

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

65th Legislative Day

June 27, 1989

Speaker Giglio: "Ladies and Gentlemen, the hour of 9:45 having arrived, the House will now come to order. Will the people in the gallery please rise. The Chaplain for today will be Pastor Bartlett from the Church of Hope in Gardner, Illinois. Pastor Bartlett is the guest of Representative Weller."

Pastor Bartlett: "On this hectic day, O Lord, it is difficult for us to slow down our thought processes in order to pray. So much awaits the attention of these dedicated men and women. The people of the State of Illinois have placed great responsibility upon their shoulders and our expectations of them are equally as great. We pray, O Lord, that You may give to them Your inner peace which will allow them to overcome the trials and tribulations which confront them. We pray, O Lord, that You may give to them Your wisdom to see beyond the politics of the moment so that they may consider the needs of all of their constituency. We pray, O Lord, that You may give to them Your insight so that they may fully appreciate the impact of their decisions upon generations living and upon generations to come. We pray, oh Lord, that you may empower these Legislators to turn to You in prayer throughout this day as they seek answers to the hard and difficult questions before them. Hear their prayers and help them to hear Your answers to their prayers. We pray, O Lord, that You may forgive these sisters and brothers for their errors and omissions. Oh Lord, as You fill these servants with Your peace, wisdom, insight and power may You also renew their strength so that they shall mount up with wings like eagles, that they may run and not be weary, that they may walk and not faint. O Lord, the giver and sustainer of all life, we pray to You as Your humble children, committing to loving and serving

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You as we love and serve one another. Amen."

Speaker Giglio: "We'll be led in the pledge of allegiance by Representative Weller."

Weller - 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 Giglio: "Roll Call for attendance. Representative Matijevich."

Matijevich: "Speaker, on this side of the aisle it looks as though Capparelli is still on the 14 day disabled list and much to his own displeasure, he probably won't be back for the rest of the Session. He's the only excused absence."

Speaker Giglio: "Representative Kubik."

Kubik: "Mr. Speaker, there are no absentees on the Republican side of the aisle."

Speaker Giglio: "Mr. Clerk, take the record. Attendance for today, 117 present, one absent...one excused absent. A quorum is present, the House is ready to do its business. Representative McGann, do you care to lead us in a song? Ladies and Gentlemen, in the essence of time, the Chair would like to ask if there are any Members who wish to nonconcur with any of the Bills that they are the Sponsors of or wants to recede from any of the Amendments, please notify the Clerk. Representative Currie."

Currie: "Yes. Are we just going on the Calendar? Senate Bill 971."

Speaker Giglio: "Representative...Representative Piel."

Piel: "You are going to nonconcur? House Bill 1778?"

Speaker Giglio: "1778, you wish to nonconcur?"

Piel: "Nonconcur with Senate Amendment."

Speaker Giglio: "We're making the list, Representative Piel."

Piel: "Oh, I'm sorry. I'll come up and sign in, then."

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

Currie: "I move the House refuse to recede from House Amendment 1 to Senate Bill 971 and request the appointment of a Conference Committee."

Speaker Giglio: "Mr. Clerk, read the Bill. 971."

Clerk O'Brien: "I don't have to read them."

Speaker Giglio: "Alright. The Lady's Motion is that the House refuse to recede from the Senate Amendments on Senate Bill...or House Bill 971. House Amendments 1 and 2. Senate Bill 971 and House Amendments 1 and 2. Any discussion on the Lady's Motion? Hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the House refuses to recede on House Amendments #1 and 2 to Senate Bill 971 and requests a Conference Committee. Representative Piel."

Piel: "Yes, Mr. Speaker. I would...excuse me. I move to nonconcur with House Bill 1778, Senate Amendment #1."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, all those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the House nonconcur with Senate Amendment #1 to House Bill 1778. Representative Levin, the Gentleman from Cook."

Levin: "Yeah, Mr. Speaker, Ladies and Gentlemen of the House, I'd move the House nonconcur in Senate Amendment #1 to House Bill 1131. This is a vehicle for the Chicago school reform."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, all those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the House nonconcur with Senate Amendment #1 to House Bill 1131. Ladies and Gentlemen, we

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are now going to the Order of Concurrences, State and Local Government and starting with the top of the page on your Special Order of Business, the second page, appears House Bill 112. Out of the record, Mr. Clerk. House Bill 238. Out of the record. House Bill 240, Representative Steczo. Mr. Clerk, read the Bill. Representative Steczo. House Bill 240. Mr. Clerk, take the Bill out of the record for a minute. House Bill 263, Representative Giorgi. Out of the record. Representative Ryder. Out of the record. Representative Hensel, 397. Out of the record. Representative Hallock, 440. Out of the record. Representative McPike. Out of the record. Representative Weaver, 447. Representative Weaver."

Weaver: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 447 was amended in the Senate at the suggestion of the Illinois State Police to bring the truck... Monster Truck Bill into compliance and make it a little easier for them to enforce. I move to concur in Senate Amendment #1, House Bill 447."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 447?' All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 112 voting 'yes', 1 voting 'no' and none voting 'present'. And the House does concur with Senate Amendments #1 to House Bill 447 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative McCracken, 470."

McCracken: "Thank you, Mr. Speaker. I move to concur in Senate Amendments 1, 2 and 3. This Bill was taken out of the record yesterday at the request of Representative Cullerton



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to confirm whether the parties were in agreement as to the tenancy by entirety. He has confirmed that, the parties are in agreement. The Bill also enacts the Uniform Premarital Agreement Act with a minor modification requested by the Chicago Bar Association which is also in accord with that Amendment and Amendment #1 allows an Order of Protection in juvenile court to extend from 14 to 21 days. I move the concurrence in Senate Amendments 1, 2 and 3."

