it's a terrible, ridiculous concept that ought to be reexamined, but I withdraw the Amendment."

Speaker Breslin: "Withdraw Amendment #1. Are there any further Amendments?"

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

Speaker Breslin: "Representative Dunn."

Dunn: "This is a...Floor Amendment #2 is a technical Amendment

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

57th Legislative Day

June 15, 1989

offered at the request of the Senate Sponsor, which removes the word 'moral' from the list of conditions which are to be considered when this Bill is triggered, so I would ask for adoption of amendment #2."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment 2 to Senate Bill 134. On the question is there any discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 238. Out of the record. Senate Bill 603, Representative Countryman. Clerk, read the Bill. Out of the record. Senate Bill 734, Representative Flowers. Clerk, read the Bill. 737."

Clerk Leone: "Senate Bill 737, a Bill for an Act to amend the Illinois Human Rights Act. 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 Johnson."

Speaker Breslin: "Representative Johnson. Mr. Johnson. You are the Sponsor of this Amendment, Sir."

Johnson: "This Amendment expands the...not only basically expands, it does expand the right to aggrieved parties to access to our civil justice system or to redress for discrimination. This allows an aggrieved party in the first instance to go to circuit court, rather than to have to go to an administrative agency. The aggrieved party is given the option with this Amendment. We've found and lawyers around the state and aggrieved parties around the state have found that notwithstanding the sincere efforts

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

57th Legislative Day

June 15, 1989

of the administrative tribunals to do a good job, sometimes there's delays, there are often times delays and often times as a result of that, people are discouraged from pursuing their right to redress for age discrimination or racial discrimination or otherwise. So this Bill simply allows a party who is discriminated against to seek in the first instance to go to the judicial system, rather than to go to the Commission, as they have to do now. They still would be able to go to the Commission and you presumably would in a majority of cases, but it leaves that option open. It's a good Amendment, certainly a friendly Amendment from my standpoint and I would move for its adoption."

Speaker Breslin: "The Gentleman moves the adoption of Amendment 2 to Senate Bill 737 and on the question the Lady from Cook, Representative Flowers."

Flowers: "Madam Speaker, Ladies and Gentlemen of the House, the Gentleman on the other side of the aisle did not find it in his best interest to vote for my Bill in Committee, and therefor, obviously his Amendment was not that important to him, because had I not gotten the Bill out of Committee, he would not have this Amendment. This is not a friendly Amendment in my opinion and I would truly urge for its defeat. Thank you."

Speaker Breslin: "Is there any further discussion? There being none, the question is, 'Shall amendment 2 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Vote Representative Mulcahey 'no', please. Mr. Clerk, Mulcahey 'no'. Have all voted who wish? The Clerk will take the record. On this question there are 23 voting 'aye', 85...87 voting 'no', none voting 'present'. The Amendment fails. Are there any further Amendments?"

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

57th Legislative Day

June 15, 1989

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 741, Representative Sutker. Clerk, read the Bill."

Clerk Leone: "Senate Bill 741, a Bill for an Act to amend an Act concerning powers of attorney. 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 Sutker."

Speaker Breslin: "Representative Sutker."

Sutker: "Thank you Madam Speaker and Ladies and Gentlemen of the House. Amendment #1 takes out some questionable language in this Bill which had...the concerns of which were evidenced in Committee. It provides that while the agent must be responsible for documentation, he need not make available to record...the records to any interested persons. We have removed all reference in the Bill to persons who may seek the information that the agent may have. It still maintains the agent keeps the records and maintains them, but we're leaving it to the courts to determine to whom such records may be evidenced. I urge the adoption of this Amendment."

Speaker Breslin: "The Gentleman moves the adoption of Amendment 1 to Senate Bill 741. On the question, the Gentleman from DeKalb, Representative Countryman."

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

Speaker Breslin: "He will."

Countryman: "Representative Sutker, this is something we've been working on here for several days but so I...I'm clear on it cause I have not seen the language to the Amendment. What you're doing is deleting certain language in the Bill that would have allowed an interested person to require the

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

57th Legislative Day

June 15, 1989

agent to...to show him the books and records that he's kept under the power of attorney."

Sutker: "That's correct. As a matter of fact, Representative Countryman it was your suggestion that produced the present position of the Bill. You've hit it exactly. He must keep the records currently. He must maintain them, but he...but the provisions that obligated him to show the records to any interested persons has been removed. As I recall it, you were the one who initiated that in Committee."

Countryman: "Right. So, would I be clear in saying that it's your intention, by not mentioning 'interested person' as a person having a right, under the Act, that any person who sought to seek those records would then have to secure a court order in order to see those records?"

Sutker: "You're...you're absolutely correct. Leaving the language out that was in the Bill as previously submitted to the Committee requires any person who wishes to see the records to initiate litigation for that purpose. Now we expect that those who have a right to that information will receive an appropriate court order for that purpose. And that's exactly what the Amendment does by removing all the excess language that you had referred to."

Countryman: "Now under the Act, this is the Durable Power of Attorney Act, so there could be instances where the principal is either competent or incompetent and the agent still act. If the principal is competent, he would be the only one who would be entitled to review the records of the agent, is that correct?"

Sutker: "That's true. That's true. It would only be if he were incapacitated..."

Countryman: "Alright. But if he were...if he had fallen into an incapacity, then somebody might be able to seek a court order and show their interest and ask the court to have

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

57th Legislative Day

June 15, 1989

those records shown to them, is that correct?"

Sutker: "That's exactly true. If he were incompetent or incapacitated, then the agent would...might be obligated to show the records to other persons, but only upon initiating a proceedings in court and getting an appropriate court order."

Countryman: "Well, I think you've got the right intent with this and it's certainly my intent by asking you to amend it. Thank you."

Sutker: "Thank you."

Speaker Breslin: "Any further discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 763. Representative Barnes. Representative Barnes. Clerk, read the Bill."

Clerk Leone: "Senate Bill 763, a Bill for an Act to amend an Act to create sanitary districts. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 912, Representative Steczko. Clerk, read the Bill."

Clerk Leone: "Senate Bill 912, a Bill for an Act to amend the Illinois Vehicle Code. 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 Steczko."

Speaker Breslin: "Representative Steczko."

Steczko: "Thank you, Madam Speaker, Members of the House. Amendment #1 to Senate Bill 912 was requested by the House

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

57th Legislative Day

June 15, 1989

Judiciary Committee when it was determined that in the statutes there is no definition for the term 'limousine'. Amendment #1 provides that definition and I believe meets with approval for those who had any questions and I would move for its adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 1 to Senate Bill 912. On the question, the Gentleman from Cook, Representative Williams."

Williams: "Yes. The Gentleman yield? The question is...when you said 'valid driver's license', do you mean a valid chauffeur's license or just a plain valid driver's license?"

Steczo: "I think, Representative, that the intent is to say a valid driver's license, because prior to that, you're conditioning it even further by providing that the limousine has to be a vehicle of the first division with a passenger compartment enclosed by a partition or dividing window used in for-hire transportation. So I would imagine that 'limousine' would be that vehicle and a person with a valid Illinois driver's license who could operate that vehicle."

Williams: "Yes. But if in fact the vehicle is for hire and if in fact we are talking about a limousine, it would only seem appropriate that to avoid any sort of situation where we're just dealing with a friend, picks up his uncles delivery service and starts driving around his friends that the person with the license may seek...it may be advisable to have a valid chauffeur's license instead of a regular license, because you may leave yourself open for abuse without it."

Steczo: "Representative, that...if that be the case, if we can move this Bill to Third now and if it in fact is determined that a chauffeur's license would better clarify, we can

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

57th Legislative Day

June 15, 1989

always bring it back to Second and amend it before it goes out, but we'll do that, Representative."

Williams: "Thank you."

Speaker Breslin: "There being no further discussion the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1320, Representative Granberg. Out of the record. Senate Bill 10, Representative Mulcahey. Clerk, read the Bill. Representative Mulcahey, for what reason do you seek recognition?"

Mulcahey: "Madam Speaker, I understand there may be an Amendment for this Senate Bill 10, so I think we'd just better leave it on Second Reading, if we can get back to it."

Speaker Breslin: "Read the Bill, Mr. Clerk, then hold it on Second."

Clerk Leone: "Senate Bill..."

Mulcahey: "I meant just move it to Third."

Speaker Breslin: "You're better off leaving it on Second. Proceed, Mr. Clerk."

Clerk Leone: "Senate Bill 10, a Bill for an Act to amend an Act relating to the Illinois State Scholarship Commission. Second Reading of this Bill."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "There are no Motions filed and no Floor Amendments."

Speaker Breslin: "Hold the Bill on Second. The next Order of business is the Special Order on Civil Law, Third Reading. The Sponsors are Representative Martinez, Countryman, Sutker, Cullerton, Barger, Parke, Wennlund, Currie,

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

57th Legislative Day

June 15, 1989

Kirkland, Mautino and Peterson. Be prepared with your Bills. The first Bill is Senate Bill 93, Representative Martinez. Out of the record. Senate Bill 239, Representative Countryman. Are you ready with this Bill, Mr. Countryman? Clerk, read the Bill."

Clerk Leone: "Senate Bill 239, a Bill for an Act in relationship to the registration of federal liens. Third Reading of the Bill."

Speaker Breslin: "Representative Countryman."

Countryman: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Senate Bill 239 does the same thing we did by unanimous vote on an earlier House Bill. It creates a Uniform Federal Lien Registration Act. This is a Bill we had in the last General Assembly and it got tied up in some Amendatory Veto material and it's a clean Bill. It creates the Uniform Act and I think clarifies the law with regard to the filing of federal liens. A very simple Bill. I ask for your support."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 239 and on the question is there any discussion? This Bill is on the Order of Short Debate. Since no one has risen in opposition, the question is, 'Shall Senate Bill 239 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 the question there are 107 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 503, Representative Sutker. Clerk, read the Bill."

Clerk Leone: "Senate Bill 503, a Bill for an Act to amend the Illinois Parentage Act. Third Reading of the Bill."

Speaker Breslin: "Representative Sutker."

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

57th Legislative Day

June 15, 1989

Sutker: "Madam Speaker and Ladies and Gentlemen of the House, this Bill provides that support orders shall commence as of the date of the service of summons after paternity has been established between unmarried persons. Currently, that is not the case. I urge the support of all of us for this important legislation."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 503. On the question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 503 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', 2 voting 'no' and one voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 742, Representative Sutker. Out of the record. Senate Bill 772, Representative Cullerton. Out of the record. Senate Bill 800. Out of the record. Senate Bill 843, Representative Barger. Clerk, read the Bill."

Clerk Leone: "Senate Bill 843, a Bill for an Act to amend an Act concerning fees of clerks of the court. Third Reading of the Bill."

Speaker Breslin: "Representative Barger."

Barger: "Thank you, Madam Speaker. This Bill is a relatively simple one that was requested by the Circuit Court in DuPage County and what it does is, it raises the fee for mailing a notice to a putative father from a dollar and a half to two dollars plus the cost of the certified mail. There had previously been included in it a twenty dollar filing rejection fee and that has been removed, so it's a very simple Bill. It only adds fifty cents to..."

Speaker Breslin: "The Gentleman moves the passage of Senate Bill

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

57th Legislative Day

June 15, 1989

843. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 843 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...on this question there are 110 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 918, Representative Parke. Clerk, read the Bill. Out of the record. Senate Bill 929. Out of the record. Senate Bill 936, Representative Wennlund. Clerk, read the Bill."

Clerk Leone: "Senate Bill 936, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

Speaker Breslin: "Representative Wennlund."

Wennlund: "Thank you Madam Speaker, Ladies and Gentlemen of the House. This Bill was drafted to address the problem of the Scott and Carolyn Swanson case where the City of Chicago and its police department and many other governmental units conducted police searches for them while they knew that those searches were being conducted and expended thousands and thousands of dollars of taxpayer's money. This will have give...create a cause of action for any unit of local government that has expended those type of funds in those situations and will allow them to try to recoup their losses. It's a Bill that has clearly seen its time. It does not apply to juveniles or minors under the age of 18 who might go over and sleep at their friend's house and might not come back that night. It's a Bill that was well supported in Committee and I ask for your support."

Speaker Breslin: "The Gentleman moves the passage of Senate Bill 936. On the question is there any discussion? There being

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

57th Legislative Day

June 15, 1989

none, the question is, 'Shall Senate Bill 936 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 108 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 955, Representative Countryman. Clerk, read the Bill."

Clerk Leone: "Senate Bill 955, a Bill for an Act to amend an Act relating to claims and actions against descendant's estates. Third Reading of the Bill."

Speaker Breslin: "Representative Countryman."

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think if you get laryngitis, that's the day they call all your Bills. This Bill is a very...is not a terribly simple Bill, but it's one that we passed in House Bill 1733. It's a concept that we're going to have to change the Probate Act to require reasonable notice to be given to potential claimants in a probate estate because the United States Supreme Court, and a...Tulsa a collection case, held that similar notice statutes similar to the Illinois statute was unconstitutional because it did not comply with the due process requirements by failing to reasonably ascertain who the claimants possibly could be and giving them some written notice. I think the only other justification is to tell you that our society has changed in the last hundred years or so, since we originally wrote this Claim Act and that most of the creditors of a decedent's estate do not live in the community which he might reside. For instance, charge cards and that sort of thing are not going to look in local papers and we all know that notices published in

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

57th Legislative Day

June 15, 1989

publications like the Chicago Daily Law Bulletin are usually so large that people really don't search through them to find those sorts of notice. This would require that the attorney for the estate would have to send some form of notice as the publication notice to the potential claimant. The claimant would still have the duty then to file the claim on the estate, and of course the claim could still be contested as it can be today and the court can rule on the contest. I believe that we need this in light of the Supreme Court case and move its adoption."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 955. On the question is there any discussion? There being none, the question is, 'Shall Senate Bill 955 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final passage. Have all...have all voted who wish? The Clerk will take the record. On this question there are 109 voting 'aye', 1 voting 'no', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate..."

Clerk Leone: "Senate Bill 1003, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. As Senate Bill 1003 came to us, it would have provided for four year reviews by the Department of Public Aid on the utility of existing child support enforcement orders. The Bill was amended in House Committee because the Department of Public Aid tells us that it presently is involved in a demonstration project funded by the federal government under the Federal Family Support Act of 1987. And the Bill as amended, asks the Department of Public Aid to set by rule and regulation the appropriate intervals for review of

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

57th Legislative Day

June 15, 1989

extant orders of child support. I clearly...we understand the reason for the Bill is that as a child grows, as a child ages, the costs of supporting that child may change and in addition of course, the income of the payor or parent may also have changed during a one, two, four, six year period. So the Bill as it stands before us now, does not require review at any specific interval, it merely authorizes the department to set by rule and regulation any kind of review program that it might in the future undertake to present. I would be happy to answer your questions and would urge your support for this Bill."

Speaker Breslin: "The Gent...the Lady has moved the passage of Senate Bill 1003. On the question, the Gentleman from Fulton, Representative Homer."

Homer: "Will the Lady yield?"

Speaker Breslin: "Yes."

Homer: "Representative Currie, the Bill as introduced in the Senate had a provision that support orders were to be enforced by private attornies, rather than by the Attorney General. There appears to be a Senate Amendment which deleted that provision. Your House Amendment, did it in fact deal with that provision and what is the status of the Bill with regard to the shifting of jurisdiction from Attorney General to the private attornies?"

Currie: "The Bill is silent on that point. The Senate Amendment deleted that provision before the Bill came to us and the House Amendment did not restore it. So, the Bill makes no changes in the present..."

Homer: "Alright, so what you're..."

Currie: "Authority or responsibility of the Attorney General's Office with the Department of Public Aid."

Homer: "So that's...that's out of the Bill. And all your Bill now does as amended, is require periodic review? And it

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

57th Legislative Day

June 15, 1989

doesn't..."

Currie: "As set...that's right...that's right, Representative.

As set by the Department of Public Aid with this Amendment,
the Department of Public Aid does not oppose the Bill."

Homer: "Thank you. I support the Lady's Bill."

Speaker Breslin: "There being no further discussion, the question
is, 'Shall Senate Bill 1003 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 112 voting 'aye', none voting 'no'.
This Bill having received the Constitutional Majority is
hereby declared passed. Representative Dunn is
recognized."

Dunn: "...Thank you..."

Speaker Breslin: "...Representative..."

Dunn: "...Madam Speaker, I would just like to state for the
record that it was my intention to vote 'no' rather than
'yes' on Senate Bill 955, which passed a moment ago. May
the record please reflect that."

Speaker Breslin: "Thank you. Senate Bill 1219, Representative
Kirkland. Out of the record. Senate Bill 1417,
Representative Mautino. Mr. Mautino. Clerk, read the
Bill."

Clerk Leone: "Senate Bill 1417, a Bill for an Act to amend the
Liquor Control Act. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino on the Bill."

Mautino: "Thank you very much, Madam Speaker. Senate Bill
1470...17 addressed the question of public officials having
an interest in the licensure provisions. House Amendment
#1 was adopted, which eliminated the City of Chicago and
the County Cook...County of Cook as having that...that
provision that would provide for an elected official to

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

57th Legislative Day

June 15, 1989

have an interest in a liquor license other than the mayor or the chairman of the county board, which in essence are the liquor control commissioners. This would address only those individuals who happen to have been elected to the position of like an alderman or a councilman, or a library board, or selected for or appointed to. This eliminates that provision that makes those individuals who have licenses, second class citizens, and puts them on the same fair playing field as other individuals who desire to serve the public in office or are appointed to office. I'd be happy to answer any questions and I move for its adoption..."

Speaker Breslin: "...The Gentleman has moved for the passage of Senate Bill 1417, and on the question, the Gentleman from Vermilion, Representative Black."

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

Speaker Breslin: "He will."

Black: "Thank you. Representative, let me ask you a question or two about this. This is permissive, right? In other words, the...the county board or the municipal government could decide to do this if they wanted or could decide that they didn't want to do that, correct?"

Mautino: "Yes."

Black: "Alright. Would...would you see any potential for, I think the word abuse is over...overused or overworked, but if you had a very small municipal government, say four or five trustees or aldermen or whatever, and that two of them or three of them had a liquor license, it would have to abstain then, I assume they would have to abstain on any matter before them dealing with liquor licenses or liquor control ordinances, do you in your background see that this could potentially be a problem for any small municipality?"

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

57th Legislative Day

June 15, 1989

Mautino: "No, I really don't because the...the provisions address who can or cannot hold a liquor license. I would think that those people would abstain, but in most cases the only issues which come before those municipalities are the hours that a license is valid for, the hours of the day as well as the type of license. And all other decisions on rule making and violations is done by the mayor or the county board chairman, who's a liquor commissioner and the aldermen or the other elected officials have no capacity or abilities to direct under our current licensure provisions anything to do with liquor."

Black: "Well, I think that's a very important point to pursue, because as we read through this, any mayor is still barred from holding a license as is any county board chairman, correct?"

Mautino: "Yes, because they are the liquor control commission."

Black: "...Right. Okay, thank you very much."

Speaker Breslin: "The Gentleman from Champaign, Representative Johnson. He indicates he does not wish to speak. Representative Mautino, you're recognized to close."

Mautino: "I believe everyone understands completely what the legislation is. I move for its adoption."

Speaker Breslin: "The question is, 'Shall Senate Bill 1417 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Representative Homer, one minute to explain your vote."

Homer: "Thank you, Madam Speaker. I am reluctant to oppose any Bill that this Sponsor has, he's an outstanding Sponsor. I...would also recognize we passed an identical Bill that Representative Johnson had, however, I do think that it's poor public policy to change what has been in the law for a long time, served us well, that prevents aldermen and mayors and village officials from having liquor licenses

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

57th Legislative Day

June 15, 1989

from that village, or county board members from having them from that county board. It's an ethical question. I think there's opportunity fraught with undo influence over critical decisions that the public has a right to rely upon the integrity of the county officials and city officials. It's much like the Corrupt Practices Act, where we prohibit dealing between elected officials and the governing body that...on which they serve. I can't see the distinction and think that as a matter of ethics that this Bill should be opposed."

Speaker Breslin: "Have all voted who wish? Have...the Gentleman from McHenry, Representative Klemm, one minute to explain your vote."

Klemm: "Well, thank you, Madam Speaker. As a former liquor commissioner, I feel the voters have certainly intelligence to be able to determine who they want to elect. If they have a liquor license they'd certainly know that in advance anyhow and I have no opposition. I do support the Bill."

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

Barger: "I think there is no real good reason to assume that because a person is mayor or a county board chairman that he's more easily corruptible than a board member or an alderman or city councilman. I feel just as Tom Homer suggested a few moments ago, that if we are going to try to keep the areas of government free from the possibility of influence by those who are in the liquor trade, that really we would be much better off requiring that no official of a municipality or a county board be involved in the liquor business. And I would suggest a 'no' vote."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 80 voting 'aye', 31 voting 'no', none voting

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

57th Legislative Day

June 15, 1989

'present', and this Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1466, Representative Peterson. Clerk, read the Bill. Bill Peterson, out of the record. Ladies and Gentlemen, the next Special Order is on Human Services. These Bills are on Second Reading. The Sponsors are Currie, Kubik, Keane, Flowers, White, McGann, Woolard and Phelps. Please be prepared with your Bills. The first Bill, Senate Bill 376, Representative Currie. Is the Lady in the chamber? Representative Currie? Out of the record. Senate Bill 489, Representative Kubik. Clerk, read the Bill."

Clerk Leone: "Senate Bill 489, a Bill for an Act..."

Speaker Breslin: "...Out of the record. Senate Bill 733, Representative Keane. Is the Gentleman in the chamber? Representative Keane, out of the record. Senate Bill 999, Representative Breslin. Clerk, read the Bill, and then hold it on Second."

Clerk Leone: "Senate Bill 999, a Bill for an Act concerning child care services. Second Reading of this Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Hold it on Second. Senate Bill 1047, Representative Flowers. Ms. Flowers. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1047, a Bill for an Act to amend an Act concerning services..."

Speaker Breslin: "...Out of the record. Senate Bill 1198, Representative White. Clerk, read the Bill. Excuse me. Representative Flowers, what is your pleasure?"

Flowers: "Would you read the Bill please, but hold it on Second."

Speaker Breslin: "Very good. Read the Bill, Mr. Clerk, 1047."

Clerk Leone: "Senate Bill 1047, a Bill for an Act to amend an Act concerning services provided by local health departments. Second Reading of this Bill. There are no Committee or

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

57th Legislative Day

June 15, 1989

Floor Amendments."

Speaker Breslin: "Hold the Bill on Second. Senate Bill 1198, Representative White. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1198, a Bill for an Act to amend the Hospital Licensing Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. Senate Bill 1200, Representative McGann. Representative McGann? Out of the record. Senate Bill 1303, Representative Woolard. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1303, a Bill for an Act to amend an Act concerning grants by the Department of Public Health. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1306, Representative Phelps. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1306, a Bill for an Act to improve the delivery of health care services. Has been read a second time previously. There are no Committee or Floor Amendments and the fiscal note has been filed."

Speaker Breslin: "Third Reading. The next Order of Business is the Order of Human Services, Third Reading. The Sponsors are Representative Wojcik. Representative Wojcik. Tell the Lady her Bill will be next. Representative Bugielski, Bowman, Barger, Young, Levin, White, Parke, Curran, Trotter, Phelps, Giorgi and Flinn. The first Bill, Senate Bill 354, Representative Wojcik. Clerk, read the Bill."

Clerk Leone: "Senate Bill 354, a Bill for an Act to amend an Act creating the Department of Children and Family Services. Second Reading of the Bill. There are no Committee or Floor Amendments."

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

57th Legislative Day

June 15, 1989

Speaker Breslin: "The Bill is on Third Reading."

Clerk Leone: "Sorry. That's Senate Bill 354..."

Speaker Breslin: "...350...354."

Clerk Leone: "354, a Bill for an Act to amend an Act creating the Department of Children and Family Services. Third Reading of the Bill."

Speaker Breslin: "Representative Wojcik."

Wojcik: "Yes, Madam Speaker, I believe that they have asked for a fiscal note to be filed and I'm working on that now. Madam Speaker and Members of the House, if you have patience a moment, I must get the Bill."

Speaker Breslin: "Representative Wojcik."

Wojcik: "Madam Speaker and Members of the House, this Bill requires the Department of Children and Family Services to accept for care and training any child adjudicated delinquent, addicted, truant or requiring authoritative intervention. It also requires the DCFS to make grants for programs to reduce or eliminate involvement of youth in child welfare or juvenile justice systems. The present law permits, but does not require, the actions by DCFS that are mandated by this legislation. I have been approached by a very fine gentleman, who runs a...a children or a youth retreat in Chicago. And every three or four years he comes down here and asks to have money budgeted for him. This year he has come down and he said, he would like to be included. He doesn't want to have to keep begging. He is helping these young children to find their way and become something. So I would just ask all of you Members in the House, to give me a favorable vote and think of the children."

Speaker Breslin: "The Lady has moved for the passage of Senate Bill 354. On the question, is there any discussion? This Bill is on the Order of Short Debate. Does anyone rise in

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

57th Legislative Day

June 15, 1989

opposition? There being none, the question is, 'Shall Senate Bill 354 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? The Clerk will take the record. On this question there are 104 voting 'aye', 2 voting 'no' and 2 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 472, Representative Bugielski. Return the Bill to the Order of Second Reading for purposes of an Amendment, Mr. Clerk. Does the Gentleman have leave to do that? Hearing no objection, he has leave. The Bill should remain on the Order of Second Reading awaiting the Amendment, Mr. Clerk. Senate Bill 499, Representative Bowman. Out of the record. Senate Bill 518, Representative Barger. Clerk, read the Bill."

Clerk Leone: "Senate Bill 518, a Bill for an Act amending an Act concerning the reporting of abused and neglect. Third Reading of the Bill."

Speaker Breslin: "...Representative...Representative Barger."

Barger: "Thank you, Madam Speaker. Ladies and Gentlemen of the Assembly, this Bill actually removes the...a hole in the reporting procedure. In the various welfare agencies that deal with families and in the support thereof, one of them is your local township officials and they have not...they are not required, but they are now able to, report instances of child abuse when people come in for general assistance funds. This would require them to do that and make sure that every child is protected equally. I would solicit your vote."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 518. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 518 pass?' All those

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

57th Legislative Day

June 15, 1989

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 107 voting 'aye', 2 voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 622, Representative Anthony Young. Clerk, read the Bill."

Clerk Leone: "Senate Bill 622, a Bill for an Act to amend an Act concerning education on the affect of substance abuse and abused during pregnancy. Third Reading of the Bill."

Speaker Breslin: "Representative Young."

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 622 provides that the Department of Health would include the medical ramifications of substance abuse used during pregnancy within school curriculum. It requires the department to develop a program. Senate Amendment...or House Amendment #1 took out the requirement that the Department of Public Health also acknowledge or advise, in regards to the legal ramifications of drugs used during pregnancy and that Amendment removed the department's opposition to the Bill."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 622 and on the question, is there any discussion? There being none, the question is, 'Shall Senate Bill 622 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? Take the record. On this question there are 108 voting 'aye', 2 voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 725, Representative Levin. Representative Levin. Out of the record. Senate Bill 735,

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

57th Legislative Day

June 15, 1989

Representative White. Clerk, read the Bill. Out of the record. Senate Bill 855, Representative Parke. Out of the record. Senate Bill 887, Representative White. Clerk, read the Bill."

Clerk Leone: "Senate Bill 887, a Bill for an Act in relationship to health and nutrition. Third Reading of the Bill."

Speaker Breslin: "Representative White."

White: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill is identical to one that I passed out of this House a few weeks ago. It would create a nutrition outreach program and the effort of...of this Bill would be coordinated by the Department of Public Health, when federal foods donated from the federal...when the federal government donates food stuff to the State of Illinois, what has happened in the past is that a lot of different agencies have been involved with these programs and now we want to coordinate an effort on the part of one agency and we want the Department of Public Health to have that authority."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 887 and on this question, is there any discussion? There being none, the question is, 'Shall Senate Bill 887 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 the question there are 109 voting 'aye', 1 voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1046, Representative Curran. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1046, a Bill for an Act to amend an Act creating the Department of Children and Family Services. Third Reading of the Bill."

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

57th Legislative Day

June 15, 1989

Speaker Breslin: "Representative Curran."

Curran: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill...Senate Bill 1046 has two provisions in it. One, is to set up a fosters...foster care...foster parent's assistance, a support team. The Amendment in the House changed it from 'shall' to 'may', which means that the department is not in opposition to that aspect of the Bill. The other part of the Bill establishes a reduced case load over a period of four years for the Department of Children and Family Service's investigators and case workers. It passed unanimously out of the Children's Committee and yesterday we put the appropriation on the Department of Children and Family Service's appropriation. I ask for an 'aye' vote."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1046. This Bill is on the Order of Short Debate. Does anyone rise in opposition? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Madam Speaker. Perhaps not so much in opposition as to clarify a point or two. If I could ask the Sponsor a question?"

Speaker Breslin: "Proceed."

Black: "Representative, you mentioned the appropriation Bill. What was that first year cost?"

Curran: "Four million dollars."

Black: "Do you an...four million...do you anticipate that being a static cost or one that might..."

Curran: "...We antic..."

Black: "...Grow..."

Curran: "...I have...I have asked for a fiscal note. The department perhaps has turned it into the Clerk, but hasn't turned it into me. You may have it in your possession, I don't have it in mine."

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

57th Legislative Day

June 15, 1989

Black: "Now, we don't have the fiscal note either. I wish that we did and I appreciate you calling that to our attention. This...this is, I think as you mentioned, the identical Bill to House Bill 580?"

Curran: "Correct."

Black: "Which was not called? Alright, thank you very much."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Senate Bill 1046 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 108 voting 'aye', 1 voting 'no' and 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1302, Representative Trotter. Clerk...out of the record. Senate Bill 1304, Representative Phelps. David Phelps. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1304, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Speaker Breslin: "Representative Phelps."

Phelps: "Thank you, Madam Speaker. House (sic Senate) Bill 1304 sets up a mechanism that will allow the public health to implement a pilot program to fund onetime stipends for nurses who will locate in medically underserved areas as defined by the federal Department of Health and Human Services. Appreciate your favorable support."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1304. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 1304 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."

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

57th Legislative Day

June 15, 1989

On this question there are 106 voting 'aye', none voting 'no' and 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1354, Representative Giorgi. Mr. Giorgi. Out of the record. Senate Bill 1400, Representative Flinn. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1400, a Bill for an Act to establish an advisory committee on medical costs and utilization of services. Third Reading of the Bill."

Speaker Breslin: "Representative Flinn."

Flinn: "Thank you, Madam Speaker. All this Bill does is establish an advisory committee on medical costs and utilization of services. With a report date back to the Legislature to January 1, 1990. I move for the adoption and ask for a favorable vote."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1400 and on the question, the Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Madam Speaker, will the Sponsor yield since this was a Motion for discharge, I'd like a more in-depth explanation of the Bill?"

Speaker Breslin: "Certainly. Representative Flinn, will yield to a question. Proceed with your questions."

Wojcik: "Representative, I heard your description of the Bill, but it was not...it was mumbled. Could you explain what this Bill does, please?"

Flinn: "Well, I can't speak plain. I mumble all the time. It very simply establishes an advisory committee to report back, January 1, 1990. The advisory committee will be dealing with medical costs and utilization of services. It should have been a Resolution, it turned out to be a Bill."

Wojcik: "Representative, what type of services are we looking at?"

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

57th Legislative Day

June 15, 1989

Flinn: "Whatever services dealing with medical cost."

Wojcik: "Thank you."

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

Homer: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Homer: "Representative Flinn, our analysis indicates this is a Senate vehicle Bill. You're saying that is not so?"

Flinn: "No. It might have been looked upon as a vehicle Bill, but it actually should have been a Resolution. Senator Hall put it in as a Resolution last year, and we didn't get to it. And...so he put it in as a Bill this year, why I don't know. But it just creates an advisory committee and you know what they amount to."

Homer: "Okay, that's good enough for me."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Senate Bill 1400 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 the question there are 107 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On the Order of Human...Special Order of Human Services, Second Reading there appears Senate Bill 733, Representative McGann is handling that for Representative Keane. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 733, a Bill for an Act to amend the Illinois Health Finance Reform Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Do you want that moved to Third, Mr. McGann?"

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

57th Legislative Day

June 15, 1989

Move the Bill to Third Reading, Mr. Clerk. On this same Special Order of Human Services, dealing with House Joint Resolutions, there appears House Joint Resolution 37, Representative Deuchler. Out of the record. The next Special Order is the Order of Criminal Law, Second Reading. The Sponsors are Kirkland, Barnes, Davis, Bugielski, Petka, Lou Jones, Steczo, Homer, Novak, Hasara, Countryman. The first Bill is Senate Bill 131, Representative Kirkland. Out of the record. Senate Bill 234, Representative Barnes. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 234, a Bill for an Act to amend the Liquor Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Anthony Young."

Young: "I want to ask the Sponsor...I thought we...there was...working on one agreed Amendment, before I proceed with an individual Amendment."

Speaker Breslin: "Representative Barnes can you enlighten us on this?"

Barnes: "Yes, I am meeting with many of the parties that are involved such as the restaurant people, the hotel people and some of the bar people to come up with an agreed Amendment where I think everybody will be as pleased as they can be with the Bill."

Speaker Breslin: "Shall we hold the Bill on Second at this time...or at this point?"

Barnes: "No...I wanted to move it to Third and then I'll bring it back to Second. I think that might be better."

Speaker Breslin: "Representative Young, do you wish to proceed with your Amendment?"

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

57th Legislative Day

June 15, 1989

Young: "Does the Sponsor object to me proceeding with this Amendment?"

Barnes: "No, I don't. But if you...if you feel you'd like to wait, I'll incorporate it into the one agreed Amendment. But whatever you desire is fine with me, Representative."

Young: "Well, if that's the case, I'll proceed with my Amendment, Ladies and Gentlemen of the House. And this Amendment simply...I think the underlying Bill provides that anyone who violates the provisions of no happy hour, it would be grounds for criminal offenses and for a suspension of revocation of the liquor license. What the Amendment would do would merely say that, it would be the sec...second subsequent offense before the suspension or revocation of the license would take place and it does not affect the criminals of penalties. And I would move for its adoption."

Speaker Breslin: "The Gentleman moves the adoption of Amendment 1 to Senate Bill 234. On the question, is there any discussion? There being no discussion, the question is, 'Shall Amendment 1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 302, out of the record. Senate Bill 394, Representative Davis. Monique Davis. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 394, a Bill for an Act to amend the Drug Paraphernalia Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

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

57th Legislative Day

June 15, 1989

Speaker Breslin: "Representative Davis."

Davis: "We wish to table Amendment #1."

Speaker Breslin: "Withdraw #1..."

Davis: "...Withdraw..."

Speaker Breslin: "Are there any further Amendments?"

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

Speaker Breslin: "Representative Davis."

Davis: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #2 adds a violation to the Drug Paraphernalia Act to the narcotics of profits forfeiture. As a result, a person who violates the Paraphernalia Act is subject to losing property that's acquired or maintained as a result of violating the...the Act and they forfeit this property to the state in the same manner that occurs now for those who are found guilty of narcotic racketeering."

Speaker Breslin: "The Lady has moved the adoption of Amendment 2 to Senate Bill 394. On the question, is there any discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 399, Representative Bugielski. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 399, a Bill for an Act to amend an Act in relation to murder. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Hold the Bill on Second, Mr. Clerk. Senate Bill 559, Representative Petka. Mr. Petka. Clerk, read

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

57th Legislative Day

June 15, 1989

the Bill."

Clerk O'Brien: "Senate Bill 599...559..."

Speaker Breslin: "...559..."

Clerk O'Brien: "A Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Representative Petka, the Bill will be held on Second Reading for want of a fiscal note, which has not yet been complied with. Senate Bill 613, Representative Lou Jones. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 613, a Bill for an Act to amend an Act in relation to adult substance abusers. Second Reading of the Bill. Amendment #1 was adopted in committee."

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

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

Speaker Breslin: "Representative Jones."

Jones, L.: "Thank you, Madam Speaker and Members of the House. This Amendment just answers some of the concerns that was raised by DASA, the Hospital Association and the Medical Association and that's been taken care of and I'd ask for adoption of that Amendment."

Speaker Breslin: "The Lady asks for the adoption of Amendment 2 to Senate Bill 613. On the question, is there any discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 667, Representative

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

57th Legislative Day

June 15, 1989

Kirkland. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 667, a Bill for an Act to amend the Illinois Vehicle Code...correction. A Bill for an Act to amend Sections of the Juvenile Court Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Kirkland."

Kirkland: "Thank you, Madam Speaker. This is really a technical Amendment just to bring the language...this language, which amends Chapter 37 into conformance with similar language in Chapter 38."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 2...Amendment 1 to Senate Bill 667. Is there any discussion? Hearing none, the question is, 'Shall Amendment 1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 694, Representative Steczo. Representative Steczo? Out of the record. Senate Bill 743, Representative Homer. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 743..."

Speaker Breslin: "Representative Homer. Representative Homer is recognized."

Homer: "Has that Bill been read a second time previously?"

Speaker Breslin: "Yes, Sir, it has."

Homer: "I ask that it be taken from the record."

Speaker Breslin: "Out of the record. Senate Bill 1097, Representative Novak. Mr. Novak. Out of the record. Senate Bill 1175, Representative Hasara, out of the record."

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

57th Legislative Day

June 15, 1989

Senate Bill 1179, Representative Countryman. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1179, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. This Amendment was originally part of House Bill 581, which passed out of the Judiciary II Committee almost unanimously, as I recall. What it does is it addresses the situation that was similar to what happened in Lockport, near Lemont, Illinois, when a cement truck deliberately went around the crossing gates and caused an accident, put seventy people into a hospital. This happens constantly throughout the State of Illinois and it draws attention to the fact that there should be a serious crime. The state's attorney of Will County had nothing to charge this driver with that was in anyway in connection with the seriousness of this offense. And what it does, it makes it a Class...a Class A misdemeanor for someone who recklessly disregards a crossing signal or a crossing arm and causes personal or... personal injury or property damage or death. And I move the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 1 to Senate Bill 1179. On the question, is there any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there any further Amendments?"

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

57th Legislative Day

June 15, 1989

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1315, Representative Petka. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1315, a Bill for an Act in relation to criminal law and sentencing. This Bill has been read a second time previously."

Speaker Breslin: "Out of the record. Senate Bill 1429, Representative Homer. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1429, a Bill for an Act to amend the Criminal Code. This Bill has been read a second time previously. And held for a correctional budget and impact note, which has not been filed."

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

Homer: "Madam Speaker, what's the status of Amendment #2?"

Speaker Breslin: "Mr. Clerk, please advise."

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

Speaker Breslin: "It has not been adopted yet. It is being offered."

Homer: "I would...I would ask that the Chair recognize Representative Petka for a Motion with respect to Amendment #2."