Speaker Giglio: "Representative McCracken, what's your pleasure on 4?"

McCracken: "And Amendment 4. Amendment 4 is the Amendment requested by the Chicago Bar Association relative to the Premarital Agreement Act and with the passage of that Amendment they are in support of that particular issue. Thank you."

Speaker Giglio: "Any discussion? The question is, 'Shall the House concur with Senate Amendments #1, 2, 3 and 4 to House Bill 470?' All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 113 voting 'yes', none voting 'no' and none voting 'present' and the House does concur with Senate Amendments #1, 2, 3 and 4 to House Bill 470 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 484, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. The underlying Bill passed out of the House and allowed the Secretary of State to reinstate an individuals proof of financial responsibility for any old suspensions. The Amendment adopted in the Senate provides that no transfer of title shall be liable

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for damages for selling a vehicle with a false odometer reading where the alteration or tampering was committed by the previous owner and the transferor did not have reason to know of such alteration. I move its Amendment.... I move that the House concur in Senate Amendment #1."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 484?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes', none voting 'no' and none voting 'present' and the House does concur with Senate Amendment #1 to House Bill 484 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Balanoff, 494."

Balanoff: "Right. Mr. Speaker, Ladies and Gentlemen of the House, I move to concur with Senate Amendment 1 which provides that the state minimum wage shall at no time be less than the federal hourly minimum wage prescribed by Section 206(a) #1 of the Federal Fair Labor Standards Act."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? The Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. We've been visited before on the issue of minimum wage. I would say that what Representative Balanoff is now doing and concurring to the Senate Amendment which would not be as onerous as the Bill that he had tried to pass out of here previously, it does tie to the federal minimum wage level. Depending on where you fall on the issue, I would say vote your conscience."

Speaker Giglio: "The question is, 'Shall the House concur with

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Senate Amendment #1 to House Bill 494?' All those in favor vote 'aye', opposed 'nay'. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. The Gentleman from DuPage, Representative McCracken. Have all voted? Mr. Clerk, take the record. Representative McCracken."

McCracken: "I realize it's a lot of votes, but it is early in the day and this is an important matter. I ask for a verification."

Speaker Giglio: "Representative Balanoff. Representative Homer."

Homer: "Thank you, Mr. Speaker. I believe it would still be timely, would it not, to explain a vote? I mean, you haven't taken the record, have you?"

Speaker Giglio: "No."

Homer: "Well..."

Speaker Giglio: "No, there's been a Motion by Representative McCracken to verify the Roll Call, but..."

Homer: "Well, that would be in order after the Clerk had taken the record, but as I understand it the record has not yet been taken. The record had not been announced, I believe it would be appropriate to explain our vote at this time. I would like to exercise my right under the rules to explain my vote."

Speaker Giglio: "Representative McCracken. Alright, Mr. Clerk... Representative Woolard."

Woolard: "I was wanting to explain my vote, also."

Speaker Giglio: "Well, Representative McCracken wants to persist in the verification, we'll just go through the verification. Mr. Clerk, take the record. On this question there's 70 voting 'yes' and 44 voting 'no' and 1 voting 'present'. Representative McCracken asks for verification. Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of those not voting: Tate, Van Duyne, no

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further."

Speaker Giglio: "Poll the affirmative, Mr. Clerk."

Clerk O'Brien: "Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Goforth. Granberg. Hannig. Hartke. Hasara. Hicks. Homer. Hultgren. Lou Jones. Shirley Jones. Keane. Kirkland. Krska. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McAuliffe. McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Phelps. Preston. Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich. Trotter. Turner. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Younge and Mr. Speaker."

Speaker Giglio: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Representative Leverenz."

Speaker Giglio: "Representative Ronan, for what purpose you seek recognition, Sir?"

Ronan: "I want leave to be verified."

Speaker Giglio: "Does the Gentleman have leave, Representative McCracken?"

McCracken: "Yes."

Speaker Giglio: "Leave is granted."

McCracken: "Representative Leverenz."

Speaker Giglio: "Representative Leverenz in the Chamber? How is the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

McCracken: "Representative Mautino."

Speaker Giglio: "Representative Mautino in the Chamber? Is the Gentleman in the Chamber? Remove the Gentleman from the Roll Call, Mr. Clerk."

McCracken: "Representative Keane."

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Speaker Giglio: "Representative Keane in the Chamber?  
Representative Keane. How's the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

McCracken: "Representative Kulas."

Speaker Giglio: "Representative Kulas in the Chamber? Myron  
Kulas? How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

McCracken: "Representative Farley."

Speaker Giglio: "Representative Farley. Is the Gentleman in the  
Chamber? How is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call.  
Representative McCracken, does Representative Jones have  
leave to be verified?"

McCracken: "Yes."

Speaker Giglio: "Leave is granted, Representative Jones."

McCracken: "Representative Van Duyne."

Speaker Giglio: "Representative Van Duyne."

McCracken: "Okay, we'll move on. Representative Laurino."

Speaker Giglio: "Representative Laurino in the Chamber?  
Representative Laurino. How's the Gentleman recorded, Mr.  
Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call.  
Representative McCracken, does Representative McNamara have  
leave to be verified?"

McCracken: "Yes. Representative..."

Speaker Giglio: "Leave is granted."

McCracken: "Representative Curran."

Speaker Giglio: "Representative Curran. Representative Michael  
Curran in the Chamber? How is the Gentleman recorded, Mr.

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Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

McCracken: "Representative Flowers."

Speaker Giglio: "Representative Flowers. Is the Lady in the Chamber? Mr. Clerk, how's the Lady recorded?"

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

Speaker Giglio: "Remove the Lady from the Roll Call."

McCracken: "Representative... Representative Currie."

Speaker Giglio: "Representative Currie. Representative Barbara Currie. Is the Lady in the Chamber? How's the Lady recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Lady from the Roll Call."

McCracken: "Representative Bowman."

Speaker Giglio: "Representative Bowman. Representative Woods Bowman. How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

McCracken: "Representative Levin."

Speaker Giglio: "Representative Levin. Ellis Levin. Mr. Clerk, how is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

McCracken: "Representative Breslin."

Speaker Giglio: "Representative Breslin in the Chamber? Representative Breslin? How's the Lady recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call... and restore Representative Levin and Representative Barbara Currie and Representative Kulas."

McCracken: "Alright, Representative DeLeo."

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Speaker Giglio: "Representative DeLeo. Is the Gentleman in the Chamber? How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll call."

McCracken: "Representative Brunsvold."

Speaker Giglio: "Brunsvold. He's in his chair."

McCracken: "Representative Giorgi."

Speaker giglio: "Representative Giorgi's in front of the... House here."

McCracken: "Okay. Alright. Representative... Monique Davis."

Speaker Giglio: "Representative Monique Davis. Representative Monique Davis in the Chamber? Mr. Clerk, how's the Lady recorded?"

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

Speaker Giglio: "Remove the Lady from the Roll Call."

McCracken: "Representative Turner."

Speaker Giglio: "Turner. Representative Art Turner. He's in the back, Mr. McCracken."

McCracken: "Representative Martinez."

Speaker Giglio: "Representative Martinez. Representative Martinez in the Chamber? How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

McCracken: "Representative Krska."

Speaker Giglio: "Krska. Representative Krska. How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

McCracken: "Representative Bugielski."

Speaker Giglio: "Representative Bugielski? Representative Bugielski in the Chamber? How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call and restore Representative Breslin, Representative Van Duyne and Representative Martinez. And Representative... Representative Mautino. Van Duyne... Representative Van Duyne votes 'aye'."

McCracken: "Representative McAuliffe."

Speaker Giglio: "Representative McAuliffe. Is Representative McAuliffe in the Chamber? How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

McCracken: "Nothing further."

Speaker Giglio: "That's it. Representative Hartke."

Hartke: "Yes. There was a request by Representative Homer to explain his vote. Was that ever granted?"

Speaker Giglio: "Representative... I think it was granted, Representative Hartke."

Hartke: "It was? Okay."

Speaker Giglio: "Representative Matijeovich. Alright. Go ahead. Mr. Clerk..."

Matijeovich: "Mr. Speaker, point of order. Speaker, I make the point of order. I had heard distinctly that Representative Homer, before Bugielski came in and now he's in."

Speaker Giglio: "Alright, Representative Bugielski..."

Matijeovich: "That was my point of order. Here's a guy on the floor and you didn't let him vote... and if he's on the floor, he ought to be able to vote."

Speaker Giglio: "Representative Bugielski, do you choose to vote on this issue? Vote the Gentleman 'aye', Mr. Clerk."

Matijeovich: "That's my point of order. Thank you."

Speaker Giglio: "Alright, Mr. Clerk, take the record. On this question there's 60 voting 'yes', 44 voting 'no' and the



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House does... Representative Weller."

Weller: "Mr. Speaker, I wish to be recorded as voting 'aye'."

Speaker Giglio: "Vote the Gentleman 'aye', Mr. Clerk. And now there 's 61 voting 'aye' and 43 voting 'no' and the House... Representative Davis votes 'aye', Stevenson 'aye', Representative... Alright, Mr. Clerk, take it. 63 voting 'aye', 42 voting 'no' and the House does concur with Senate Amendment #1 to House Bill 494. This Bill having received the Constitutional Majority is hereby declared passed. 497. Representative Levin. Out of the record. 507, Representative Richmond. Out of the record, Mr. Clerk. Representative Ryder, 510. Out of the record. Representative Granberg, 522. Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Members of the House. I move to concur with Senate Amendment #1 to House Bill 522. This Amendment was adopted at the request of the Department of Agriculture. It provides that commodities in packaged form which contain random weights, measures or counts must bear the total selling price of the package on the outside of the package in plain language. It is at the request of the Department of Agriculture and I would move to concur in Senate Amendment #1."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 522?' All those in favor signify by voting 'aye', opposed 'nay', the voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 113 voting 'yes', none voting 'no'... Representative Mautino. Vote the Gentleman... Vote the Gentleman 'aye', Mr. Clerk. On this question 114 voting 'yes', none voting 'no' and none voting 'present' and the House does concur with Senate Amendment #1 to House Bill

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522. This Bill having received the required Constitutional Majority is hereby declared passed. Representative Hultgren, 530."