Speaker Breslin: "And what has happened to Amendment 1...#1, Mr. Clerk?"

Clerk O'Brien: "Amendment #1 was adopted in committee."

Speaker Breslin: "Okay. And on Amendment #2, Representative Petka is recognized."

Petka: "Thank you, Madam Speaker. Withdraw Amendment #2."

Speaker Breslin: "Withdraw #2. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Representative Homer, for what reason do you seek..."

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

57th Legislative Day

June 15, 1989

Homer: "Speaker...Madam Speaker, I believe the Clerk spoke in error so far as Amendment #1. Actually that was not adopted in committee. It was adopted on the floor. Nevertheless, I would at this time move to table Amendment #1 and would say to the Body that that was Representative Young's Amendment and he has in fact, perhaps I would ask the Chair rather than to accept my Motion, to recognize Representative Young with respect to a Motion, with respect to Amendment #1."

Speaker Breslin: "Representative Young."

Young: "Yes, Madam Speaker, Ladies and Gentlemen of the House, Amendment #1 was my Amendment. And at this time, I'd like to move to table Amendment #1, which has been adopted."

Speaker Breslin: "...The Gentleman has moved to table Amendment 1 to Senate Bill 1429. Is there any discussion? There being none, the question is, 'Shall Amendment 1 be tabled?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment 1 is tabled. Are there any other Motions or Amendments on this Bill?"

Clerk O'Brien: "No further Motions or Amendments."

Speaker Breslin: "Have all of the proper notes been filed?"

Clerk O'Brien: "A request for a correctional budget and impact note has not been filed."

Speaker Breslin: "So the Bill remains on the Order of Second Reading, Representative Homer. The next Order of Business is Criminal Law, Third Reading. The Sponsors are Homer, Hasara, Regan, Mautino, Bugielski, Petka, Pullen, Hoffman, Goforth, Preston, Munizzi, Homer, DeLeo, Didrickson, Sutker, DeJaegher and Stange. Please be prepared with your Bills. The first Bill, Senate Bill 125, out of the record. Senate Bill 126, Representative Homer. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 126, a Bill for an Act in relation to

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

57th Legislative Day

June 15, 1989

criminal procedure and sentencing. Third Reading of the Bill."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Speaker. As an accommodation to Representative McCracken, I would...he has an Amendment for that Bill. It isn't yet filed. I would ask to take it from the record."

Speaker Breslin: "Representative Homer, did you move for passage of this Bill? Out of the record. Senate Bill 457, Representative Hasara. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 457, a Bill for an Act to amend the Criminal Victims Escrow Account Act. Third Reading of the Bill."

Speaker Breslin: "Representative Homer. Excuse me, Representative Hasara."

Hasara: "Thank you, Madam Speaker. Senate Bill 457 extends the statute of limitation's period from two years to five years for victims to file a civil action under the act for compensation. The Criminal Victims Escrow Account Act was set up several years ago to put into escrow monies received by a convicted criminal for any movie, book, article, radio or t.v. production, based on a crime. It has been brought to our attention that often the victim does not even realize that there is such an account to be drawn from until the two years is already passed, so it has been suggested that we extend this to five. I move for its adoption."

Speaker Breslin: "The Lady has moved for the passage of Senate Bill 457. This Bill is on the Order of Short Debate. Does anyone rise in opposition? The Gentleman from Fulton, Representative Homer."

Homer: "Question for the Sponsor."

Speaker Breslin: "Proceed."

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

57th Legislative Day

June 15, 1989

Homer: "Representative Hasara, have you spoken to the Attorney General's Office about the Bill?"

Hasara: "My understanding was that Senator Davidson did when it was in the Senate."

Homer: "Your understanding is that they... they... the Attorney General administers this fund, so your understanding that they've signed off on the Bill?"

Hasara: "That's my understanding."

Homer: "Alright. Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Senate Bill 457 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Representative Lang, one minute to explain your vote. Indicates he does not wish to explain his vote. Mr. Clerk, take the record. On this question there are 105 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 486, Representative Regan. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 486, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Regan."

Regan: "Thank you, Mrs. Speaker, Members of the House. Senate Bill 486, sponsored by Senator DeAngelis was requested by the Will County state's attorney in an incident that they had in a school yard. This deals with safety in school yard to protect our children from unsavory people that sell drugs or that possibly walk in with guns and shoot kids in school yards. It simply raises the offense of not identifying themselves or the reason that they're on the grounds from a petty offense to a Class C misdemeanor. I urge it's adoption."

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

57th Legislative Day

June 15, 1989

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 486. This Bill is on the Order of Short Debate. Does anyone rise in opposition? Any opposition? There being none, the question is, 'Shall Senate Bill 486 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 105 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 488, Representative Mautino. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 488, a Bill for an Act to amend Sections of the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker and Members of the House. Senate Bill 488, sponsored by Senator Schuneman addresses a situation that occurred in Whiteside County at the request of the state's attorney and the news media, as it pertained to bomb threats that local commercial entities were receiving. And they had two within a three day period. And when the individual was apprehended, we found at that point in time that the penalty for reporting a false bomb threat was a Class A misdemeanor. What this legislation does is to change that...change the penalty from a Class A misdemeanor to a Class IV felony, which is the identical penalty for reporting...a false reporting of a fire, the Class 4 felony. It has raised concerns and problems in Whiteside County and certainly there is an inconsistency in the current law. A false bomb threat, which often requires the presence of police departments, fire departments, ambulance, et cetera; should be in the same category as reporting a false fire and I move for its

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

57th Legislative Day

June 15, 1989

adoption and passage."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 488. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 488 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? The Clerk will take the record. On this question there are 109 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 687, Representative Bugielski. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 687, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Bugielski."

Bugielski: "Thank you, Madam Speaker, Members of the House. Senate Bill 687 amends the Vehicle Code. Provides that the Secretary of State may suspend or revoke the driver's license or permit of a person who has been convicted of possession of cannabis or any controlled substance while operating a motor vehicle. Under the present law, the Secretary of State has...is authorized to suspend or revoke the driver's license privileges if they are caught with possession of more than thirty grams of cannabis or more than five grams of a controlled substance. And this is just changing it to any possession of cannabis or controlled substance. And the suspension or revocation of the driving privileges for a violation of this is left up to the discretion of the Secretary of State."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 687. On the question, is there any discussion? The Gentleman from Cook, Representative Williams. No discussion. The question is, 'Shall Senate Bill 687 pass?'

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

57th Legislative Day

June 15, 1989

All those in favor vote 'aye', all those opposed vote 'no'.
Voting is open. Have all voted who wish? Have all voted
who wish? The Clerk will take the record. On this
question there are 101 voting 'aye', 1 voting 'no' and 8
voting 'present'. This Bill having received the
Constitutional Majority is hereby declared passed. Senate
Bill 956, Representative Cullerton, out of the record.
Senate Bill 1029, Representative Regan. Clerk, read the
Bill."

Clerk O'Brien: "Senate Bill 1029, a Bill for an Act to amend the
Unified Code of Corrections. Third Reading of the Bill."

Speaker Breslin: "Representative Regan."

Regan: "Thank you, Madam Speaker, Members of the House. Senate
Bill 1029, sheriffs, police and state police are moving
into the twenty-first century in regards to deductive work
using DNA evidence and setting up a pool for sexually
dangerous people so that in case of the repeated rapes or
abuse of children, can be...go through the pool and find
the person. It's more identifiable than finger prints and
it's certainly something that the state can use for the
innocent as well as the guilty in some rape cases. I urge
its adoption."

Speaker Breslin: "The Gentleman has moved for the passage of
Senate Bill 1029 and on this question, is there any
discussion? There being no discussion, guest...the
Gentleman from Cook, Representative Williams on the Bill."

Williams: "Gentleman yield for a question?"

Speaker Breslin: "He will."

Williams: "Okay. What in fact...is there any sort of problem...
what if you refuse to actually take the test, what occurs?"

Regan: "It comes from a court order, it'd be contempt of court."

Williams: "Does it require a court order then to get the person
to actually submit to this test?"

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

57th Legislative Day

June 15, 1989

Regan: "On the...page two of the Bill, 'to provide specimens of blood, saliva, shall be ordered by the court to have specimens of blood and saliva collected within 10 days after sentencing'. So it's a court order."

Williams: "What about people who are presently on parole?"

Regan: "I believe the Amendment addressed that. They would also be required to provide samples."

Williams: "Then it would require an additional court order to get someone who's on parole?"

Regan: "That's the intent."

Williams: "Thank you."

Speaker Breslin: "Any further discussion? There being none, the question is, 'Shall Senate Bill 1029 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? The Clerk will take the record. On this question there are 107 voting...106 voting 'aye', none voting 'no' and 4 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1153, Representative Petka. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1153, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Petka."

Petka: "Thank you, Madam Speaker, Members of the House. Senate Bill 1153 creates the offense of...excuse me...of computer virus...pardon me. Senate Bill 1153 amends the Criminal Code and provides for penalties for computer viruses and permits recovery of civil damages including attorney's fees. Basically, what this Bill does is provide penalties equivalent to a Class 3 felony for computer tampering. Also a 10,000 dollar fine is provided. I'd be happy to answer any questions. There was no opposition to this Bill. It came out of Judiciary Committee 16-0 and came out

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

57th Legislative Day

June 15, 1989

of the Senate 59-0."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1153. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 1153 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Representative Williams, one minute to explain your vote."

Williams: "I just want Representative Petka to know that I'm voting 'aye' for his Bill."

Speaker Breslin: "Must be okay. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', no one voting 'no'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1180, Representative Pullen. Out of the record. Senate Bill 1181, Representative Hoffman. Gene Hoffman. Out of the record. Senate Bill 1199, Representative Goforth. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1199, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Breslin: "Representative Goforth."

Goforth: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Basically, what this Bill does is have the Department of Corrections inform a prisoner upon release what's available to him in mental health. It's my understanding that the department is already..."

Speaker Breslin: "Proceed, Representative."

Goforth: "That the department's already doing this already. This just gives them legal authority to continue to do so."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1199. It is on Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 1199 pass?' All those in favor vote 'aye', all

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

57th Legislative Day

June 15, 1989

those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 108 voting 'aye', none voting 'no' and 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1220, Representative Preston. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1220, a Bill for an Act to amend an Act with respect to the minimum use of...to prevent testimony...medium used to present testimony. Third Reading of the Bill'

Speaker Breslin: "Representative Preston."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Senate Bill 1220 amends the Code of Correction's portion... or the Section governing the prison review board and the procedures before the prison review board. Under this Bill, it permits the family or others who want to testify at prison review board hearings, concerning whether or not their parole...a prisoner is eligible for parole, to be able to give that testimony by way of video taped statements. So that the family need not travel to the prison where the hearing is taking place, which may be a burden on the family member. They can make this video tape, send it and it will be played for the prisoner review board in the hearings for parole. This is identical to a previous Bill that Representative Munizzi sponsored and it passed out of here, I believe, unanimously."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1220. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 1220 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is

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

57th Legislative Day

June 15, 1989

open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 108 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1221, out of the record. Senate Bill 1224, Representative Munizzi. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1224, a Bill for an Act to amend the Illinois Controlled Substance Act. Third Reading of the Bill."

Speaker Breslin: "Representative Munizzi."

Munizzi: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Bill amends the Controlled Substances Act. It clarifies certain penalties and enhances others relating to possession and delivery of controlled substances. This Bill is identical to House Bill 2313, that Representative Santiago had sponsored and it passed the House without any dissent. And I ask for a favorable Roll Call."

Speaker Breslin: "The Lady has moved for the passage of Senate Bill 1224. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 1224 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', none voting 'no', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1255, Representative Homer. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1255, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker. During the past Session the

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

57th Legislative Day

June 15, 1989

General Assembly passed...passed legislation which authorized a judge, as a condition of probation, to order an adult offender to...the sentence of home confinement and authorized electronic monitoring for the purpose of monitoring that defendant. This Bill would extend the concept to sentences or dispositions under the Juvenile Court Act. I would answer questions and urge adoption."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1255. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 1255 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 107...109 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1270, Representative DeLeo. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1270, a Bill for an Act in relation to crimes and sentencing. Third Reading of the Bill."

Speaker Breslin: "Representative DeLeo."

DeLeo: "Thank you, Madam Speaker, Members of the House. Senate Bill 1270 amends the various Acts to extend the safe school zone protections of public housing property. The concept passed by this General Assembly a few years ago to...we made safe school zones as to protect an area to attack gang violence. Originally the Act was just limited to school property and its proximity. Last year, the General Assembly added public parks. Like schools, parks are an area from which gangs operate. Currently, public housing facilities may be the greatest breeding ground for gang recruitment and gang activities. Currently, the CHA is

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

57th Legislative Day

June 15, 1989

conducting sweeps of unit in an attempt to reduce drug and weapons violations. This legislation could help CHA in its efforts to battle against crime and drugs in their facilities. I ask for a favorable Roll Call on Senate Bill 1270."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1270. On the question, the Gentleman from Cook, Representative McNamara."

McNamara: "Thank you, Mrs. Speaker. Just a question of the Sponsor."

Speaker Breslin: "Proceed."

McNamara: "In the...in the analysis here, I see Senate Amendment #1 deleted public housing projects and the definition of public housing projects. Does that mean that the public housing is now deleted from this Bill or is there another mechanism by which it was added back in? I didn't quite understand the explanation."

DeLeo: "No, John. What that was, it was a clarify. It's any properties owned, or operated, or managed by any public financing. So, it extends it a little."

McNamara: "So, it is clear and in its extended authority..."

DeLeo: "Not only does it...not only does it include CHA, it includes any public facilities."

McNamara: "Thank you very much."

DeLeo: "Thank you."

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

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill. What the Bill is really doing, is again we're taking away discretion from the judges. Each year we come down here and we pass more Bills to authorize more criminal court judges, we pay them eighty to ninety thousand dollars a year and we pay them to exercise their discretion. Right now, everything that's

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

57th Legislative Day

June 15, 1989

provided in this Bill can be done by the criminal courts. If a judge wants to transfer a juvenile from juvenile court to the criminal courts for drugs or weapons violations, they can do so. The current law, however, gives them the discretion to try some 15 year olds as juveniles if they think that being tried as a juvenile, because a particular 15 year old may in fact be worth saving, may in fact be able to be rehabilitated. When we take a 15 year old and treat him as an adult, what we're doing is, we are acknowledging that we give up on this 15 year old, that we're no longer trying to rehabilitate, that all we're interested in doing is punishing. So again, Ladies and Gentlemen, I'd urge you to reconsider what we're doing to the 15's and the 16 year olds. We are acknowledging that they're lost, there's no sense in trying to rehabilitate, there's no sense in trying to give the judges of this state a discretion as to when someone should be tried as a juvenile and when they should be tried as an adult. So for those reasons, I would say, we can do these things now. All this Bill does is take away judicial discretion and I would urge a 'no' vote."

Speaker Breslin: "There being no further dis... oh, the Gentleman from Fulton, Representative Homer on the question."

Homer: "Thank you...thank you, Madam Speaker. I rise to support the Gentleman's Bill. It simply adopts a concept already in the law, with regard to offenders who commit these offenses of delivery of...of controlled substances and certain unlawful use of weapons violations on school grounds. It extends that concept to those residential public housing projects in the state, to recognizing that there are special inherent problems that have arisen in those facilities and has caused many, many moments of agony for parents who do not feel that they can send their

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

57th Legislative Day

June 15, 1989

children outside the halls of their own residence, secure in the knowledge that those children won't be preyed upon by the dope dealers and those who use firearms to violate the law. This Bill is a victims' right's Bill. It looks to the victims. It tries to protect residents of public housing projects, who have been particularly vulnerable to the crimes preyed upon them by this criminal element. And I think they should be afforded those protections much in the same way that we afford special protections to school children, to be freed from this kind of predator. The Gentleman has a good Bill. I support it and would hope that we would give an overwhelming vote of support for it."

Speaker Breslin: "The Lady from Cook, Representative Jones on the question."

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

Speaker Breslin: "He will."

Jones, S.: "Why is this Bill only geared toward public housing?"

DeLeo: "Well, again this is just extending the safe school zone protection area. And why...this is...this legislation is...the intent of this legislation is to reduce gang activity in public housing facilities. This isn't every crime. We're talking about firearms and drugs. The same thing that's in the present legislation; two various, serious crimes. To echo Representative Homer's remarks, we're trying to produce safe housing for people, not have children induced into gangs. This legislation deals with two parts of the law; drugs and firearms. I don't think drugs and firearms belong in any community. We have to have safe zones and we have to show that there's an increase in penalties if you're going to be caught with these illegal drugs or illegal firearms."

Jones, S.: "I understand that, but I also know by...also living in the City of Chicago that gangs are not only in public

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

57th Legislative Day

June 15, 1989

housing, they are city wide. My question again is, why is it just public housing? If you want this type of legislation, which I am against, because of...it's too...it's too broad, number one, and why is it just geared toward public housing, when anyone in Chicago knows that gangs are not only located in public housing, they're located in the entire City of Chicago."

DeLeo: "Absolutely, right, absolutely, Representative. Who tends to be more of a victim in gang crime than people that live in public housing?"

Jones, S.: "Well, number one, the statistics does not show that more gang crime is in public housing. You don't have an answer. Thank you."

Speaker Breslin: "Any further discussion? There being... there is further discussion. The Lady from Cook, Representative Davis."

Davis: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Davis: "Representative DeLeo, are you familiar with the rights and privileges and the function of judges in our courts?"

DeLeo: "Probably too well."

Davis: "When people come before a judge, does he...have you...are you familiar with him ever saying to them, 'you live in public housing, therefore your sentence is enhanced'?"

DeLeo: "No, Representative. It's crimes committed on public housing, not living in...crimes committed on public housing, on schools, on parks."

Davis: "So, if a...if a person..."

DeLeo: "We're extending the safe school zone areas to include public housing. The law was passed in this General Assembly in 1984 for safe school zones. We extended it last year to public parks. This year we're looking to adopt public housing."

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

57th Legislative Day

June 15, 1989

Davis: "But, because...you're saying here...because this juvenile is because...because this juvenile lives in or commits this crime in a public housing area, that he should be tried as an adult, but if he commits this crime...if he commits this crime, let's say in Bridgeport, he is not sentenced as an adult, or is that correct? I mean if you do it in Bridgeport, it's not as bad if you do it..."

DeLeo: "If he does it in Bridgeport at the public park or on a school ground or on a public housing, he'll receive the same sentencing."

Davis: "Don't you think the people of Bridgeport are entitled to that same kind of stringent protection that the people of Chicago public housing are...what you're saying, they deserve...the criminals in public housing deserve a greater sentence than those from Bridgeport?"

DeLeo: "Representative..."

Davis: "Or the Northside of Chicago?"

DeLeo: "I don't want to make the City of Chicago speech, and I don't want to get into a political speech about...but also in the 11th ward, if you're familiar, which is not my ward by the way..."

Davis: "I was just making that as an example..."

DeLeo: "...I'm a northwest sider. Well, since we used that for an example, let's go into it a little...there is numerous public housing in the 11th Ward, if I...this protects the 11th Ward..."

Davis: "...What I'm asking you..."

DeLeo: "...This protects public housing."

Davis: "What I'm asking you, Representative, is are we going to legislate a different Criminal Code or a Penal Code for those who live in the public housing environment? That will be different than people that come from Elmhurst or the people that come from the Northside of Chicago. Crime

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

57th Legislative Day

June 15, 1989

is crime, Representative."

DeLeo: "This legislation, once again, is to punish those who engage in illegal activity. I don't care if they come from Representative McCracken's neighborhood..."

Davis: "So, why do you put in your legislation..."

DeLeo: "...And come into the city...they come into a park, or they come into...may I finish? If they come into a park, into a school and now if this legislation passes out of this Body, it will be a public housing."

Davis: "Well, I'm going to have to oppose it, because a judge is going to declare it unconstitutional and you know that."

DeLeo: "I can't...I don't know...I don't know what's in the appellate court."

Davis: "So, I really...I think...I think you can do a better...I think you would do the citizens a greater service if you removed the age of 15 and if you removed 'disadvantage or public housing', people who live...residents. We cannot...we cannot in this Body, decide that if you live in public housing and you commit a crime, that your sentence will be greater than those who don't live in public housing and commit a crime. You just can't do that. The judges will tell you, Sir, it's unconstitutional and discriminatory."

Speaker Young: "Representative Young in the Chair. The Gentleman from Cook, Representative Piel."

Piel: "I move the previous question, Mr. Speaker."

Speaker Young: "The Gentleman has moved the previous question. And the question is, 'Shall the main question be put?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair...you'll be able to explain your vote, Representative. Representative DeLeo to close."

DeLeo: "Thank you, Mr. Speaker. Once again, I just...this is very simple..."

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

57th Legislative Day

June 15, 1989

Speaker Young: "Excuse me, Representative DeLeo. Representative Jones you will be able to explain your vote. There was a Mo...there was a Motion to move the previous question. There... Representative, there are a lot of lights on. There was a Motion to move the previous question. There are a lot of lights on. In the opinion of the Chair, the 'ayes' had it and the main question was put. Representative DeLeo to close."

DeLeo: "Thank you, Mr. Speaker. Once again, all I'd like to just...the intent of the Senate Sponsor, the intent of this House Sponsor, is this legislation is just to reduce gang activity in public housing. I think people should...that they should have greater protec...residents of public housing should have greater protection. These facilities have been breeding grounds for gang recruitment. I ask for a favorable Roll Call on Senate Bill 1270. Thank you."

Speaker Young: "The Gentleman moves for passage of Senate Bill 1270. All those in favor vote 'aye', those opposed vote 'no'. Voting is now open. Representative Shirley Jones, one minute to explain her vote."

Jones, S.: "Yes, Mr. Speaker, on this project crime, that's a federal...CHA is federal. It is a federal project and far as the crime in housing projects goes, I think we have crime all over Illinois and we cannot just justify...just housing projects. I ask for a favorite 'no' vote on this Senate Bill 1270. Please. Thank you."

Speaker Young: "The Gentleman from Cook, Representative Williams to explain his vote."

Williams: "For the record, I'm not certain whether or not this Bill will affect possession only, but if it does, it's really a shame. The automatic transfer provisions that exist are already very harsh and they put many people caught up in things. The fact that we're going to be

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

57th Legislative Day

June 15, 1989

specializing in singling out a certain category of individuals who just happen, by poverty or otherwise, to live in a place that some of us may not agree with, is just a shame. We shouldn't create special categories of crime, for special citizens. This is a bad Bill. I think that we should reconsider what we're doing, but I understand what's going to take place. And I urge a 'no' vote."

Speaker Young: "The Gentleman from Cook, Representative White one minute to explain his vote."

White: "Mr. Speaker, Ladies and Gentlemen of the House, I stand in support of this wonderful piece of legislation. I have a housing development in my district called Cabrini Green, and the people there are sick and tired of being shot at, drugs being sold out in the open, and they think that...they think that it's...that special attention should be given to this matter, in that they want to be able to live in peace and harmony with their neighbors and friends. But, there is an element within that development, who is determined to do all they can to break the law and to perpetuate the sale of drugs and to make life miserable for those who reside in that development. I think that...well, first of all, not long ago we passed a safe school's Bill and no one was opposed to that, and now we're trying to pass a safe housing Bill and it seems to fall on deaf ears. I'm glad to see that there are 79 'green' votes up there, and I just hope that this Body will add a few more votes to it, because this is a good piece of legislation and I think one that all of us should support."

Speaker Young: "The Gentleman from Winnebago, Representative Hallock to explain his vote."

Hallock: "Thank you, Mr. Speaker, Members of the House. I rise in support of this Motion. You know today, unfortunately, some people at age 15 years old are already hardened

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

57th Legislative Day

June 15, 1989

criminals. And my thoughts are, that if they're really doing the crime, they ought to do the time. This Bill does nothing more than make sure they treated... be treated as criminals as they are, and if unfortunately that's the case, this Bill would insure that they are punished for that as adults. And I urge it be adopted and passed."

Speaker Young: "The Gentleman from Cook, Representative Morrow to explain his vote."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I urge some red votes on this Bill. The reason why, because I just happen to think about a young man, who in the City of Chicago was a dope dealer. Now, if this legislation was to pass, and I can't stand anyone that sells dope or deals dope, but this legislation...if this young man happened to live in the projects, and not in Oak Lawn, he's going to receive double or triple the sentence that he did receive for the crimes that he did commit. Why should we single out someone who might be doing drug dealing, or some crime activity in a project, when he hits every...every neighborhood here? I feel safer walking through Robert Taylor Home, then I feel safer walking through some of the other areas of the City of Chicago. I won't mention these parts, 'cause I don't want to insult anyone, like I did last week, that everyone got upset at some of my comments. We need some more 'red' votes on this Bill. Think about what you're doing here. Crime is crime, whether it's in Oak Brook, Oak Lawn, Robert Taylor Home, anywhere, crime is crime, and it should be treated as such. Thank you."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 84 voting 'yes', 18 voting 'no' and 8 voting 'present'. This Bill having received the required Constitutional Majority is hereby

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

57th Legislative Day

June 15, 1989

declared passed. Senate Bill 1329, Representative
Didrickson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1329, a Bill for an Act to amend
certain Acts in relation to alcoholism and drug abuse.
Third Reading of the Bill."

Speaker Young: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House.
Senate Bill 1329 is the Department of Alcoholism and
Substance Abuse technical Bill. It does approximately four
or five different things and I will reiterate those.
Number one, it makes changes in order to comply with
federal law and make it consistent. Number two, it
clarifies that facilities licensed by the Department of
Alcoholism and Substance Abuse are not health care
facilities subject to the Health Facilities Planning Act.
Number three, it adds the exemption for satellite
facilities. And number four, it makes provisions for the
determination with regards to alternative treatment for
drug and/or alcohol abuse persons before a conviction, so
that that evaluation may be made in a timely process and
manner. I'd be glad to answer any questions."

Speaker Young: "The Lady has moved for the passage of Senate Bill
1329 and on that question, the Gentleman from Madison,
Representative Stephens."

Stephens: "Thank you, Mr. Speaker. They're messing with my
microphone again."

Speaker Young: "Further discussion? Hearing none, the question
is, 'Should Senate Bill 1329 pass?' All those in favor
vote 'aye', those opposed vote 'no'. In the
opinion...Voting is now open. This is final passage. Have
all voted who wish? Mr. Clerk, take the record. On this
question there are 108 voting 'yes', none voting 'no' and
none voting 'present'. This Bill having received the

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

57th Legislative Day

June 15, 1989

required Constitutional Majority is hereby declared passed.

Senate Bill 1391, Representative Sutker. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1391, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Young: "Representative Sutker."

Sutker: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill addresses the so-called anti-bid rigging and anti-bid rotating legislation previously passed in this House. It is essentially similar to the...House Bill 1453, which we debated last month. Ladies and Gentlemen, what this does is provide modification of the Bills previously passed to expand and clarify provisions regarding convictions. To provide flexibility to local governments to better utilize the terms of the Bill. To provide them an opportunity to negotiate and disclose to each other information generally disseminated to the public. It is a Bill which corrects certain technical flaws in the Bill previously passed and I owe a great deal to Representative Didrickson, Representative McCracken and Senator Netsch for attaining this level of what I think is excellence. I will be pleased to answer any questions concerning it."

Speaker Young: "The Gentleman has moved for the passage of Senate Bill 1391. On that question, is there any discussion? Hearing none, the question is, 'Should Senate Bill 1391 pass?' All those in favor vote 'aye', those opposed vote 'nay'. 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 106 voting 'yes', none voting 'no' and none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Representative Brunsvold."

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

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

57th Legislative Day

June 15, 1989

the House. Last month we celebrated my seatmate's birthday, Cal Sutker, who is older than I am. On my left now, my new seatmate, who is much better looking than my old seatmate, is celebrating her birthday and she's a lot younger than I am. So we'd like to congratulate Pam on her first birthday in the House of Representatives. And may there be many more. You're all welcome to come over and get a piece of cookie."

Speaker Young: "Senate Bill 1411, Representative DeJaegher. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1411, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Young: "Representative DeJaegher."

DeJaegher: "Thank you, Mr. Speaker, Members of the General Assembly. If you read the analysis of this Bill, it's more or less permissive legislation. It did pass in the Senate 56 to nothing. The Bill requires the Department of Corrections to provide free AIDS testing, upon the request of any inmate prior to release, if that inmate has a documented history of intravenous drug use. The Bill requires...test and upon positive result, the Western Blot Assay or a more reliable confirmatory test upon a confirmed positive, the inmate is entitled to a free pre-test and post-test counseling by the department. The Bill makes...makes the mandate imposed upon the Department contingent, contingent upon the appropriation of sufficient funds to cover all costs of testing and counseling. So, basically this is permissive if funds are available...I encourage a 'green' vote."

Speaker Young: "The Gentleman has moved for the passage of Senate Bill 1411. On that question the Lady from Cook, Representative Pullen."

Pullen: "I'd like to ask the Sponsor a question or two, please."

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

57th Legislative Day

June 15, 1989

Speaker Young: "He indicates he'll yield for a question."

Pullen: "Does your Bill require the Department of Corrections to provide HIV testing to an inmate who requests it, if that inmate has a history of intravenous drug abuse?"

DeJaegher: "Yes, Ma'am."

Pullen: "What would be the Department's response to an inmate who requests it if that inmate does not have a history of H...of IV drug abuse?"

DeJaegher: "I'm sorry, I didn't hear that question."

Pullen: "What would be the response of the Department to an inmate who requests HIV testing, if that inmate does not have a history of IV drug abuse?"

DeJaegher: "There's nothing in this legislation that would prevent that, but there is no requirement that this be done."

Pullen: "Why would the legislation give this right only to those who have a history of IV drug abuse, rather than to any inmate who requests it?"

DeJaegher: "Well, I think what we're trying to do is address the problem. I think that basically what we're trying to do is address ourself to this specific case and that specific case if that person have some type of history pertaining to it."

Pullen: "Sir, I don't think you're addressing the problem. I do appreciate your efforts, but I think the Department is messing around here and I think it's too bad that the Department does not now give testing to inmates that request it, and apparently with this Bill would not be required to even for inmates that request it unless they have needle tracks on their arms."

DeJaegher: "Like I told you, Penny, basically this is permissive. It's up to the request of the prisoner himself."

Speaker Young: "Further discussion? The Gentleman from Fulton,

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

57th Legislative Day

June 15, 1989

Representative Homer."

Homer: "Thank you, Mr. Speaker. I support the Gentleman's Bill and would think that the previous speaker might also, seeing it as a first step toward her objective of having HIV testing made accessible to all inmates. The Sponsor has selected in his Bill to identify intravenous drug users, a known group that is more susceptible to HIV contraction. Because of the cost limitations of the program, he is prioritizing the resources, the limited resources, of the Department of Corrections in order to have the testing done on a high risk group. I think that makes a lot of sense as a first step toward testing of all inmates who desire to be tested. This Bill is also permissive to say that the program cannot...shall not be initiated unless the Department has sufficient funds for the administration of the program, seems like a reasonable first step toward an objective that I think all of us would like to make and so I would think that this Bill should be supported by all."

Speaker Young: "Further discussion? The Gentleman from Rock Island, Representative DeJaegher, to close."

DeJaegher: "...each and everyone of you to give me a 'green' vote. Thank you."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 1411. All those in favor vote 'aye', those opposed vote 'nay'. Voting is open. This is final passage. Have all voted who wish? Mr. Clerk, take the record. On this question there are 104 voting 'yes', none voting 'no' and 2 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. For purposes of planning tonight's activities, the Chair has been advised that we will adjourn at approximately 6:00 o'clock. 6:00 o'clock. Senate Bill 1431, Representative

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

57th Legislative Day

June 15, 1989

Stange. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1431, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Young: "Representative Stange."

Stange: "Hello. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1431 is a new concept in the State Legislature regarding prisons. 1431 will start having employees pay their fair share for room and board in prisons. This Bill will expand a training opportunities available to inmates through development of job skills, so they can enter the job market and become productive citizens for the first time when they get out of prison. So often we hear prisoners leaving the prison and three months later they're back in. Prison costs have doubled in the last ten years. In '79 we spent \$141,000,000 on prisons; today we're spending over \$403,000,000 for prisons. Prisoners...prison populations in 1979 jumped from eleven thousand inmates to over twenty thousand inmates today. This is a new concept. The prisoners will be paying their fair share with no cost to the state. I ask for your favorable vote. This legislation is well, well overdue."

Speaker Young: "The Gentleman has moved for the passage of Senate Bill 1431, and on that question the Gentleman from Cook, Representative Williams."

Williams: "I'm just looking at this lineup of Sponsors here, folks. This may be something...Stange, Young, Turner, Bugielski and Weller. For whatever reason this is a real interesting lineup, so it may be something we can all vote for. I would hope so and all I can say is, good luck. Good...weird sponsorship."

Speaker Young: "Further discussion? The Gentleman from Homer...the Gentleman from Fulton, Representative Homer."

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

57th Legislative Day

June 15, 1989

Homer: "Thank you. Mr. Speaker, I think the reason you have that diverse sponsorship is because it's a sensible idea. I would certainly support it. It provides that the Department of Corrections can construct buildings ostensibly on prison property and then lease them to private industry for up to twenty years, with the provision that the private industry would have to hire...would have to hire inmates from in that...within that prison to perform manufacturing services. The products that would be sold from the...from that operation, the proceeds therefrom would be used to pay salary or wages to the inmates, and then the Bill would allow that the Department will be allowed to deduct from those wages a certain amount for the upkeep and maintenance of that prisoner's stay in prison. I think that combines a lot of good concepts that all our constituents are for. It allows the inmates to be productive. It teaches them a trade. At the same time, it helps reduce the cost of incarcerating inmates which has risen to alarming amounts and allow the Department of Corrections to recoup part of the costs of keeping inmates in the prison system. So, it's something that allows inmates to be productive, teaches them a trade and reduces the cost of their incarceration. The combination is a good one and that's why it has diverse sponsorship and that's why it ought to be supported."

Speaker Young: "Further discussion? Representative Stange, to close."

Stange: "Thank you, Mr. Speaker. The average cost for an inmate today is over \$16,000 a year. Why this is a good Bill, there's many many reasons. A portion of this...the salary that the prisoner makes will go to their children if he or she has one. This is a good Bill. I ask for your favorable vote. Thank you."

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

57th Legislative Day

June 15, 1989

Speaker Young: "The Gentleman moves for the passage of Senate Bill 1431. All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. The Gentleman from Fulton, Representative Homer, for what purpose do you seek recognition?"

Homer: "Parliamentary inquiry. Has said Bill been amended? Our printout shows there was an Amendment. We don't show an Amendment in the file. There has been no Amendment?"

Speaker Young: "According to the Clerk, there are no Amendments on the Bill."

Homer: "Okay. Alright, thank you."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 102 voting 'yes', 2 voting 'no' and 3 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. On the same Order of Criminal Law, we will go and pick up a few Bills on Second Reading. Senate Bill 667, Representative Kirkland. Mr. Clerk, what is the...where is this Bill? This Bill has been read a second time and moved to Third Reading, Representative Kirkland. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 667, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill."

Speaker Young: "Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker. This Bill amends the delinquent minor section of the Juvenile Code and says that 'any weapon in possession of a minor found to be delinquent under...found to be delinquent without offense involved, the use of a weapon or where the youth was in possession of a weapon during the commission of an offense, shall be confiscated and disposed of by the Juvenile Court, whether that weapon's owned by the minor or his parent or

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

57th Legislative Day

June 15, 1989

guardian,' and then calls for disposition of that weapon according to guidelines already in Chapter 38. I move for passage of the Bill."

Speaker Young: "The Gentleman moves for passage of Senate Bill 667. On that question the Lady from Kane, Representative Doederlein."

Doederlein: "I would like to ask a question."

Speaker Young: "The Gentleman indicates he'll yield for a question."

Kirkland: "Sure."

Doederlein: "Representative Kirkland, does this provide for the return of a lost or stolen firearm to the owner if the police can establish ownership?"

Kirkland: "If you're referring to language that was in the Bill originally, it does...that language is no longer there. What the Bill does now, is refer the Juvenile Court to the guidelines already set up in Section 24-6 of Chapter 38, and that Section does have a reference to stolen weapons. 'Any stolen weapons so confiscated when no longer needed for evidentiary purposes, shall be returned to the person entitled to possession if known.' Does not make reference to lost weapons."

Doederlein: "I'm sorry, I just couldn't hear if a stolen weapon would be returned or not."

Kirkland: "I am reading you what the current law is. 'Any stolen weapon confiscated when no longer needed for evidentiary purposes, shall be returned to the person entitled to possession if known.'"

Doederlein: "Thank you."

Kirkland: "Alright."

Speaker Young: "Further discussion? The Gentleman from Cook, Representative McNamara."

McNamara: "Yes. Just a follow-up question to that. In regards

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

57th Legislative Day

June 15, 1989

to a lost weapon, there is...if a lost weapon is in the hands of the juvenile and it's been duly reported as lost, etc, the juvenile's weapon was then confiscated, it does not follow that particular statute. Then that lost weapon even though it belongs to somebody else and all of the legal things, can be destroyed or whatever."

Kirkland: "Yeah. I think that's correct. The special language about stolen weapons is in Chapter 24-6 and that chapter also refers to the confiscation and disposition of weapons in several other situations. My Bill does not change the law as to disposition of stol...of lost weapons. That law would be as it currently reads."

McNamara: "Alright. It does change the law in relationship to it, because a lost weapon is not defined under yours in order to be put over to that section. So, therefor, it could be confiscated immediately. Your law, if I interpret correctly, your law if a person found a weapon and used that in the commission of a crime, a juvenile under your law, that weapon could be confiscated and destroyed even though the owner is notified. That's how I'm interpreting that. That's what I'm concerned about."

Kirkland: "No. That's not correct under the amended language of the Bill. Any reference to lost weapons was taken out of my Bill. So, all my Bill says that as to disposal of weapons, refer to Chapter 24-6 which is already in the law."

McNamara: "And the disposal of weapons referring to that chapter then, does not cover lost weapons?"

Kirkland: "I...I don't see a specific reference to lost weapons. I read this yesterday and I don't think I saw that, I only saw the specific reference to stolen weapons."

McNamara: "I guess my concern is, is that there is no provision for returning a lost weapon."

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

57th Legislative Day

June 15, 1989

Kirkland: "And although there was in the original Bill, the main part of the Bill is what I wanted to retain, which was that it be confiscated whether it's the parents' or the...or whether it's the child's or the parents' or guardian's weapon."

McNamara: "Thank you."

Kirkland: "Okay."

Speaker Young: "Further discussion? Representative Kirkland, to close."

Kirkland: "No. Just ask for approval of the Bill."

Speaker Young: "The Gentleman moves for passage of Senate Bill 667. On that question all in favor vote 'aye', all opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Mr. Clerk, take the record. On this question there are 106 voting 'yes', none voting 'no' and 1 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. On the same order, appears Senate Bill 1429, Representative Homer. Mr. Clerk, what's the status of this Bill?"