Hultgren: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I would move to concur in Senate Amendment #1 to House Bill 530. It amends the Illinois Commercial Transportation Law, the Illinois Vehicle Code, the Public Utilities Act. Makes administrative changes regarding the powers and duties of the ICC. The changes that are represented by this Senate Amendment were worked out in conjunction with the ICC and the interested regulated parties. Be glad to answer any questions and again would move that we concur in Senate Amendment #1."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 530?' All those in favor vote 'aye', opposed 'no'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 116 voting 'yes', none voting 'no' and none voting 'present' and the House does concur with Senate Amendment #1 to House Bill 530 and this Bill having received the Constitutional Majority is hereby declared passed. 535, out of the record. 545, Representative Matijevich. Out of the record. 558, Representative Giorgi. Representative Breslin. Representative Wennlund, 572. House Bill 572."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendments to 572. The Amendment was a technical Amendment. This is a school bus drivers drug testing Bill and what the Amendment does, is that it excludes those drivers who are already covered under a Pace contract because they are tested under the Federal rules. So, it's a simple Amendment, it's a

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technical Amendment. I didn't realize at the time...that certain Pace drivers also doubled as...regular school bus drivers and they're already tested under the federal rule. So, I move to concur."

Speaker Giglio: "You heard the Gentlemen's Motion. Any discussion? The question is, 'Shall the House concur to Senate Amendment #1 to House Bill 572?' All those in favor vote 'aye', opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes', none voting 'no', and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 572 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Munizzi, 573."

Munizzi: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move to concur with the Senate Amendment #1 which requires insurance companies to notify an individual planning to purchase a renewal policy of the availability of higher deductibles for collision and comprehensive coverage and that a premium savings could result if higher deductibles are purchased. They need to be notified in writing. I move to concur. Thank you."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 573?' All those in favor vote 'aye', opposed 'no', the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 112 voting 'yes', none voting 'no', none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 573. This Bill having received the Constitutional Majority is hereby declared passed. 577, out of the record. Representative Flinn,

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629. Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker, what Amendment... Senate Amendment #2 does to House Bill 629 is add on quick-take powers to the village of Summit to give them... for the purpose of acquiring land for a waste to energy plant. I agreed with Senator Raica to put that on the Bill and he has agreed to take it off if it creates any problem for anybody, but I would move for the adoption of the Committee."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 629?' All those in favor vote... Senate Amendment #2 to House Bill 629. All those in favor vote 'aye', opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. This question there are 87 voting... 86 voting 'yes', 26 voting 'no', none voting 'present' and the House does concur in Senate Amendment #2 to House Bill 629. This Bill having received the required Constitutional Majority is hereby declared passed. Representative Lang, 634. The Gentleman from Cook."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 634 required state agencies to report its delinquent debt each year to the General Assembly. Senate Amendment #1 merely changed the date by which this should occur to coincide with the budget and I move that we concur."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 634?' All those in favor vote 'aye', opposed 'nay', the voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr.

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Clerk, take the record. On this question there are 116 voting 'yes', none voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 634 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Flinn, 642. The Gentleman from St. Clair, Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker, Amendment #... Senate Amendment #1 to House Bill 642 simply removed an Amendment that was placed on in the House at the request of Representative McCracken and he agrees with taking the House Amendment off by approving Senate Amendment #1, so I move for the adoption and that we concur with Senate Amendment #1."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 642?' All those in favor vote 'aye', opposed 'no', the voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 105 voting 'yes', 7 voting 'no' and 1 voting 'present' and the House does concur in Senate Amendment #1 to House Bill 642 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 648, Representative McCracken. The Gentleman from DuPage."

McCracken: "Yes, thank you. I move to concur in Senate Amendment #1. The Senate Amendment allows stationery and envelopes and printing paper to be purchased under \$2500, to be exempt from the competitive bidding process. I move the adoption."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? The Gentleman from Cook, Representative Anthony Young."

Young: "Yes, will the Sponsor yield?"

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Speaker Giglio: "Indicates he will."

McCracken: "Yes."

Young: "I didn't quite... how does the Senate Amendment affect the City of Chicago?"

McCracken: "This relates only to the state, it does not affect the City of Chicago."

Young: "Is the City exempted, or left out of the Bill?"

McCracken: "Well, this is... this is only in relation to state purchases, so by its nature it does not apply to other than state government."

Young: "So it doesn't apply to any municipality?"

McCracken: "No, it does not."

Young: "Okay, thank you."

Speaker Giglio: "Further discussion? The Gentleman from Fulton, Representative Homer. Representative Homer."

Homer: "Mr. Speaker, to the Bill. I couldn't help but notice, there was an article in this weekend's edition of the Springfield Register which I think is cause for alarm, pointing out that the millions and millions of no bid contract work that's being done by this administration and while certainly some of that is necessary, I think the timing is bad, I think the... we ought to go cautiously on Bills that would have the effect of loosening the requirements for competitive bids. I think that before we just rubber stamp these requests that come in before us to kick up the threshold at which these contracts should be let for bid, we ought to have some justification. We ought to know when the original amount was set, when it was last changed, what factors have intervened that would justify increasing those thresholds. The concept of public bidding is one that has been held to be of great importance to the... to the effective running of government and to the fiscal responsibility that all of the taxpayers of this

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State look to us to uphold. And so without some compelling reason to simply increase by \$1,000 the threshold at which these bids, or at which these contracts are let, I think it's a bad vote and so I would urge a 'no' vote on this Amendment."

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

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

Speaker Giglio: "He indicates he will."

Didrickson: "Representative McCracken, there was a Bill that went through here and it's back, I see...House Bill 1453. There were a number of negotiations that went on with regards to the effect that the bid rigging Bill that we passed a year ago had on some local municipalities and schools of education in terms of timeliness of... Is it different? Different Bill? Thank you."

Speaker Giglio: "Representative McCracken."

McCracken: "Thank you. This is very modest. It relates only to stationery, printing paper and...let's see...envelopes...and raises from 1500 to \$2500 the cases under which for those purposes only, a bid can be... or a contract can be awarded with less than 3 bids. It's already the law that this can be done for up to \$1500. I move its adoption. Or I move that we concur in Senate Amendment #1."