Clerk O'Brien: "Senate Bill 1429, the Bill has been read a second time previously. Amendment #1 was taken from the Bill and a Correction's Budget and Impact Note has now been filed."

Speaker Young: "Is the Bill in a position to move to Third Reading at this time?"

Clerk O'Brien: "Yes, it is."

Speaker Young: "Would you read it to Third...move to Third Reading. Representative Homer, now moves for immediate consideration of Senate Bill 1429. Is he granted leave? Leave is granted by use of the Attendance Roll Call. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1429, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Young: "Representative Homer."

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

57th Legislative Day

June 15, 1989

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. This legislation extends the jurisdiction for prosecution for criminal sexual assault to spouses. Under current law, spouses may bring such action or a charge may be filed on the basis of such complaint only where the offense is aggravated criminal sexual assault, which involves forcible penetration with bodily harm. Previously, we did not allow a spouse, an aggrieved spouse, to file an action for criminal sexual assault that is not aggravated, which has the basic elements of forcible penetration. The public policy of this state, I submit, should be that women who have been abused whether or not by spouse or otherwise and have been subjected to forcible sexual assault, should have some recourse in our courts. There is a safeguard in the Bill that would allow the complaint to be filed only within thirty days after the commission of the act, so as to address the concerns of those who express fear that this will be used in some vexatious way, sometime subsequent to the alleged commission of the offense. So, there is that safeguard which is consistent with current law with respect to incidents where it is aggravated sexual assault. I would answer any questions, urge your support."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 1429. On that question is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1420...wait, the Gentleman from DeKalb, Representative Countryman."

Countryman: "Well, this is a difficult Bill to speak against, but I just don't think it's needed. I think it's going to cause an awful lot of problems. We're going to tie down law enforcement agencies. There's some reason why our forefathers for many years felt this wasn't a crime. We do have an adequate safeguard in that aggravated criminal

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

57th Legislative Day

June 15, 1989

assault can be charged and in this case, we open up almost every case. The only requirement now with the Bill amended, is it must be reported within five days. I'm not certain that that makes it constitutional, it must be reported within a certain period of time, nor even justifiably correct. I don't think we need this and I recommend a 'no' vote."

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

Currie: "Thank you, Mr. Speaker and Members of the House. Our forefathers might have not been keen on this legislation, my guess is that our foremothers might have been. Of course they didn't have the vote in the good old days. This Bill is just to say that women who happen to be wives are entitled to the protection of the law. We know from the experience of the existing provision in our criminal sexual assault laws, that do permit wives the opportunity to bring charges. We know that that provision...those provisions have not been used for harassment, they have not been used in idle ways, they have not been used to demean the judicial system. This extension is one that has already happened in many of our sister states and our own experience with our own laws should give us reason to believe that the time has come to treat all women with respect and with protection of the law when the issue is criminal sexual assault. I think an appropriate vote for a sound public policy in this area is a 'yes' vote."

Speaker Young: "Further discussion? Representative Homer, to close."

Homer: "Thank you, Mr. Speaker. I think Representative Currie said it well. It's a matter of public policy. It's another move away from the antiquated common law notion that women were chattels of their hus...of the marriage. They are human beings. They should be afforded the same

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

57th Legislative Day

June 15, 1989

protections that any other alleged criminal assault victim enjoys in this state and the correct vote is 'yes'."

Speaker Young: "The Gentleman has moved for the passage of Senate Bill 1429. All in favor say 'aye'...all in favor vote 'aye', opposed vote 'no'. Voting is open. Representative Johnson, to explain his vote."

Johnson: "Where this is really significant, is in domestic cases. So, that...since the wives are the only ones who can physically be sexually assaulted in the way this Bill prescribes, what the lawyer for the one spouse does, is to indicate to the lawyer for the other spouse or the other spouse themselves, that if the property settlement agreement or custody arrangements or visitation arrangements or whatever it might be aren't sufficiently favorable to their side, then we've got an additional lever and that is, we go into the State's Attorney and charge you with...charge you with rape, so that you're facing not only losing your property, you're facing losing your liberty as well. And I would suggest to you that in the normal context of things that's an additional lever that ought not to be provided in a domestic...in a domestic situation. I think while the Bill sounds good, the practical effect of it is not very good and its application is just going to be to make mischief in our civil justice system."

Speaker Young: "Have all voted who wish? Representative Rice, one minute to explain his vote."

Rice: "Can I ask the Speaker...ask the Sponsor a question? Just one little question?"

Speaker Young: "I'm sorry, Representative, we're explaining your vote. You can...maybe he'll nod his head."

Rice: "Oh. I'm wondering, does that take over when she's mad at me the next morning?"

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

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

57th Legislative Day

June 15, 1989

record. On this question there are 98 voting 'yes', 4 voting 'no' and 4 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. We will now go to the Order of State Government...State Government Administration, Second Reading. The Sponsors on this order are McPike, Keane, DeJaegher, Hoffman, Hicks and Currie. The first Bill on this order is Senate Bill 255, Representative McPike. Out of the record. Senate Bill 257, Representative Keane. Out of the record. Senate Bill 505, Representative DeJaegher. Out of the record. Senate Bill 555, Representative Hoffman. Out of the record. Senate Bill 692, Representative Keane. Out of the record. Senate Bill 819, Representative Hicks. Out of the record. Senate Bill 1210, Representative Currie. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1210, a Bill for an Act relating to firearms and firearm ammunition. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Young: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Young: "Are there any Floor Amendments?"

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

Speaker Young: "Representative Tate, on Floor Amendment #2. Representative Currie for...out of the record. Representative DeJaegher, Senate Bill 573. Representative DeJaegher."

DeJaegher: "Wait. Wait. Wait. Mr. Speaker, what about 505?"

Speaker Young: "Senate Bill 505. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 505, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Young: "Are there any Motions filed?"

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

57th Legislative Day

June 15, 1989

Clerk O'Brien: "No Motions filed."

Speaker Young: "Are there any Floor Amendments?"

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

Speaker Young: "Representative Countryman, on Floor Amendment #2."

Countryman: "Thank you, Mr. Speaker. Withdraw Amendment 2."

Speaker Young: "Withdraw Amendment #2. Are there any further Amendments?"

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

Speaker Young: "Representative Countryman, on Floor Amendment #3."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 does two things; it changes the word 'a relative' and inserts the word 'any person' and the substance of the Bill provided that a person could be charged would have to be a relative. It didn't seem that if any other person, any third party who wasn't a relative who might have some close relationship for whatever reason, was charged under the Act...should be exempt under this Act. And so in Committee, I suggested to the Attorney General that 'any person' would be a better definition and he agreed. So, this Amendment does that. The second thing that this Amendment does, is it creates in the area of criminal negligence, it creates the fact that if you're going to have criminal negligence, the failure to act shall not be a violation of this section where the person does not have an affirmative duty to prevent injury or endangerment. We're creating a negli...a criminal negligence and it's a felony classification. And it was the thought of the Members of the Committee that in order to do that, there must be some affirmative duty on the part

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

57th Legislative Day

June 15, 1989

of the person you're charging to care for that individual, and if there wasn't an affirmative duty, then there wasn't a basis for a felony sort of violation. So, we feel this makes it a better Bill and would move its adoption."

Speaker Young: "The Gentleman has moved for the adoption of Floor Amendment #3 to Senate Bill 505, and on that question the Gentleman from Rock Island, Representative DeJaegher."

DeJaegher: "I concur with the Amendments that John Countryman has carefully drafted. I think it overcomes some of the problems that was addressed to in Committee, and for with that, I accept Amendments to 505."

Speaker Young: "Further discussion? The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Mr. Speaker. A question for the Sponsor."

Speaker Young: "Indicates he will yield for a question."

Homer: "Representative Countryman, perhaps simply for legislative intent, could you expound upon what you mean by having an affirmative duty to prevent injury or endangerment? In other words, what kind of relationships would require affirmative duty for that purpose?"

Countryman: "Well, it would be in my vision that for instance a child would have an affirmative duty with regard to his parent. A niece or a nephew might with his...regard to the aunt or the uncle, that somebody who was being paid would have an affirmative duty to perform an obligation. But, on the other hand, if you were merely the landlord of a premises that might be a rooming house, for instance, and an older person lived in that rooming house and there was some allegation that the landlord had a duty to furnish medicine or municipal purposes or baths or that sort of thing when there wasn't an absolute obligation to do that, then that person wouldn't have an affirmative duty."

Homer: "So, those having an affirmative duty may include a

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

57th Legislative Day

June 15, 1989

relative, a close relative who looks in upon the person or with whom the person resides perhaps a law..."

Countryman: "Right, any..."

Homer: "...a law or a guardian, a legal guardian of the person."

Countryman: "...it could be somebody who would promise to take care of somebody else and then breach that promise. The promise would be the affirmative duty, but if it was merely somebody living in the house, being a roomer or something of that nature, because it's negligence, criminal negligence, I felt that they needed to have some sort of affirmative duty set forth. So, that's why we wanted an element of affirmative duty in there."

Homer: "But it's not limited to close relative. It could be a conservator or guardian or someone in 'local parentis' with the elderly individual or disabled individual."

Countryman: "Absolutely. It would in my judgment, although nursing homes are excluded, but if somebody were being paid to care for somebody in their own home and didn't do it, that would be the case. Or if somebody else, a brother or a sister or somebody even without relationship as you say, in 'local parentis'."

Homer: "And it is not contemplated that there's been some adjudicated obligation on the part of the individual to provide a duty. There's no requirement here. Your legislative intent does not require that there be some sort of court adjudication of duty?"

Countryman: "No."

Homer: "Thank you."

Speaker Young: "Further discussion? Representative Countryman, to close."

Countryman: "Well, I think we've explained it adequately and I move its adoption."

Speaker Young: "The Gentleman has moved for the adoption of Floor

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

57th Legislative Day

June 15, 1989

Amendment #3 to Senate Bill 505. All those in favor say 'aye', those opposed say 'nay'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young: "Third Reading. Our next Bill is Senate Bill 573, Representative DeJaegher. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 573, a Bill for an Act to amend the Quad Cities Regional Economic Development Authority Act. Second Reading of the Bill. No Committee Amendments."

Speaker Young: "Are there any Motions filed?"

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

Speaker Young: "Third Reading. Representative DeJaegher."

DeJaegher: "Mr...Mr. Speaker, I have been in communication with DCCA. DCCA would like to put an Amendment on that Bill and for that reason I would like to hold it on Second at this particular time. It has been read a second time, has it not?"

Speaker Young: "It has been read a second time, but we will hold it on Second Reading."

DeJaegher: "Thank you."

Speaker Young: "We'll now go to the Order of State Gov...Government Administration, Third Reading. Sponsors on this order are Terzich, Hoffman, Farley, Sutker, Bowman, Madigan, Regan and Capparelli. The first Bill is Senate Bill 136, Representative Terzich. Out of the record. Senate Bill 253, Representative Hoffman. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 253, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill."

Speaker Young: "Representative Hoffman."

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

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

57th Legislative Day

June 15, 1989

House. This is a Bill that was suggested to Senator Raica in the Senate by the Illinois Medical Society. And what it does, is it changes the wording in the certification that a physician makes in regards to the question of whether there is a positive test for syphilis. Yesterday I amended the Bill to provide a change in the language at the suggestion of the Illinois Department of Public Health and the Illinois Medical Society. And I move for the passage of Senate Bill 253. I would also add, Mr. Speaker, that this applies only to the issue of a...the presence of syphilis, it has nothing to do with AIDS."

Speaker Young: "The Gentleman has moved for passage of Senate Bill 253, and on that question the Lady from Lake, Representative Stern."

Stern: "Will the Gentleman respond to a question?"

Speaker Young: "He indicates he will yield for a question."

Stern: "I'm trying to remember when I was County Clerk and we issued marriage licenses. My recollection is, that an individual who had a positive syphilis test could come to the counter with a letter from his doctor saying that even though the syphilis test was positive, there was no harm in his marrying. Some similar statement. Now, what this Bill does, if I understand it, is it says that there is no active presence of syphilis, but I think that's different from saying he has syphilis but it's okay for him to go ahead and get married."

Hoffman: "The Amendment yesterday changed the language to read as follows: 'The approved serological test and the medical examination of the presence of transmittable syphilis.' The issue of presence is active, I mean is out of the language."

Stern: "Well, query. What if there is transmittable live syphilis virus or bugs or whatever?"

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

57th Legislative Day

June 15, 1989

Hoffman: "Then he couldn't sign the statement. I mean it's a certificate that he's...that the physician signs."

Stern: "What I'm trying to say is, suppose that this is an active case of syphilis; are we then saying that this couple may not marry, because that's a whole different ball of wax."

Hoffman: "This and...you know, to my understanding that is not what we are talking about here."

Stern: "Well, quite frankly, Representative, I'm not clear on what we are talking about here. If we are saying that this individual..."

Hoffman: "Mr. Speaker. Mr. Speaker, let's take this out of the record. I'll go talk to the Representative, let her look at the language of the Bill on the basis of her background and see if we can't clarify this without taking up the time of the Body."

Stern: "Thank you, Representative."

Speaker Young: "Out of the record. Senate Bill 260, Representative Farley. Representative Farley. Out of the record. Senate Bill 507, Representative Sutker. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 507, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Young: "Well...is this on the Order of Third Reading, Mr. Clerk?"

Clerk O'Brien: "Oh, I'm sorry. Third Reading of the Bill."

Speaker Young: "Representative Sutker."

Sutker: "Mr. Speaker, this is the Third Reading of the Bill."

Speaker Young: "That's correct."

Sutker: "Okay. Mr. Speaker and Ladies and Gentlemen of the House, this Bill provides for another exception to the hearsay rule which is a part of the senior citizen package. The Bill provides that under certain circumstances and

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

57th Legislative Day

June 15, 1989

under very controlled relationships, hearsay evidence may be utilized in court with respect to determining whether or not a senior citizen has been victimized. The Bill clearly provides procedures to protect the rights of all persons involved in the litigation; provides for a closed hearing to determine whether the hearsay exception shall be applicable and I believe is necessary legislation to fulfill the requirements of the package that has been submitted. I urge your support and prepared to answer any questions concerning it."

Speaker Young: "The Gentleman has moved the passage of Senate Bill 507. On that question the Gentleman from Champaign, Representative Johnson."

Johnson: "Who is the 'on the stand declarant'? Is that the senior citizen or somebody declaring what the senior citizen said?"

Sutker: "It may be either. It may be the senior citizen who is incapacitated to testify at the trial, but who had made statements prior to the institution of litigation or it may be a person who heard what the victim had stated to him with respect to the treatment he had received from some other person."

Johnson: "I guess...I guess my question, Representative Sutker, is what...what triggers the application of this exception? Where the victim is a senior or where the witness is a senior or are you saying both?"

Sutker: "It could be either, but it's generally directed toward when the victim is a senior citizen."

Johnson: "But you could...then I guess you say it could be both, if you had a senior citizen on the witness stand, then that person as long as they met the requisite age and so forth, would be able to say that somebody else said something else as an out of court declaration. Is that right?"

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

57th Legislative Day

June 15, 1989

Sutker: "It could be, but it would have to be determined at a closed hearing where adequate notice was given to all counsel to appear at that closed hearing and determine what the factors were and the dynamics of the situation may have been."

Johnson: "You know...Mr. Speaker and Members of the House, I really...I guess everybody's going to keep talking so you know, this is no more or less important than other issues, but I think this is really, really an important issue. If you realize what the hearsay rule is and why we have the hearsay rule, you'd realize why this is really a bad Bill and it's really a dangerous Bill, and with an excellent Sponsor. We've got five people who are really good Sponsors, but this is a real dangerous idea. The idea of the hearsay rule is to require that the person on the stand can testify to what he or she saw, what they heard...what they saw and what they observed, but not what they said...but not what somebody else said somebody did. In this situation...I guess under controlled circumstances you can have somebody get on the witness stand who's 61 years old and say that 'John Jones said, the defendant committed the crime.' And the idea, obviously, of the hearsay rule is so you're able to subject the person who makes the incriminating statement to cross-examination, so that when the senior's on the witness stand and says 'John Jones says that defendant X committed the crime,' defendant X has no defense, no ability to cross-examine the person who supposedly made the incriminating statement, so that somebody can go to the electric chair or go to prison for life, based on somebody getting on the witness stand and saying 'somebody else said somebody else committed the crime.' That's not what the American system is all about. This is not a tough law and order Bill. It's not a senior

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

57th Legislative Day

June 15, 1989

citizen enforcement Bill. It's a Bill that flies in the face of over two hundred years of Anglo-American history, and the idea that you have to have the ability to put somebody on the stand and be subject to direct and cross-examination before you can take away their liberty or their life. Now, I know Representative Sutker's sincere in this and he's going to say there's protections built in and so forth, but the more we erode the basic concept that makes this country so unique, the ability of somebody to be able to confront their accusers, confront witnesses against them in an open court situation where the prosecution has the ability to ask questions, the defense has the ability to cross-examine and the prosecution has the ability again to provide for redirect examination. And once you lose that concept and you start putting people in prison based on hearsay examination, then you've really lost the core of our system. And with all due respect to this fine Sponsor who is well intended, this is a bad Bill and a dangerous, dangerous, dangerous concept for everybody."

Speaker Young: "The Gentleman from Cook, Representative Williams."

Williams: "Thank you, Mr. Speaker. I too rise in opposition to House...Senate Bill 507. The points made by the last Gentleman are quite apropos. The reality here is what we're dealing with is a change and a very important protection for everyone. When you deal with hearsay, you're talking about what someone else heard and what someone else talked about. Now, they say a blanket age of 60; believe me, even though they say there are certain safeguards for reliability, this thing is just open beyond belief to abuse. Just think about it. You're 60 years old and you know that there are a lot of people who are very very capable of being able to go forth at that age. In

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

57th Legislative Day

June 15, 1989

fact, many Members of this Body are very capable of going up. To create a special rule; it's one thing when you're dealing with children who may not be...have already have come up with that particular sort of mental...as it's called, but when you're dealing with a 60 year old who is very well versed and knows it very clear, they can easily just tell someone else something and then that person can come into court and corroborate what they want to do based upon something that he sets up. This is the...this thing is so open for abuse, that we should never consider breaking the rule on this particular issue. I beg to differ with the Sponsor. I think that what we're doing here is in extreme violation of just about everybody's rights. And we're start...you just can't create...we create one exception after the other to every evidentiary rule to every constitutional right and in a little while we'll take more time learning the exceptions than learning the rule. This is a bad piece of legislation. I think you all ought to think about this. And for those of you who might be in, near or around 60, think about it. Do you actually think that because you've reached the blanket age of 60, that you have...that you are senile, you can no longer recall what's going on? You can no longer...the only way that you're able to come up with some evidence is somebody...you go out and you just happen to mention to somebody else. Believe me, this is more open to abuse than you were lead to imagine and I would urge a 'no' vote on Senate Bill 507."

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

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. Notwithstanding my respect and high regard for the previous two speakers who are very learned and practitioners as criminal defense attorneys. I think the case is

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

57th Legislative Day

June 15, 1989

overstated. This proposal is not a dramatic change in the law, it's simply an extension of what the courts have already through the common law doctrine done with respect to the hearsay rule. The hearsay rule is not a blanket prohibition against out of court statements. There have been many exceptions carved to the hearsay rule. For example; a dying declaration, where someone has made a statement and dies before the trial. That can be admitted. Where a statement is made spontaneously with the event. That can be admitted as an exception. An excited utterance can be admitted. Statements made by a criminal sexual assault victim made complaining of the incident relatively near the event can be admitted as an exception. These have been built into the common law doctrine case by case, because of the court's determination of the special reliability of the evidence and its relevance to the case. Now I...this Bill provides safeguards. It doesn't say that any statement made by someone 60 or older can be admitted. It first requires that either the person is available to be cross-examined, or that the court finds that the statement made has special reliability and also provides that the witness is unavailable and yet there is other corroborative evidence that exists. Now I would submit to you that this is no panacea for prosecutors. No prosecutor in this state would ever take his case to trial knowing he has the burden of proving that case beyond a reasonable doubt and simply choose arbitrarily not to call his key witness. He'd be a fool and he'd probably lose every case that he prosecuted. The prosecutor is going to try to bring forward all of the competent evidence and only in the rare extreme case where you have a particularly vulnerable witness who is a senior citizen who has been preyed upon and made a victim of a crime, who is unavailable to testify and where there's

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

57th Legislative Day

June 15, 1989

sufficient corroborative evidence and where the court has determined in a in-camera proceeding that that evidence is reliable, much as the other exceptions to the hearsay rule have been so determined, would this evidence be admissible. The jury would then be instructed to take into account that it was an out of court statement. The defense attorney in that case would have a bonanza arguing to the jury that it should be disregarded, because the witness is not present and the prosecutor would be left to try to salvage the case. This is no radical departure from current law, this is simply an extension of the common law recognizing the special vulnerability of elderly witnesses to encourage the prosecution of those who prey upon them. I think this is a sensible Bill. Ought to be supported."

Speaker Young: "The Lady from Lake, Representative Stern."

Stern: "Mr. Speaker and Members of the House, I rise in vehement opposition to this. I speak as a senior citizen well over 60. I am comfortable of the fact that I do not want the views of senior citizens to be passed along in this kind of damaging way. My mother, who at 96 passed away recently, could not have been believed in this kind of situation. With the best will in the world she confabulated ceaselessly. I think it's a terrible mistake for us to put into the law the provision that this can be accepted as fact. I urge a 'no' vote to this legislation."

Speaker Young: "Further discussion? Representative Sutker, to close."

Sutker: "Thank you, Mr. Speaker. Those in opposition to the Bill, while well-intentioned, I think have overemphasized factors which are not addressed in this Bill. The exceptions to hearsay...to the hearsay rule are legend. They've been developed over several hundred years and are in the category of scores. This is just an additional

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

57th Legislative Day

June 15, 1989

exception. There is similar legislation which is reflected in the child abuse statute. I know of no abuse of the hearsay rule with respect to that statute. This merely says that the court has the flexibility in a closed hearing to determine whether or not a victim's statement to someone else outside of the courtroom can be used. The victim may be in court. The victim may be incapacitated. We're not talking about victims who are in the capacity of Representative Grace Mary Stern, who has all of her faculties and is well able to take care of herself, we're talking about those who've been...we're talking about those who have been victimized. We're talking about those who have...who have been the victim of actions within their own family. We're talking about circumstances where the court must believe and have circumstantial evidence as well as other cooperative...corroborative evidence before he even considers allowing such evidence into the testimony. Ladies and Gentlemen, this is merely an extension of the hearsay rule which has been utilized over the centuries. It is an attempt to utilize hearsay only to get at the truth under very controlled circumstances where counsel for all of the parties in court may appear and state their positions. It is not either unusual or...a great departure from that which we are accustomed to in the law, and Ladies and Gentlemen it is what I believe is something that is not only necessary, but compliments the law as it presently stands. I urge an 'aye' vote."

Speaker Young: "The Gentleman has moved for the passage of Senate Bill 507. All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Representative Young, to explain her vote."

Young, W.: "Thank you, very much, Mr. Speaker. I'm voting 'no' in reference to this Bill, because I think that

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

57th Legislative Day

June 15, 1989

Representative Homer's argument proves why this would not be good law. The two exceptions to the hearsay rule that he mentioned were both special situations that have to do with a special case in which the situation probably shows that what was uttered was true. When a person is dying they will probably...if they say something, it's probably the truth. If a person in an excited state says something, it's probably true. But there is nothing in this Bill in reference to the age of the victim that would lead to the conclusion that it ought to be treated like the other exceptions and therefor I vote 'no'."

Speaker Young: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 44 voting 'yes', 58 voting 'no', 8 voting 'present'. This Bill having failed to receive the required Constitutional Majority is hereby declared lost. Senate Bill 716, Representative Bowman. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 716, a Bill for an Act in relationship to taxation. Third Reading of the Bill."

Speaker Young: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill has been debated many times before in different guises, on Second Reading, on Third Reading. It's identical to House Bill 40 which passed the House, is now pending in the Senate. This is the Senate version. This is the cleanup of the Sales Tax Reform Bill that we passed last year. I urge an 'aye' vote."

Speaker Young: "The Gentleman has moved for passage of Senate Bill 716. On that question is there any discussion? Hearing none, the question is, 'Shall Senate Bill 716 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage."

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

57th Legislative Day

June 15, 1989

Representative Hallock."

Hallock: "Yes. I'd just like to remind everybody on this side of the aisle this is the Bill we debated about a month ago on the sales tax and the local government's share. The Bill was bad then, the Bill is bad now. It's a Senate Bill and I urge everybody on this side of the aisle to vote against it."

Speaker Young: "Have all voted who wish? Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think everyone knows what's in this Bill, but it's important that we pass this as a backup to the Senate measure...or the measure that's now pending in the Senate, because in point of fact the sales tax reform legislation which we passed last year, has numerous technical problems with it, quite apart from the issue of communities receiving money from...that the state collects without annual appropriation. The...there's a matter of the tax increment finance districts, but we have to pass legislation that will integrate the sales tax reform legislation with the tax increment finance legislation that we passed last year at the same time. The two need to be thoroughly integrated. This Bill does that. This Bill makes changes in the photo processing tax that we imposed. You may recall that the Department of Revenue issued very far ranging regulations that would have the effect of increasing taxes on people that we had no intention of imposing taxes on...or increasing taxes on, and this legislation takes care of that. There are numerous problems that need to be corrected. In addition, municipalities in this state will not get any of their municipal sales tax receipts that the state collects without legislation of this sort. We need this legislation, so I urge a couple more 'aye' votes up there

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

57th Legislative Day

June 15, 1989

so that we can return this to the Senate. There's one small Amendment on this, but we need to keep this moving along if we expect to provide the municipalities with the money that they deserve."

Speaker Young: "Representative Ryder, one minute to explain his vote."

Ryder: "The Representative has indicated correctly what's in the Bill. The fact of the matter is there's still some continuing discussion especially concerning the photographers and the photo processing part of this. And I think once that language becomes available, and it's not available now and this is not something that the Sponsor knew before I got up to speak, so it's not that he's intentionally doing something. The fact of the matter is, there's some continuing negotiations that are going on there and I think that ultimately if those negotiations are successful, that we might be able to have a Bill that we could agree to on that portion of it. I think there's perhaps some underlying problems too, but so as a consequence, I think it's appropriate at this time that it not receive the 60 votes."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. Representative Bowman, moves for Postponed Consideration. Senate Bill 753, Representative Regan. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 753, a Bill for an Act to amend the representation and indemnification of State Employees' Act. Third Reading of the Bill."

Speaker Young: "Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. This is...it came out of the CHIPS Board meeting. It gives the CHIPS Board the same limited liability that other agencies of the state have as well as Representative Bowman's

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

57th Legislative Day

June 15, 1989

Amendment that adds that the employees of the CHIP Board can fall underneath the benefits of the state like any other employee, and I urge its passage."

Speaker Young: "Senate... The Gentleman moves for passage of Senate Bill 753. On that question is there any discussion? Hearing none, the question is, 'Shall Senate Bill 753 pass?' All in favor vote 'aye', those opposed vote 'no'. 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 106 voting 'yes', 3 voting 'no' and 1 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 984, Representative Capparelli. Out of the record. Senate Bill 1402, Representative Capparelli. Out of the record. We'll now go to the Order of Professional Regulations, Second Readings. The first Bill on that order is Senate Bill 4, Representative Matijeich. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill #4, a Bill for an Act to amend the Public Utility Act. It's been read a second time previously. There are no Committee Amendments."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, being offered by Representative Matijeich, et al."

Speaker Young: "Representative Matijeich, on Floor Amendment #1."

Matijeich: "Mr. Speaker and Members of the House, Amendment #1 to Senate Bill 4 is a issue that we have debated in the legislative halls here for some time and I believe it's an issue whose time has come. Amendment #4 is an Amendment which would provide for an elected Illinois Commerce Commission. It would provide that the 7 members of the Commerce Commission in 1990, would be elected from

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

57th Legislative Day

June 15, 1989

appellate court districts; two from Chicago, one from the suburbs and four from the downstate appellate districts. After the census in 1990, the members of the Illinois Commission...Commerce Commission would be elected from equal..."

Speaker Young: "Excuse me, Representative Matijevich. Representative Hallock, for what purpose do you seek recognition?"

Hallock: "Well, before he elaborates further, I'd like to question the germaneness of this Amendment. It doesn't seem to me it's appropriate at all for this type of Bill."

Speaker Young: "While the Parliamentarian studies the Amendment for the purposes of germaneness, Representative Matijevich may continue the explanation."

Matijevich: "The...in the 1992 election, the members of the Commerce Commission would be elected from districts that would be after the census where the Legislature would apportion districts for that particular office. My feeling is and I believe that the feeling in 70 percent according to the recent survey, 70 percent of the people in the State of Illinois and surely the residential ratepayers, I'm sure the figures are high, who believe that the time has come when an accountable Illinois Commerce Commission be elected by the people. The last ten years...the last decade has shown to all of us that the cost had been rising with regards to ratepayers, particularly those who live in the area that is in the Commonwealth Edison domain, you might say. We feel that the time has come and I would appreciate the support of the Members of the House in finally bringing an Illinois elected Commerce Commission as is done in eleven states. We are only looking for fairness with regards to the rate structure. We are not looking for a treatment that is preferential, only fairness. The

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

57th Legislative Day

June 15, 1989

residential ratepayers surely has not had fairness in the rate-making structure. Thank you for your support."

Speaker Young: "Representative Hallock, the Parliamentarian has moved that the Amendment is germane in the fact that the underlying Bill deals with the Commerce Commission and the Amendment deals with the Commerce Commission. Further discussion? The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As the Sponsor of this Amendment indicated, we have discussed or debated this issue before in the form of I believe it was House Bill 988. At that time the Assembly opposed the adoption of the...of an elected Commerce Commission. That vote was taken less than a month ago. I know of nothing that has intervened since that time that should change that position. I would however, say I the same thing that I said that...that time and that is that there is no history to indicate that an elected Commerce Commission is in a position to do anything different than an appointed Commerce Commission. In fact, there are rates that are significantly high in states that have elected Commissions. There is a process for electing the people who make the appointments. Those are the ones who are held responsible in the elective process. I think when you look at the activities of the Illinois Commerce Commission over its entire history, you'll find out that the people who served on that under Democrat...appointed by Democrat or Republican Governors have done the best job that they could do, consistent with the statutes as we pass them here in the General Assembly and they must enforce. For that reason, Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to this Gentleman...to this Amendment by the Representative from Lake."

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

57th Legislative Day

June 15, 1989

Speaker Young: "Further discussion? The Gentleman from Will, Representative Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. I too rise in support of Representative Matijevich and also I'm the Cosponsor of this Amendment. The reason for the Amendment was because our two Bills got stuck in the crunch last week and when the Bills were brought up we never had enough Members present. So, we were forced to put this on as an Amendment, but to the context of the Amendment, every state in the United States that has an elected Commerce Commission has appreciably lower rates. In the State of Illinois with an appointment process, we have one of the highest rates in the whole United States. We are becoming very, very, very publicity wise as far as the whole country is concerned as far as our rates are concerned. What we are trying to do, is get more responsibility to the Commerce Commission by making them be elected and thereby getting lower rates to try to be representative of our people. In almost every case that comes up, especially in my district in Commonwealth...having to do with Commonwealth Edison, Commonwealth Edison comes in and says they want a billion dollars when they really only want five hundred and fifty million and what happens after two or three months, they get their five hundred and fifty million which they wanted in the first place. There are two appointments pending right now and they have been pending every since last year. And the Governor, I believe, is using these things to put pressure to bear on the people who reputedly are more or less in favor of the general public. So, we passed this last year and it was carefully pigeonholed in the Senate and I wish that everyone that voted for it last year would give us an 'aye' vote today, too."

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

57th Legislative Day

June 15, 1989

Speaker Young: "Further discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "I rise in opposition to this. This is the same matter that's been before this Body for many years now and it's never become law, and in its infinite wisdom, our institution has seen fit to make sure that does not happen. There's no reason to be electing the ICC. It's tantamount to electing any state agency, any federal agency. Is the FAA elected? Is the FCC elected? Is the federal CFTC elected? The SEC elected? No. They are not politicians, they are not to be politicians, because this Bill and the proponents of an elected Commerce Commission and the supporters of rates reductions would do so. Unilaterally they would attack the symptoms rather than the cause. If you want lower utility rates, you make utility's provision of their product more affordable and you see that it's passed on to the consumer. We're not just talking about the consumer here or the ratepayer, we're also talking about the stockholder. That group of people has a right and that group of people includes many hundreds of thousands of Illinois residents and that is something that is all too often ignored in the race to the newspapers to get publicity for taking what is a superficial stand, a stand based not on the merits, but on the perceptions of the public who too often looks for only a simple answer. This is not a real response to any problem. It is a panacea. It has political value only and we should again defeat it as we defeated it once before this year."

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

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in strong support of Amendment #1. The Illinois Commerce Commission is an agency very much out of control. It is an agency that thinks it is above the law."

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

57th Legislative Day

June 15, 1989

It ignores court decisions that again and again say it is granting rate increases that have no basis in fact or in law. It ignores this Body by ignoring the laws, the reforms that we have passed after a great deal of public input over the last several years. In the last Commonwealth Edison case, they had the gall to say 'if we followed the law, we would have denied the increase, but we've negotiated with the utility and we're going to grant an increase.' The courts again and again overturn the decisions of this Commission and what happens is, that they then go back on remand to this Commission that sits on them and we continue to pay rates that have been declared to be unconstitutional by the courts. We have in this country the highest electric rates with the exception of two thousand residents of Hawaii. This hurts not only people on fixed income, not only the consumers, but it affects our business community, our ability to hold on to the businesses in this state. Every year for the last several years one of the major accounting firms in the country has done a survey of major factors affecting business location and number one has been the high cost of energy. We are losing jobs, we are losing businesses, because of the way this Commerce Commission has operated in the last several years. We need to make a change. People are fed up with this Commission. They're fed up with the situation where commissioners rather than doing what is right, are concerned about their reappointment and figure they're going to vote the way they think the Governor may want them to vote in order to get reappointed. We have to change that so people vote on this Commission based on what is right, what is best for all of the consumers of this state and I think we've gotten to the point when the only option we have is to change the method of selection, so that we

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

57th Legislative Day

June 15, 1989

make these commissioners accountable to all the people of the State of Illinois."

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Amendment, but for none of the reasons expressed by the previous speaker. I do not agree that the members of the Illinois Commerce Commission are ill-intended people who are not trying to do the best job that is...that they are able to do in accordance with their conscience and in accordance with the dictates of law. I am certain they do wake up in the morning and say that 'I'm going to see if I can do the best job that I can this day and not less than that.' I think they are able individuals, they're intelligent individuals, they understand their duty and their legal obligations and they try to fulfill them. However, there is a perception and there's a perception in the public that the ever increasing utility rates are because of the sometimes capricious decisions of the members of the Commerce Commission. That's the perception and I think the public has a right to have the perception that the people who regulate government over them are people who are not ill-intended are people who are not unduly influenced by the business community or by any other influence, and it's because of that perception that I think we need an elected rather than an appointed Commerce Commission. Yes, I think elected individuals will also try to do a good job, and yes, I think as we have seen in other states that have an elected Commerce Commission, that utility rates may not fall below some level even perhaps where they are today, because the dictates of law and the dictates of reasonable economic return on investment do not dictate that those rates in some instances may be lowered. But when we do have the

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

57th Legislative Day

June 15, 1989

responsiveness of an elected Commission, the public will gain the perception that they control the government that regulates them and not some hidden other concern. And for that reason, I urge the people in this House of Representatives to vote 'aye' and support Floor Amendment #1 to Senate Bill 4."

Speaker Young: "Representative Matijevec, to close."

Matijevec: "Mr. Speaker, Ladies and Gentlemen of the House, I listened carefully to the opposition. The opposition to this Amendment is that this is an Amendment that has been introduced for its political value. That's the opposition. I will admit that this Amendment has political value. Why does it have political value? Because the people believe that the time has come. It has been said often that no idea is stronger, no idea has political value as much as an idea whose time has come. That's why this Amendment has political value, strong political value. It's not just because the people get the chance to vote, it's the fact that the people have seen for the last ten years that the Illinois Commerce Commission has not been accountable. What we have done enough through this legislative process to rewrite the public utilities laws, to try to write accountability into that rewrite law and yet those laws that we have enacted have been circumvented by the Illinois Commerce Commission. What we are saying by this Amendment to the Illinois Commerce Commission as it is today is, enough is enough, you haven't done the job. This is the last resort. So, I believe that the people in my district I know must feel like the people in your district. This issue probably has more political appeal than anything we have had here in this House this year. The people though are frustrated. If you don't vote for this Amendment, you're really telling the people, 'I'm not listening to

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

57th Legislative Day

June 15, 1989

you. I think you're wrong. I think that we should continue to have an appointed...elected Commerce Commission that's not doing the job.' I think it's time for a change and I would urge the Members of this House to join with seventy percent of the people in Illinois who feel that the Commerce Commission ought to be elected and vote 'aye' with me."

Speaker Young: "The Gentleman moves for the adoption of Floor Amendment #1 to Senate Bill 4. On that question, all in favor vote 'aye', all opposed vote 'no'. Voting is open. Have all voted who wish? Representative Morrow to explain his vote."

Morrow: "Thank you, Mr. Speaker. As...when this matter was a House Bill, I had to get up to state my conflict of interest. I will again mention that I have a possible conflict of interest in this matter, but I do plan on voting my conscience as the Representative of the 32nd district and at the appropriate time I will place my vote. Thank you."

Speaker Young: "Have all voted who wish? Have all voted who wish? Mr. Clerk...Representative McCracken to explain his vote. Have all voted who wish? Mr. Clerk, take the record. Representative Van Duyne."

Van Duyne: "Might we poll the absentees, please?"

Speaker Young: "Request a poll of the absentees. Representative Young."

Young: "Someone inadvertently voted me 'no' and I wanted to vote 'yes'."

Speaker Young: "Vote Representative Young 'aye'. Poll of the absentees."

Clerk Leone: "Poll of those not voting: Black, Bowman, Cullerton, Flowers, Harris, LeFlore and Terzich. No further."

Speaker Young: "Davis votes 'aye'. Representative Trotter."

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

57th Legislative Day

June 15, 1989

Trotter: "For the Sponsor I vote 'aye'."

Speaker Young: "Votes 'aye'. Representative Shirley Jones votes 'present'. Representative McCracken...requests a verification of the affirmative vote."

Clerk Leone: "Poll of the affirmative: Balanoff, Breslin, Brunsvold, Bugielski, Curran, Davis, DeJaegher, DeLeo, Edley, Farley, Flinn, Giglio, Giorgi, Hannig, Hartke, Homer, Krska, Kulas, Lang, Laurino, Leverenz, Levin, Martinez, Matijevich, McNamara, Morrow, Mulcahey, Munizzi, Novak, Phelps, Preston, Rice, Richmond, Ronan, Saltsman, Santiago, Shaw, Steczo, Stephens, Stern, Sutker, Trotter, Van Duynes, Weller, White, Williams, Williamson, Wolf, Woolard, Anthony Young, Wyveter Younge, Zickus, Mr. Speaker."