Speaker Giglio: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 648?' All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 78 voting 'yes', 33 voting 'no' and 2 voting 'present' and the House does concur in Senate Amendment #1

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to House Bill 648 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 550... 568, Representative Breslin, the Lady from LaSalle."

Breslin: "Thank you Mr. Speaker, Ladies and Gentlemen. I move to concur in the Senate Amendments on House Bill 568. The...the original Bill would amend the Prevailing Wage Act to expedite the disbarment procedure. The Amendment...the Bill requires all bid specifications issued by state and local governments for public works construction projects to list the prevailing wage rate for each craft right in the specifications. This was amended to provide that there be a due process...hearing procedure before a person is put...or a business is put on this list. It would provide that once a contractor has violated the prevailing wage law on two separate occasions, the department would notify the violating contractor and is given ten days to request a hearing. Failure to request a hearing would result in immediate placement on the disbarred list. Hearings should take place within thirty days after receipt by the Department of Labor of a timely request for the hearing. I certainly agree with that Amendment and would concur in it. In addition to that, the previous provisions of both House Bill 491, which passed this House and House Bill 209 which expanded the prevailing wage law and increased monetary penalties for violation of the minimum wage law and the prevailing wage law. So I therefore would...since all...since both of those Bills and the substance of House Bill 568 are contained in this Bill as amended by the Senate, I move to concur in the Senate Amendment."

Speaker Giglio: "You heard the Lady's Motion. Any discussion?  
The Lady from Cook, Representative Didrickson."

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



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Representative Breslin has indeed reported this Bill correctly and what it does do, at least on this side of the aisle, I want everybody to understand and for those on the other side of the aisle, I think you ought to recognize what we're doing here. We're expanding prevailing wage to Build Illinois Projects. When the Build Illinois Project Program was first instituted we very cautiously, carefully and rightly so, made certain that Build Illinois Projects would not come under prevailing wage. The state should not be in the business of expanding prevailing wage into those limited dollars that we have into those Build Illinois Projects. If you have any projects that are still waiting to be funded or new ones that you're looking at, you ought to be carefully considering what you're going to do with those limited dollars by adding the prevailing wage. At the state level we should not be saying that we are going to be doing the collective bargaining for labor. They ought to be doing that across the table, we've certainly passed enough laws. I think this is the wrong approach to be going. In fact, if you look at what's been happening since 1979, seven or eight states, our competitors, have rescinded or repealed prevailing wage. In fact, the State of Massachusetts, one of the most liberal states in this country, had a statewide referendum on that very issue last November. If you can't see yourself to vote against prevailing wage, at least vote against this Bill because it expands it into the Build Illinois projects. It's the wrong direction. Instead of doing what other states are doing in terms of retrenching on this issue, we're going forward and expanding it. A 'no' vote is the only vote on this issue."

Speaker Giglio: "Further discussion? The Gentlemen from Fulton, Representative Homer."

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Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. I think the previous speaker fairly accurately identified the issue. The issue here is a simple one, if you're for the public policy of this state that recognizes the Prevailing Wage Rate Act, then you should vote 'yes'. If you're for the repeal of that Act and for the purposes for which it was adopted then I suppose that you should vote 'no'. This Amendment is simply a logical extension of what already is the law in this state that says that projects built with the use of taxpayer dollars... vis-a-vis local governments and state government should be built...that should be...the projects should be with the prevailing wage rate. That is a fundamental policy that the legislature adopted when it adopted the Prevailing Wage Rate Act. It's a policy that not only favors workers in this state by making certain that those who work on public projects are paid the prevailing wage, but it's also a proposal that protects our contractors who have to compete with out-of-state cheap, itinerant labor for these contract awards. It's a Bill that we can vote for, that favors both business and management and I would think that...that everyone would want to join and rise and support this Amendment. It's not something we haven't considered previously. It's a Bill that we've had before that we passed out of the House previously and with respect to the Build Illinois argument, actually the Bill...the Amendment's more encompassing than that, as I read it. It would not only concern itself with Build Illinois funded projects but also with IDFA and other projects that are built with...with tax free municipal bonds. But after all, the Build Illinois Program as advanced here a few years ago, was one that was supposedly to allow local governments an opportunity to upgrade their infrastructure. Well, if the program was designed to help

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local government and if the State of Illinois had on its books a prevailing wage rate law that says that public work projects should be paid by prevailing wage, then I don't think this is much of a radical notion. The issue again is simple...if you're for prevailing wage on behalf of Illinois men and women who work, on behalf of contractors who have to compete with out-of-state cheap, itinerant work then you should vote to...support this Amendment. If you feel that there should be a repeal of the prevailing wage law, if you're against that concept, then in fact, I guess that you should vote 'no'. The right vote is a 'yes' vote."

Speaker Giglio: "Further discussion? The Gentlemen from Vermilion, Representative Black."

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

Speaker Giglio: "He indicates he will."

Black: "Thank you very much..."

Speaker Giglio: "She indicates she will."

Black: "Thank you. Representative, your underlying Bill was rather straight forward and I think flew out of here with 102 votes. I'm somewhat confused as to your willingness to accept Senate Amendment #1. Would you...is it fair to portray Senate Amendment #1 as a significant expansion of the Prevailing Wage Law?"