Speaker Young: "Rep., McCracken, do you have questions of the affirmative vote?"

McCracken: "Yes, and before I start I'd just like to say I've lost my glasses, so I really can't see anyone over there. So if you'd all sit down and sit in your seats..."

Speaker Young: "Representative Rice, for what purpose do you seek recognition?"

Rice: "Would you give me a 'present' vote on this?"

Speaker Young: "Representative Rice votes 'present'. Representative Wyveter Younge asks leave to be verified. Wyveter Younge. She has leave."

McCracken: "I'm not kidding, I can't see. If anyone finds any glasses, by the way, they've been missing for about an hour. No questions asked, either. Just return them and I'll be eternally grateful. And I'll be happy for a short time."

Speaker Young: "Representative Curran asks leave to be verified."

McCracken: "Yes. Ready? Representative Trotter."

Speaker Young: "Representative Trotter is in his seat."

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

57th Legislative Day

June 15, 1989

McCracken: "Representative Krska."

Speaker Young: "Representative Krska. Is the Gentleman in the chamber? Representative Krska. How is the Gentleman recorded?"

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

Speaker Young: "Remove him."

McCracken: "Representative Monique Davis."

Speaker Young: "Representative Monique Davis is in the rear of the chamber."

McCracken: "Representative Paul Williams."

Speaker Young: "Representative Williams. Representative Paul Williams. The Gentleman is in the rear of the chamber."

McCracken: "Representative DeLeo."

Speaker Young: "Representative DeLeo. Representative DeLeo. How is the Gentleman recorded?"

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

Speaker Young: "Remove him."

McCracken: "Representative Phelps."

Speaker Young: "Representative Phelps...is in the chamber."

McCracken: "Representative Bowman."

Speaker Young: "Representative Bowman. Representative Wood Bowman."

McCracken: "He's not voted?"

Speaker Young: "He's not voted."

McCracken: "Representative Leverenz."

Speaker Young: "Representative Ted Leverenz. Is the Gentleman in the chamber? How is Representative Leverenz recorded?"

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

Speaker Young: "Remove him."

McCracken: "Representative Woolard."

Speaker Young: "Representative Woolard...is in the center aisle."

McCracken: "Ready? Ready?"

Speaker Young: "We're ready."

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

57th Legislative Day

June 15, 1989

McCracken: "Alright. Representative LeFlore."

Speaker Young: "Representative LeFlore is not voting."

McCracken: "Representative Laurino."

Speaker Young: "Representative Laurino is in Representative DeLeo's chair."

McCracken: "Alright. Representative Wolf."

Speaker Young: "Representative Wolf. Representative Wolf. How is the Gentleman recorded?"

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

Speaker Young: "Remove him."

McCracken: "Representative Granberg."

Speaker Young: "Representative Granberg..."

McCracken: "Not voting? Representative Woolard."

Speaker Young: "Representative Wolf has returned to the chamber. Add him to the affirmative Roll Call."

McCracken: "He wasn't off. Representative Kulas."

Speaker Young: "Representative Myron Kulas is in his chair."

McCracken: "Representative Ronan."

Speaker Young: "Representative Ronan is in his chair."

McCracken: "Well, then why does my sheet say he's not here? Representative Giglio."

Speaker Young: "Representative Giglio. Representative Giglio. Representative Frank Giglio. How is the Gentleman recorded?"

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

Speaker Young: "Remove him."

McCracken: "Representative Brunsvold."

Speaker Young: "Representative Brunsvold. Representative Brunsvold. Is the Gentleman in the chamber? How is the Gentleman recorded?"

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

Speaker Young: "The Gentleman is in the chamber at the side door."

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

57th Legislative Day

June 15, 1989

McCracken: "Nothing further."

Speaker Young: "Nothing further. Representative Leverenz has returned to the chamber and wishes to be recorded as 'no'. There are no further questions of the affirmative Roll Call? Representative Balanoff, for what purpose do you seek recognition?"

Balanoff: "I want...I want to verify the negative votes."

Speaker Young: "The Gentleman seeks a verification of the negative votes. Mr. Clerk."

Clerk Leone: "Poll of those voting in the negative: Ackerman. Barger. Churchill. Countryman. Cowlishaw. Currie. Daniels. Deuchler. Didrickson. Doederlein. Dunn. Goforth. Hallock. Hasara. Hensel. Hicks. Hoffman. Hultgren. Johnson. Lou Jones. Keane. Kirkland. Klemm. Kubik. Leitch. Leverenz. Mautino. Mays. McAuliffe. McCracken. McGann. McPike. Bob Olson. Myron Olson. Parcels. Parke. Bernard Pedersen. William Peterson. Petka. Piel. Pullen. Regan. Ryder. Satterthwaite. Sieben. Stange. Tate. Wait. Weaver. Wennlund and Wojcik. No further."

Speaker Young: "Questions of the negative vote?"

Balanoff: "Representative Klemm."

Speaker Young: "Representative Klemm. Representative Klemm. Is the Gentleman in the chamber? How is he recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'no'."

Speaker Young: "Remove him from the Roll."

Balanoff: "Representative Ryder."

Speaker Young: "Representative Ryder...is in the rear of the chamber."

Balanoff: "Representative Mays."

Speaker Young: "Representative Mays is in the chamber."

Balanoff: "Representative Goforth."

Speaker Young: "Representative Goforth is...Representative

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

57th Legislative Day

June 15, 1989

Goforth."

Balanoff: "Where's he at? Oh, he's outside the chamber. Is that in the chamber or not? Well, let him walk in, that's alright. We'll let him go. He'll come in. Representative McAuliffe."

Speaker Young: "Representative Jones, for what purpose do you seek recognition?"

Jones: "Please change my 'no' to 'present'."

Speaker Young: "Representative Jones votes 'present'. Lou Jones."

Balanoff: "Representative McAuliffe."

Speaker Young: "Representative McAuliffe. Representative McAuliffe. Is the Gentleman in the chamber? Representative Balanoff, do you wish to question Representative McAuliffe?"

Balanoff: "McAuliffe, yes."

Speaker Young: "Representative McCracken."

McCracken: "He's in the nurse's office and even someone as mean as me pays respect to that and we're just asking for the same treatment. Let's not take him off the Roll Call."

Balanoff: "Representative Stange."

Speaker Young: "Representative Stange? Representative Stange. Is the Gentleman in the chamber? Remove him. How is he recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'no'."

Speaker Young: "Remove him from the Roll Call."

Balanoff: "Representative Weaver."

Speaker Young: "Representative Weaver. Representative Weaver...is in the chamber. Representative Preston, for what purpose do you seek recognition?"

Preston: "Well, Mr. Speaker, I hope Representative Balanoff will give every consideration to Representative McAuliffe, as I'm sure he will, but I take issue with the statement of

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

57th Legislative Day

June 15, 1989

Representative McCracken. I think somebody as mean as he is would certainly require somebody to leave the nurse's station."

Speaker Young: "Further questions of the negative vote?"

Balanoff: "Representative leverenz."

Speaker Young: "Representative Leverenz. The Gentleman is in the chamber."

Balanoff: "Representative Dunn."

Speaker Young: "Representative John Dunn...is in the chamber. In the rear."

Balanoff: "Representative McPike."

Speaker Young: "Representative McPike. Representative McPike. How is the... Representative Stange has returned to the chamber, add him to the negative Roll. How is Representative McPike recorded?"

Clerk Leone: "The Majority Leader is recorded as voting 'no'."

Speaker Young: "Representative McCracken."

McCracken: "Representative McPike and I struck a bargain many years ago. We never verify him off a Roll Call. He's one of the Leaders."

Speaker Young: "Your point is well taken, Representative McCracken."

Balanoff: "Representative Tate, then."

Speaker Young: "Representative Tate is in his chair."

Balanoff: "Where? Oh, he is. Representative Keane."

Speaker Young: "Representative Keane. Representative Keane. Is the Gentleman in the chamber? How is he recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'no'."

Speaker Young: "Remove him from the Roll Call."

Balanoff: "Representative Wennlund."

Speaker Young: "Representative Wennlund...is in the chamber. Representative Barnes, for what purpose do you seek recognition?"

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

57th Legislative Day

June 15, 1989

Barnes: "Mr. Speaker, how am I recorded?"

Speaker Young: "Mr. Clerk, how is Representative Barnes recorded?"

Clerk Leone: "The lady is recorded as voting 'present'."

Barnes: "Please change my 'present' vote to 'no'."

Speaker Young: "Representative Frederick, for what purpose do you seek recognition?"

Frederick: "Mr. Speaker, will you please change my vote to 'no'?"

Speaker Young: "Representative Barnes and Virginia Frederick voting 'no'. Representative Shirley Jones, for what purpose do you seek recognition?"

Jones, S.: "Change me to 'aye'."

Speaker Young: "Representative Shirley Jones votes 'aye'. Representative Rice, for what purpose do you seek recognition? Representative Nelson Rice changes his vote to 'aye'."

Balanoff: "Representative Black."

Speaker Young: "Representative Rice, are you seeking recognition again? Representative Black. Representative Black. Is the Gentleman in the chamber? Representative Black is not voting, Representative Klemm has returned to the chamber and is voting 'no'."

Balanoff: "How about Representative Leitch?"

Speaker Young: "Representative Leitch is in his chair."

Balanoff: "Representative Sieben."

Speaker Young: "Representative Sieben...is in the front of the chamber. Are there further questions of the negative vote?"

Balanoff: "What about Representative Leverenz?"

Speaker Young: "Representative Leverenz is in the chamber and wishes to be recorded as 'aye'."

Balanoff: "Okay. Take the Roll."

Speaker Young: "Are there any further questions of the negative

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

57th Legislative Day

June 15, 1989

vote?"

Balanoff: "That's it. No."

Speaker Young: "On this question there are 51 voting 'yes', 50 voting 'no', one voting 'present' and the Amendment is adopted. Further Amendments?"

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

Speaker Young: "Withdraw Amendment #2."

Clerk Leone: "Floor Amendment #3, offered by Representative Matijevich."

Speaker Young: "Representative Matijevich on Floor Amendment #3."

Matijevich: "Withdraw Amendment 3 also, Mr. Speaker."

Speaker Young: "Withdraw Amendment #3."

Matijevich: "Thank you very much."

Clerk Leone: "Floor Amendment #4 offered by Representative Matijevich."

Speaker Young: "Floor Amendment #4, Representative Matijevich."

Matijevich: "Amendment...are we on Amendment #4, Mr. Speaker?"

Speaker Young: "Yes, we are."

Matijevich: "Alright. Amendment #4 speaks to the underlying Bill, not to the matter of the elected Commerce Commission. The underlying Bill, Amendment #4 is...was worked out with the people's gas company, the ICC, Senator Welch and all concerned parties. The underlying Bill had to do with making it...the ICC and public utilities to be more active before the Federal Energy Regulatory Commission and I therefor move the adoption of Amendment #4."

Speaker Young: "The Gentleman moves the adoption of Floor Amendment #4 to Senate Bill 4. On that question is there any discussion? Hearing none the question is, 'Shall Floor Amendment #4 to Senate Bill 4 be adopted?' All those in favor say 'aye, those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted.

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

57th Legislative Day

June 15, 1989

Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Young: "Third Reading. Senate Bill 707, Representative Flowers. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 707, a Bill for an Act to amend the Hospital Licensing Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Third Reading. Senate Bill 764, Representative Williamson. Representative Williamson. On Senate Bill 764. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 764, a Bill for an Act in relationship to fireworks. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Third Reading. Senate Bill 1311, Representative Granberg. Out of the record. We'll now go to the Order of Professional Regulation, Third Reading. The Sponsors on this Order are Mautino, Novak, DeLeo, Steczo and Hannig and Giorgi. The first Bill is Senate Bill 96, Representative Mautino. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 96, a Bill for an Act relating to the powers and duties of the Department of Professional Regulation. Third Reading of the Bill."

Speaker Young: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker and Members of the House. This legislation which was the Department rewrite, sponsored by Senator Jones in the Senate, basically amended those health practice professions into the Civil Administrative Code and allows the Department of Professional Regulation to use all those funds under the provisions of the Medical Practice Act for the purchase of...as it pertains to purchase of controlled substance, professional service for the enforcement of operations and surveillance equipment. It also provides for the sums for

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

57th Legislative Day

June 15, 1989

such purposes that shall be advanced under the provisions for the commercial checking for those purposes. Currently, the Director of the Department of Professional Regulation is authorized to issue evidence funds if appropriated only for the purpose of securing and preparing evidence. What we have before us is...is that provides for the confiscated cash and property deposited in the Professional Regulation Evidence Fund for use in preparing that evidence and purchasing controlled substances or other enforcement costs. Currently those funds are only deposited if collected under the Medical Practice Act and are only to be used and...to secure and to prepare evidence. This legislation provides that those procedures for withdrawing those funds and setting up those checking accounts be established and I move for its adoption."

Speaker Young: "The Gentleman has moved for the passage of Senate Bill 96. On that question the Gentleman from DeKalb, Representative Countryman."

Countryman: "Will the Representative yield? Representative Mautino, the board says 'repeal the Professional Engineering Act'. And everything I heard you say didn't apply much to professional engineering. Is that what we're doing? Are we on Third Reading?"

Mautino: "No. We have amended that legislation. That's what the board says, but what we have is the professional...regulating the health professions."

Countryman: "Okay. So we're regulating a whole different Act. Now when you talked about confiscated money from drug usage, is that money that's forfeited?"

Mautino: "Correct."

Countryman: "And that's money that isn't subject to appropriation, is that correct?"

Mautino: "As of this time, yes. What we're saying is, all those

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

57th Legislative Day

June 15, 1989

finances and that...that money collected under that Section shall be deposited in the Professional Regulation Evidence Fund."

Countryman: "And in your opinion, is this the way we should do it and does it provide adequate safeguards that the Auditor General would deem acceptable procedure for those sorts of funds that are not appropriated?"

Mautino: "I think...I think the answer to that question is yes and the Department feels that way, too. It's their Bill."

Countryman: "Well, I know the Department probably does, but I want your judgment, that you feel you're satisfied with that."

Mautino: "Well, I guess, as I read it...and I'm not an attorney...and as we've evaluated it, it seems to me that the protections are there. And they are criminal fines and monies and other property collected under that Section will be accounted for. As I read it and as I understand it, John."

Countryman: "And they're subject to audit by the Auditor General?"

Mautino: "Yes. Yes."

Countryman: "Thank you."

Speaker Young: "Further discussion? Representative Mautino to close."

Mautino: "Thank you very much. Ladies and Gentlemen, this was a shell Bill, in response to the original question of how did this proposal get attached to this legislation. It was a vehicle Bill. I think what we do establish with this legislation, I think is a practice that we go through the accounting of the Evidence Fund. We provide the safeguards, I think, that are necessary and we address all those criminal fines and other money and property collected or received by the Department under this Section to be

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

57th Legislative Day

June 15, 1989

accounted for and I think that's the proper way to go. I move for its adoption."

Speaker Young: "The Gentleman has moved for passage of Senate Bill 96. All those in favor vote 'aye', those opposed vote 'no'. 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 109 voting 'yes', none voting 'no' and none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 250, Representative Novak. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 250, a Bill for an Act to amend the Water Well Construction Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Mr. Clerk, what Order is this Bill on?"

Clerk Leone: "I'm sorry. This is on the Order of Third Reading. Senate Bill...Senate Bill 250, a Bill for an Act to amend the Water Well Construction Code. Third Reading of the Bill."

Speaker Young: "Representative Novak."

Novak: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 250 amends the Water Well Construction Code to require permits for all water well construction. It requires permits...requires the Department of Public Health to issue permits for the construction and operation of potable water wells other than community public water systems. The Illinois Department of Public Health supports this Bill. This Amendment is needed for permitting all water wells to be licensed and permitted by the Department of Public Health. As you know, we've had a lot of problems in the State of Illinois in certain areas, specifically in my district, in Representative Homer's district and other areas about irrigation wells and other high capacity wells

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

57th Legislative Day

June 15, 1989

are being dug without the knowledge of the local health departments or the Illinois Department of Public Health and I'd ask for your 'aye' vote on this Bill."

Speaker Young: "The Gentleman moves the passage of Senate Bill 250. On that question the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank You. Will the Sponsor yield?"

Speaker Young: "He indicates he will yield for a question."

McCracken: "There really is no legitimate interest in non-drinking water from a public health perspective, it's more a conservation or a...an agriculture issue, isn't it? I imagine DPH wants to have this authority because all bureaucracies want to grow. But there's no good reason, is there? I mean...why them, instead of Mines and Minerals or whoever does it now?"

Novak: "Well Representative, I think this is whether it's a public health concern or an agricultural concern. There's a great proliferation of wells being placed and dug in the State of Illinois and speaking from the perspective of my area back home, we've had over a hundred wells, high capacity, deep wells dug without our knowledge and I think it's a good omen for the State of Illinois to put these well...put these well diggers on notice and these people who want to dig these high capacity wells that they may have serious impact affecting other people's wells within the adjacent area."

McCracken: "Are the farmers for it? Has...you know, I don't live in a farm community, have the farmers groups passed on this?"

Novak: "My understanding, I haven't had any opposition from them."

McCracken: "Well, you...so to your knowledge there's no opposition, but you don't know, cause you haven't heard

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

57th Legislative Day

June 15, 1989

from them."

Novak: "Well, I talk to the Farm Bureau all the time and they have not come to me and said they are adamantly opposed to it."

McCracken: "What is the Public Health function though, of checking non-drinking wells? There is no public health issue. There isn't any question of contamination. You're talking about depletion of a resource. What's the point of putting it in Public Health? I just don't see it. What is the point?"

Novak: "Well, Representative, to answer your question, whether it's with the Department of Agriculture or Public Health, the question is, the possible impact of a residential well or residential water supplies being depleted by high capacity wells that may be dug in areas adjacent to their homes. That's the purpose."

McCracken: "Well, I think what you've got is a controversy between users in the rural districts of this State and I don't begrudge you that and I don't think it's such a bad thing to try to solve it, but this just doesn't seem to be the answer. Does anyone in the body know about this issue? Why is it the Department of Public Health? Why is it not Agriculture making these decisions, or somebody else? I don't know the issue. It just doesn't seem like it's the right place to put it. And really what it is, is...it appears to me to be not a solution, at least a solution that accommodates the non-water drinking users, or the non-drinking water users. It may be a solution for the drinking water users, but not for the vegetable growers, not for farmers."

Novak: "Representative, to expound a little bit more. It's basically what we want to concentrate the registration of wells with one agency instead of having a proliferation of

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

57th Legislative Day

June 15, 1989

other agencies involved with respect to registering these wells, Tom."

McCracken: "Is there discretion in the current law to deny a permit to dig a non-drinking water well?"

Novak: "I don't think there is."

McCracken: "So what do they do? They just go there for the..."

Novak: "Well, of course it's a matter of record keeping, but we want to know trends or proliferation of these high capacity wells. Where they may be occurring. Sure, they're going to be occurring in irrigation areas, because they need the water, the resources for their crops. But they could also be dug in other areas of the State and other areas of the county."

McCracken: "Alright. Thank you."

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

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

Speaker Young: "He indicates he will yield for a question."

Black: "Yes. Phil...excuse me...Representative, does this come out of the problem in Papano?"

Novak: "Well, yes, it emanates from that, Representative Black and other areas of the State also."