Breslin: "It does expand the Prevailing Wage Law. But you shouldn't be confused by...or surprised by my willingness to concur in this Amendment because the other Bill...one of the other Bills that it contains was a Bill that I also sponsored that passed this House. And the third Bill was Representative Saltsman's Bill which also passed this House. I think you should also note that with regard to the inclusion of the prevailing wage law in Build Illinois

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Projects, when the Build Illinois Projects passed... or when Build Illinois passed this House. Originally, it was required that all of the work be done by union labor. This just requires that it be prevailing wage.

Black: "Well me...let me...you know, that answer went a little bit beyond the question but let me ask you another one. We hear so much on the floor and it gets confusing this time of the year as you well know, but as I recall, you asked a question on the floor about why highway construction costs so much, do you remember that...question? That...I believe you raised it, if I'm wrong I certainly apologize."

Breslin: "Yes, and you're going to say it's because we pay such high wages."

Black: "Oh, no. I didn't say that, I just asked you a question. If you remembered asking the question why highway construction...costs so much Heavens forbid, I wasn't about to say what you accused me of what I was going to say."

Breslin: "I do and I reject the thought..."

Black: "But you remember that question, well that's interesting."

Breslin: "I certainly do."

Black: "Okay, well...you're a very honest person and I have a great deal of respect for you. Thank you very much, Representative. Mr. Speaker, to the Bill. You know, the underlying Bill, 568, was one that many of us supported. It came out of the House with a overwhelming majority. But now we're coming back in here and concurring with Senate Amendment #1 that amends the prevailing wage law and I don't stand before you...I'm certainly not an attorney nor a labor law expert and I don't purport to have all the answers on what we're attempting to do here, but I think there's some things that some of you ought to stop and take a look at. Many of us go to the Development Finance

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Authority Act or the Industrial Building Revenue Act or Build Illinois and we ask for assistance in various capital projects in our district. Now, be that a Sears and Roebuck package or...in the case of some of the rest of us, a small to medium sized industry that needs maybe a 10 percent financing incentive to build a plant in our district. And now, if I understand what we're doing here, if any amount of money is put in through the various state bonding Acts is used, 5 percent or 10 percent or whatever, it makes what could be a private development subjected to the Prevailing Wage Act. I come from a border district and I see time after time after time that we're not competitive with the State of Indiana. All I would submit to you is that I'm not certain that this Senate Amendment is in the best interest of trying to build the economic base of the State of Illinois and I simply rise in opposition to the concurrence Motion."

Speaker Giglio: "The Gentlemen from Champaign, Representative Johnson."

Johnson: "This is a extremely important practical Bill to the conduct of business in the State of Illinois. In our area, and I presume the same thing would be true in other state universities around the state, we have a number of contractors coming into areas almost by night and leaving in the morning, doing work in violation of prevailing wage, in violation of all sorts of labor standards. We really have no effective means of policing those individuals and those companies that often times set up corporations simply for the purpose of doing a job and then disband. This Bill gives some teeth and some muscle to our prevailing wage law, and along with that, I think it gives some meaning to it, in terms of Illinois Projects. I don't know how anybody could realistically oppose this Bill. It doesn't

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diminish a strong business climate, as a matter of fact this Bill works precisely to the contrary in favor of local businesses that are trying to do local work in the State of Illinois and put local labor to work. This is an excellent Bill, it ought to be supported on both sides of the aisle and by people whether they be traditionally supporters of labor or management. It's something that makes absolute good sense and I urge your 'yes' vote."

Speaker Giglio: "The Lady from LaSalle, Representative Breslin to close."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, in closing I would only remind you that this Bill puts everybody on a level playing field, there is nobody in the construction industry that opposes this legislation in fact, they are in support of it. And the department...the Illinois Department of Labor is in support of the Bill. It is good for labor, it is good for Illinois. I move concurrence."

Speaker Giglio: "You heard the Lady's Motion. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 75 voting 'yes', 39 voting 'no' and 1 voting 'present' and the House does concur in Senate Amendment #1 to House Bill 568 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Steczo, are you ready on 240, Sir? The Gentleman from Cook, Representative Steczo. House Bill 240."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 240 is the authorization to create a Harvey Civic Authority. The Senate amended the Bill and allowed for the creation of a Civic Center Authority in Melrose Park.

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That's all the Amendment does and I would move for concurrence to Senate Amendment #1 to House Bill 240."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 240?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 104 voting 'yes', 6 voting 'no' and 4 voting 'present' and the House does concur in Senate Amendment #1 to House Bill 240 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Ewing, 656. The Gentleman from Livingston, Representative Ewing."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I would move for the concurrence with Senate Amendment #1. It defines the Juvenile Detention Facility as either a free standing structure or the same building as an adult facility as long as there is no sight or sound contact between the two groups. Provides that there are staff...that one staff may serve the needs of both groups. This is an attempt to help many of our jails who are unable to really operate very efficiently with some of the requirements that require segregation of juveniles from adults."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? The Gentleman from Macon, Representative John Dunn."

Dunn: "Mr..."

Speaker Giglio: "Representative...excuse me, Dunn. Representative Ewing."

Ewing: "Let's reverse that and I'm going to move to nonconcur."

Speaker Giglio: "The Gentleman moves to nonconcur with Senate

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Amendment #1 to House Bill 656. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in Senate Amendment #1 to House Bill 656. Representative Kulas, 718. The Gentleman from Cook, Representative Myron Kulas."

Kulas: "Thank you, Mr. Speaker. I would move that the House concur to Senate Amendment #1 to House Bill 718. This Amendment would extend the grandfathering of the trucks used in construction for another 4 years. The Amendment's supported by Illinois construction industry and I would move for concurrence."

Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 and 2 to House Bill 718?' All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 106 voting 'yes', 4 voting 'no' and 1 voting 'present' and the House does concur in Senate Amendments #1 and 2 to House Bill 718 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Rice. Mr. Clerk, let the record indicate that Representative Rice requests that he be recorded as voting 'aye' on this Bill. Representative Edley. Let the record indicate that Representative Edley requested... be recorded as voting 'aye' on House Bill 718. Representative Terzich. Out of the record. 737, Representative John Dunn. 737."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House concur in Senate Amendments 2 and 3 to House Bill 737. 1, 2 and 3...pardon me. 1, 2 and 3 to House Bill 737. This legislation basically addresses a



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problem which arises when there's an attempt in court to try to collect...child support. I don't think there's any controversy about this. I think everybody's agreed. If there's question, I'll answer them. I move that we concur in these Amendments."

Speaker Giglio: "Any discussion on the Amendments? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1, 2 and 3 to House Bill 737?' All those in favor signify by voting 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 voting 'yes', none voting 'no' and 1 voting 'present' and the House does concur in Senate Amendments #1, 2 and 3 to House Bill 737 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Novak. Is Representative Novak in the chamber? Representative Churchill. House Bill 803, Mr. Clerk. The Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Originally this Bill reduced the amount of time that could be spent in periodic imprisonment to no longer than one year and some people thought that perhaps it was overly broad and so there were 2 Senate Amendments that were placed on there which limited the Bill to only county work release programs. So at this time I would move to concur in Senate Amendments #1 and 2 to House Bill 803."

Speaker Giglio: "Any discussion? The Gentleman from DeKalb, Representative Countryman."

Countryman: "Will the Gentleman yield?"

Speaker Giglio: "He indicates he will."

Countryman: "Our analysis indicates that this requires a person committed to a county jail on periodic imprisonment to

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participate in county work release programs, is that right?"

Churchill: "What it says is that it can only apply to the county work release program, that's what the Amendment says."

Countryman: "I'm sorry, I can't hear you."

Churchill: "It says that it applies only to county work release programs that are comparable to the work and day release programs provided for in Article 13 of the Unified Code of Corrections. So what it says is, basically, that the Bill is defined as it relates only to county work release programs."

Countryman: "So...but I think the question is, if a judge sentences somebody to 30 days in the county jail, do they have to...do they have to be on work release, then? Is there a requirement...?"

Churchill: "No, but if he puts them into a county work release program, then they cannot be in that program for any period longer than one year. What we're trying to do is, restrict the amount of time that a person can be in the correctional facility for periodic imprisonment."

Countryman: "No, I understand that. But I'm looking at the analysis that we have that says Senate Amendment #1 requires that persons committed to a county jail on periodic imprisonment participate in a county work release program as codified in the Uniform Code of Corrections. Is that saying that everybody has to be sentenced to work release?"

Churchill: "Perhaps, Mr. Speaker, if we could take this out of the record for a minute and get back to it, I'll go back to Representative Countryman and he can take a look at the Amendment."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. House Bill 779, Representative Phil Novak. The Gentleman

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from Kankakee, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendments 1 and 2 to House Bill 779. Briefly, Senate Amendment #1 is...was put on the Bill in the Senate at the request of the Cook County States Attorney's office. The Amendment increases the maximum sentence which may be imposed upon a person convicted of reckless homicide when it had been determined that part of the offense of reckless homicide consisted of driving under the influence of alcohol or drugs, increasing the maximum sentence from 7 to 14 years. I move for that adoption...for that Amendment. Amendment #2...Amendment #2 is a response to the Supreme Court's overturning of the Chandler case, I believe, in Sangamon County. Senator Davidson put that Amendment on in the Senate and it clarifies residential burglary, I believe, when a murder is committed and I move for that adoption."

Speaker Giglio: "Any discussion? Hearing none...the Gentleman from DeKalb, Representative Countryman."

Countryman: "Will the Gentleman yield?"

Speaker Giglio: "He indicates he will."

Countryman: "Am I correct now, that one of these Amendments makes reckless homicide a Class III felony?"

Novak: "No. Oh, when we...Representative, when we passed the Bill out of Committee, we compromised, we wanted to make it a Class...we wanted to make it a Class I felony, I think...the strongest...and we compromised for a Class II."

Countryman: "Alright. Then...then Senate Amendment #1 says reckless homicide is a Class III felony in cases involving...then subsection (e) is changed to say when it's determined that the person was under the influence of alcohol or drugs that it's a Class II felony and the sentence shall be no less than 3 nor more than 14 years."

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Is that right?"

Novak: "Right."

Countryman: "So that made it...that mandates the sentence, doesn't it?"

Novak: "Well, the States Attorney's Office wanted the maximum number of years put in."

Countryman: "But... No... I'm not concerned whether the minimum or maximum..."

Novak: "Yes, it does mandate a..."

Countryman: "...it mandates a sentence and we took that out in the House version, didn't we?"

Novak: "Yes, it does mandate it."

Countryman: "So that goes back to where we were before we came to an agreement on the House version on this Bill, doesn't it?"

Novak: "Yes. Yes."

Countryman: "I guess... you know, it would seem to me that based upon our understanding we had here that the best thing for you to do would be to nonconcur and send this to a Conference and see if we could work out these differences between us, would that be agreeable with you?"

Novak: "Representative, can I defer to Representative Homer, Chairman of Judiciary II Committee to answer a few questions?"

Speaker Giglio: "Representative Homer."