Black: "Alright. Would...I think I know where you're headed. I'm not sure this is the best way to get there, but let me take this one step further, and I...you know, I'm not that far away from you and I understand the situation in Papano where the water went dry and they had some serious concerns as to whether or not it was caused by some irrigation for some...from some farmers up there in that area. But I think...as you know, I think that the City of Decatur is currently in a mode of drilling, or at least attempting to drill, some significant wells to perhaps feed into their

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

57th Legislative Day

June 15, 1989

lake if they have a drought as they did last year and I think that is somewhat controversial in that area. Would this Bill then affect a municipality like Decatur?"

Novak: "No, it does not. It's...it specifically says in the analysis here, Representative Black, it says, 'All potable water wells other than community public water systems'."

Black: "Okay. Well, I think the question though in Decatur is that it's flowing into the lake, rather than directly to a treatment system. It's something that some people have asked questions about. I guess I don't rise in opposition to this. I think you're headed in the right direction, but I do think we're going to have to have some very well thought out state policy on what we're going to do on irrigation and the use of our ground water supplies. I think you're headed in the right direction. This may or may not be the best way to get there."

Novak: "Representative, I understand that. We have other legislation we're working on that to make very definitive rules and regulations with respect to ground water usage, vis-a-vis farmers and agricultural purposes and for residential purposes."

Black: "Thank you very much."

Speaker Young: "Further discussion? Representative...the Lady from St. Clair, Representative Wylvetter Younge."

Younge: "I wondered whether or not this was a preemption of home rule and therefor what is the vote required?"

Novak: "This doesn't preempt home rule...no it doesn't."

Speaker Young: "While the Par...while the Parliamentarian checks the Bill to see if it is a preemption of home rule, Representative Novak will close."

Novak: "Thank you, Mr. Speaker. To reiterate, we need a comprehensive policy in this State with respect to regulating the number of wells and for issuing permits the

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

57th Legislative Day

June 15, 1989

number of wells, whether they're small wells or high capacity deep wells that are being dug in this state. From problems that exist in the 86th district, which is Kankakee and Iroquois county, or other areas of the state, with possible problems in Whiteside County, Mason County and other counties around the State of Illinois and possible further counties, the Department of Public Health, I think is the most appropriate agency since it deals with public health matters. Potable water is a very important resource for people for their livelihood and it's not...this is not an unreasonable Bill and I ask for your support. Thank you."

Speaker Young: "The Gentleman moves for passage of Senate Bill 250. On that question, all those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Yes. The Parliamentarian has ruled this Bill does not preempt home rule and it does require 60 votes to pass. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 91 voting 'yes', 14 voting 'no', 6 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 306, Representative DeLeo. Out of the record. Senate Bill 389, Representative Hannig. Representative Hannig on Senate Bill 389. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 389, a Bill for an Act to revise the law in relation to land surveying. Third Reading of the Bill."

Hannig: "Mr. Speaker, could I have leave to bring this back for purposes of an Amendment?"

Speaker Young: "The Gentleman requests leave to return this to the Order of Second Reading for the purposes of an

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

57th Legislative Day

June 15, 1989

Amendment. Does he have leave? Leave is granted. Second Reading. Read the Bill, Mr. Clerk."

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

Speaker Young: "Representative Doederlein on Floor Amendment #1."

Doederlein: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. This is the vicious dog Amendment that I introduced yesterday. Concerns yesterday were that there were no upper limits for a county to follow. Now we've addressed those upper limits and Amendment #1 to Senate Bill 389 allows counties to adopt vicious dog ordinances and provides guidelines for such ordinances and any fines imposed for violating of such ordinance shall not exceed five hundred dollars. I ask for a favorable vote on this Amendment."

Speaker Young: "The Lady moves for passage of Senate Bill 389 and on that question...Representative Homer, for what purpose do you seek recognition?"

Homer: "Speaker, parliamentary inquiry. I would request a ruling of the Chair as to whether this Amendment is germane."

Speaker Young: "Representative Homer, your point is well taken. The Parliamentarian has ruled that the Amendment is not germane. Representative McCracken."

McCracken: "Let's roll this Amendment. Is someone in opposition to the Amendment? We pulled it out. This amends the same Chapter as the Bill that we thought was going to have been germane yesterday."

Speaker Young: "It was germane yesterday."

McCracken: "Is it the same Bill as it was yesterday? Are you going to tell us that because it's merely the same Chapter and not the same Act that it's not germane?"

Speaker Young: "One free bite, Representative McCracken. Further Amendments?"

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

57th Legislative Day

June 15, 1989

Clerk O'Brien: "No further Amendments."

Speaker Young: "Representative Hannig."

Hannig: "Yes. I assume, Mr. Speaker, that since the Bill was not amended, it would be appropriate to call it on Third now?"

Speaker Young: "Yes, it would. Third Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 389, a Bill for an Act to revise the law in relation to the definition of licensing and regulation of the practice of land surveying. Third Reading of the Bill."

Speaker Young: "Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This is the rewrite of the Land Surveyors Act. It is an Agreed Bill. It's been negotiated by all parties. There's no opposition to it and I would simply ask for your 'yes' vote."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 389. On that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Representative Hannig is sorely mistaken. We are opposed to this Bill and I predict, Representative Hannig, that you will not find 60 people in their seats over there on which to rely. So please, let's give Representative Hannig a hard time now. Let's kill this Bill for the day and then we'll all go home happy. So let's vote 'no' on this side and if it's really important to him, he can try to pass it tomorrow."

Speaker Young: "Representative Hannig to close. Representative Hannig."

Hannig: "Well, thank you, Mr. Speaker and Members of the House. This is a bipartisan Bill. It's sponsored by myself and Representative Barger and Representative Ryder. The...yes, some of those outstanding Republican legislators on that

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

57th Legislative Day

June 15, 1989

side of the aisle. It's been worked out by the Department, by the land surveyors. They...it took a lot of effort to get this thing together. It's kind of a tenuous situation, perhaps, if we would let it be defeated at this point and while I certainly had every intention of trying to help the Representative on that side, Representative Doederlein, as you well know the Chair makes these rulings and in this case I would...and I simply would ask that we get this Bill over to the Governor's desk where he can sign it and I'd be happy to work with Representative Doederlein to find a place for those wild dogs and we'll take care of them."

Speaker Young: "The Gentleman moves the passage of Senate Bill 389. On that question all those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this record (sic, Bill) there are 106 voting 'yes', 1 voting 'no' and 1 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. We will now go to the Consent Calendar for two Bills that need Amendments. The first Bill is Senate Bill 182, Representative Cowlshaw. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 182, a Bill for an Act to amend the Park District Code. This Bill appears on Third Reading."

Speaker Young: "Representative Cowlshaw..."

Clerk O'Brien: "The Bill was returned to Second Reading and held..."

Cowlshaw: "Yes."

Clerk O'Brien: "...and we were on Amendment #2 offered by Representative Cowlshaw."

Cowlshaw: "Yes...Mr. Speaker...Mr. Speaker, I believe that Amendment #1 has been tabled, is that correct?"

Clerk O'Brien: "Amendment #1 was withdrawn."

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

57th Legislative Day

June 15, 1989

Cowlshaw: "Very good. Thank you very much, Mr. Clerk. Mr. Speaker, Amendment #2 to Senate Bill 182 is the Amendment that I worked with Representative Cullerton on the wording so that the wording would be to his satisfaction. It is an Agreed Amendment and I move for its adoption."

Speaker Young: "The Lady moves for the adoption of Floor Amendment #2 to Senate Bill 182. On that question is there any discussion? Hearing none the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', all opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young: "The Lady now asks leave that Senate Bill 182 be returned to the Consent Calendar. Is leave granted? By use of the Attendance Roll Call, leave is granted."

Cowlshaw: "Thank you, Mr. Speaker."

Speaker Young: "Third Reading. Next will be House (sic, Senate) Bill 1425, Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1425, a Bill for an Act in relation to an agenda for cost effectiveness in education. Second Reading of the Bill. No Committee Amendments."

Speaker Young: "Are there any Floor Amendments?"

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

Speaker Young: "Representative Giorgi on Floor Amendment #1."

Giorgi: "Mr. Speaker, this Bill was on Consent Calendar, but in discussing it with the staff there was some language that needed some cleaning up. Doesn't make any change in the Bill and we thought we'd rather clean it up rather than send it on with that language...redundant language in it, so I urge the adoption of the Amendment. Just clean up language."

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

57th Legislative Day

June 15, 1989

Speaker Young: "The Gentleman moves for the adoption of Floor Amendment #1 to Senate Bill 1425. On that question is there any discussion? Hearing none the question is, 'Shall Floor Amendment #1 to Senate Bill 1425 be adopted?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young: "Third Reading. The Gentleman now asks leave of the Body to have this Bill returned to the Consent Calendar. Does he have leave? By use of the Attendance Roll Call, he's...he has leave for this Bill to be returned to the Consent Calendar. Third Reading, Second Day. Agreed Resolutions."

Clerk O'Brien: "House Resolution 677 offered by Representative White. 678, Keane. 679, Frederick. 680, Ackerman. 681, Saltsman. 682, Trotter. 683, Levin. 685, Giglio. 686, Bob Olson. 688, Mulcahey. 689, Giglio. 690, Churchill."

Speaker Young: "Representative Matijevec moves the adoption of the Agreed Resolutions. By use of the Attendance Roll Call, the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "Senate Joint Resolution 67, Brunsvold and Hasara."

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

Clerk O'Brien: "House Resolution 684 offered by Representative LeFlore with respect to the Memory of Fannie Ann Shannon Watson. House Resolution 687 offered by Representative Shaw with respect to the memory of Leon Havis."

Speaker Young: "Representative Matijevec moves the adoption of the Death Resolutions. By use of the Attendance Roll Call the Death Resolutions are adopted. Allowing for a Perfunctory time for the Clerk to read the Committee

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

57th Legislative Day

June 15, 1989

Reports, Representative Matijevich now moves that the House stands adjourned until the hour of 9 a.m. tomorrow."

Clerk O'Brien: "Committee Reports. Representative Leverenz, Chairman of the Committee on Appropriations I to which the following Bills were referred, action taken June 14, 1989, reported the same back with the following recommendations: Do pass Senate Bills 401, 414 and 420. Do pass as amended, Senate Bills 163, 184, 229, 230, 404, 405, 406, 408, 409, 412, 413, 416, 421, 422, 423, 424, 425, 410, 426, 428, 429, 430, 431, 432, 433, 434, 435, 436, 439, 461, 462, 1164 and 1190. Interim Study Calendar Senate Bills 19...I'm sorry, Senate Bills 1294, 402 and 403. Representative Bowman, Chairman of the Committee on Appropriations II to which the following Bills were referred, action taken June 14, 1989, reported the same back with the following recommendations: Do pass; Senate Bill 12. Do pass as amended, Senate Bills 278, 280, 281, 282, 284, 285, 286, 288, 328, 329, 411, 415, 417, 427, 437, 438, 440, 441, 442, 443, 463, 728, 1166, 279, 37 and 418. There being no further business, the House now stands adjourned, till 9:00 o'clock...9:00 o'clock tomorrow morning."

STATE OF ILLINOIS
86TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 15, 1989

SB-0004	SECOND READING	PAGE	193
SB-0010	SECOND READING	PAGE	114
SB-0010	HELD ON SECOND	PAGE	114
SB-0026	THIRD READING	PAGE	16
SJ-0027	THIRD READING	PAGE	72
SJ-0065	SECOND READING	PAGE	15
S3-0070	THIRD READING	PAGE	39
SJ-0077	SECOND READING	PAGE	8
SB-0096	THIRD READING	PAGE	210
SB-0116	SECOND READING	PAGE	34
SB-0116	SECOND READING	PAGE	81
SB-0116	THIRD READING	PAGE	86
SJ-0116	OUT OF RECORD	PAGE	35
SB-0126	THIRD READING	PAGE	142
SJ-0126	OUT OF RECORD	PAGE	143
SB-0129	SECOND READING	PAGE	106
SJ-0129	OUT OF RECORD	PAGE	106
SB-0134	SECOND READING	PAGE	106
SB-0146	THIRD READING	PAGE	17
SB-0182	RECALLED	PAGE	6
SB-0182	RECALLED	PAGE	221
SJ-0182	THIRD READING	PAGE	221
SB-0234	SECOND READING	PAGE	135
SJ-0239	THIRD READING	PAGE	115
SB-0243	SECOND READING	PAGE	8
SB-0243	SECOND READING	PAGE	15
SB-0243	OUT OF RECORD	PAGE	9
SJ-0247	SECOND READING	PAGE	9
SB-0250	THIRD READING	PAGE	213
SB-0253	THIRD READING	PAGE	180
SJ-0253	OUT OF RECORD	PAGE	182
SB-0309	THIRD READING	PAGE	40
SB-0333	THIRD READING	PAGE	79
SB-0341	SECOND READING	PAGE	11
SB-0354	THIRD READING	PAGE	127
SB-0374	SECOND READING	PAGE	69
SB-0374	THIRD READING	PAGE	89
SB-0389	RECALLED	PAGE	219
SB-0389	THIRD READING	PAGE	218
SB-0389	THIRD READING	PAGE	220
SB-0394	SECOND READING	PAGE	136
SB-0399	SECOND READING	PAGE	137
SB-0399	HELD ON SECOND	PAGE	137
SB-0449	THIRD READING	PAGE	41
SB-0449	POSTPONED CONSIDERATION	PAGE	62
SB-0457	THIRD READING	PAGE	143
SB-0486	THIRD READING	PAGE	144
SB-0488	THIRD READING	PAGE	145
SB-0503	THIRD READING	PAGE	115
SB-0505	SECOND READING	PAGE	176
SB-0507	THIRD READING	PAGE	182
SB-0518	THIRD READING	PAGE	128
SB-0559	SECOND READING	PAGE	138
SB-0573	SECOND READING	PAGE	180
SB-0599	SECOND READING	PAGE	138
SB-0601	THIRD READING	PAGE	17
SB-0612	RECALLED	PAGE	62
SB-0612	THIRD READING	PAGE	62
SB-0612	THIRD READING	PAGE	63
SB-0613	SECOND READING	PAGE	138
SB-0622	THIRD READING	PAGE	129
SB-0647	THIRD READING	PAGE	18
SB-0650	THIRD READING	PAGE	18
SB-0667	SECOND READING	PAGE	139

STATE OF ILLINOIS
86TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 15, 1989

SB-0667	THIRD READING	PAGE	169
SB-0681	THIRD READING	PAGE	66
SB-0687	THIRD READING	PAGE	146
SB-0699	THIRD READING	PAGE	21
SB-0702	THIRD READING	PAGE	23
SB-0703	THIRD READING	PAGE	24
SB-0707	SECOND READING	PAGE	210
SB-0715	POSTPONED CONSIDERATION	PAGE	192
SB-0716	THIRD READING	PAGE	190
SB-0732	THIRD READING	PAGE	95
SB-0732	THIRD READING	PAGE	94
SB-0733	SECOND READING	PAGE	134
SB-0737	SECOND READING	PAGE	108
SB-0741	SECOND READING	PAGE	110
SB-0753	THIRD READING	PAGE	192
SB-0763	SECOND READING	PAGE	112
SB-0764	SECOND READING	PAGE	210
SB-0843	THIRD READING	PAGE	116
SB-0865	THIRD READING	PAGE	96
SB-0887	THIRD READING	PAGE	130
SB-0912	SECOND READING	PAGE	112
SB-0925	SECOND READING	PAGE	14
SB-0936	THIRD READING	PAGE	117
SB-0939	THIRD READING	PAGE	67
SB-0955	THIRD READING	PAGE	118
SB-0999	SECOND READING	PAGE	125
SB-0999	HELD ON SECOND	PAGE	125
SB-1003	THIRD READING	PAGE	119
SB-1016	RECALLED	PAGE	25
SB-1016	THIRD READING	PAGE	24
SB-1029	THIRD READING	PAGE	147
SB-1036	RECALLED	PAGE	26
SB-1036	THIRD READING	PAGE	26
SB-1036	THIRD READING	PAGE	28
SB-1037	THIRD READING	PAGE	35
SB-1046	THIRD READING	PAGE	130
SB-1047	SECOND READING	PAGE	125
SB-1047	HELD ON SECOND	PAGE	125
SB-1080	THIRD READING	PAGE	68
SB-1081	THIRD READING	PAGE	29
SB-1153	THIRD READING	PAGE	148
SB-1179	SECOND READING	PAGE	140
SB-1182	SECOND READING	PAGE	14
SB-1184	THIRD READING	PAGE	69
SB-1198	SECOND READING	PAGE	126
SB-1199	THIRD READING	PAGE	149
SB-1210	SECOND READING	PAGE	176
SB-1210	OUT OF RECORD	PAGE	176
SB-1220	THIRD READING	PAGE	150
SB-1224	THIRD READING	PAGE	151
SB-1255	THIRD READING	PAGE	151
SB-1257	THIRD READING	PAGE	70
SB-1258	THIRD READING	PAGE	30
SB-1270	THIRD READING	PAGE	152
SB-1271	THIRD READING	PAGE	31
SB-1301	THIRD READING	PAGE	97
SB-1301	POSTPONED CONSIDERATION	PAGE	105
SB-1303	SECOND READING	PAGE	126
SB-1304	THIRD READING	PAGE	132
SB-1306	SECOND READING	PAGE	126
SB-1315	SECOND READING	PAGE	141
SB-1315	OUT OF RECORD	PAGE	141
SB-1329	THIRD READING	PAGE	162
SB-1338	THIRD READING	PAGE	71

STATE OF ILLINOIS
86TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 15, 1989

SB-1374	SECOND READING	PAGE	14
SB-1391	THIRD READING	PAGE	163
SB-1400	THIRD READING	PAGE	133
SB-1411	THIRD READING	PAGE	164
SB-1415	SECOND READING	PAGE	15
SB-1417	THIRD READING	PAGE	121
SB-1425	SECOND READING	PAGE	222
SB-1425	SECOND READING	PAGE	88
SB-1429	SECOND READING	PAGE	141
SB-1429	SECOND READING	PAGE	172
SB-1429	HELD ON SECOND	PAGE	142
SB-1429	THIRD READING	PAGE	172
SB-1431	THIRD READING	PAGE	167
SB-1441	THIRD READING	PAGE	32
SB-1456	RECALLED	PAGE	33
SB-1456	THIRD READING	PAGE	33

SUBJECT MATTER

HOUSE TO ORDER - REPRESENTATIVE BRESLIN	PAGE	1
PRAYER - REVEREND JIM ELZERMAN	PAGE	1
PLEDGE - REPRESENTATIVE BALANOFF	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
CONSENT CALENDAR - THIRD READING	PAGE	2
CONSENT CALENDAR - SECOND READING	PAGE	5
REPRESENTATIVE YOUNG IN THE CHAIR	PAGE	26
CONSENT CALENDAR - THIRD READING	PAGE	87
REPRESENTATIVE BRESLIN IN THE CHAIR	PAGE	94
REPRESENTATIVE YOUNG IN THE CHAIR	PAGE	158
AGREED RESOLUTIONS	PAGE	223
GENERAL RESOLUTIONS	PAGE	223
DEATH RESOLUTIONS	PAGE	223
HOUSE ADJOURNED	PAGE	224
PERFUNCTORY SESSION	PAGE	224
COMMITTEE REPORTS	PAGE	224
PERFUNCTORY SESSION ADJOURNED	PAGE	224

DOCUMENT NAME	REQ	STORE	PRINT	DATE	COPY	D	DEPTH	ERROR
	OPER	GROUP	COMMAND			WIDTH		
T061589	9	0	pj	04/26/90	1	66	78	