Homer: "Yes, thank you, Mr. Speaker. I appreciate Representative Countryman pointing out that aspect of Senate Amendment 1. The issue that he's talking about is one that we talked in Committee about that had to do with who was to determine whether or not the person convicted of reckless homicide was at the time driving under the influence. And when that question was raised in Committee, Representative Novak brought the Bill back the following week and had a

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provision that specifically provided that it would be the jury or the trier of fact would have to determine that the person was under the influence at the time of the reckless homicide before the enhanced penalty would be invoked. I didn't realize until just now that the Senate has removed that provision that was negotiated in the Committee and I agree with Representative Countryman that I think it's critical that that be in there because otherwise, I don't know how a judge would determine at the time of sentencing that someone convicted of reckless homicide was under the influence unless there was also a separate verdict in finding of that offense. So I think it would help the Bill to perfect Amendment #1. Amendment #2, I think is okay. That's on the surface one that might raise eyebrows, that would invoke the death penalty for the... commission of a murder...or make death penalty an eligible sentence for an individual who commits a murder in the course of a residential burglary. However, it's my understanding that under current law that if one commits a murder in the course of a regular, ordinary burglary that he is eligible for the death penalty and that being the current law, it would seem only a logical extension of that, that we would incorporate the more serious offense of residential burglary in that provision. So, I guess the result would be that... that the recommendation would be that you move to nonconcur in the 2 Amendments and make that one correction on Amendment one and then I think the Bill should go through without much controversy. But that's up to you as the Sponsor, of course."

Speaker Giglio: "The Gentleman from Kankakee...the Gentleman from DeKalb, Representative Countryman."

Countryman: "Well, I just want to be clear on the record here that we put back a mandated sentence which we originally

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had taken out and I'm not certain that we've studied this well enough. On Amendment #2, I personally don't have a problem. That's been presented to me and I think it's a correction of a defect in the law and we ought to concur in it, but on Amendment #1, we worked on this mandated sentence and we...we had removed that as I recall, and I...I'd like to keep that issue open, so I would agree with the Chairman of the Judiciary Committee that we ought to nonconcur in one and if he wants to concur in 2, it's fine with me, but whatever...we're going to have to do something to correct the problem."

Speaker Giglio: "Representative Novak."

Novak: "Yes. Mr. Speaker, Ladies and Gentlemen of the House, on the basis of Representative Homer's recommendations, and I have to agree, I move to nonconcur in Senate Amendment #1 and concur in Senate Amendment #2."

Speaker Giglio: "The Gentleman moves to nonconcur with Senate Amendment #1, all those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and..."

Novak: "I move to concur in Senate Amendment #2."

Speaker Giglio: "...and we...the Gentleman moves to nonconcur...and the Motion carries to nonconcur in Senate Amendment #1 and to concur...the Gentleman moves to concur with Senate Amendment #2 to House Bill 779 and on that... all those in favor signify by voting 'aye', opposed 'nay'. The voting is open and the Chair recognizes Representative Van Duyne."

Van Duyne: "Well, Mr. Speaker, I'd like to consider myself a law abiding citizen and a guy that's for law and order, but when you start adding the availability of the death penalty for a death that results from a home invasion or a residential burglary, I think you know we're really trying

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to kill a mosquito with a 105 millimeter howitzer. Now I...you know, I don't know...I'm not a lawyer and that's the first time I ever apologized for not being a lawyer, but from a practical point of view, if there's someone invading my garage, going to steal a bicycle or my car or whatever and suddenly I surprise this person and he...and he reacts instinctively and strikes out to me and ending up killing me, I no way, shape or form see where that rises to the justifiable end that I...that this fellow is now charged with a death penalty violation of the law. I would...I would more or less characterize that as a death by accident even though it was being...happened in the term of violating the law. But you know, sometimes I think that this country of ours, in our effort to try to be law enforcing and law abiding and so on, we over react to the point to where one of these days we're going to have to build a prison on every block of our cities. Now, you know there are extenuating circumstances in everything and I think that this is one of them. Now, if the people on this floor would just pay attention and read their...read the digest, there are so many offenses here that I think they should be read. The Bill adds to the death penalty statute lists of offenses which, committed in the course of a murder, would constitute grounds to impose the death penalty for the offense of residential burglary. Under current law, the felony of murder includes the offenses of armed kidnapping, forcible detention, arson, aggravated arson, burglary, home invasion or attempt to commit those felonies. Now I agree that they are serious offenses, but my God, they don't deserve to be... have a death penalty. Okay, all you law breakers."

Speaker Giglio: "Further discussion? The Lady from Sangamon, Representative Hasara."

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Hasara: "Thank you, Mr. Speaker. I stand in support of Amendment #2. It is the result of the Supreme Court overturning a conviction last week that resulted in a horrible, horrible crime that happened here in Springfield a couple of years ago. A home burglary where a very elderly woman was robbed and beaten and murdered and the death penalty was issued by a jury and it was overturned. Remember, burglary is already included in this definition and residential burglary is not, so that is the reason we are trying to include residential burglary in with these other definitions. I think if you take a look at some of the examples of cases in which this is happening, you would not hesitate to vote 'yes' on this Amendment."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 91 voting 'yes', 19 voting 'no', 4 voting 'present' and the House does concur with Senate Amendment #2 to House Bill 779. Representative Churchill on 803."

Churchill: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. This is the Bill that I had just explained. We took it out of the record for a minute to answer questions of Representative Countryman. I believe we've satisfied him that this is a Bill that... the Amendments limit the Bill and therefor I would ask to concur with Senate Amendments #1 and 2 to House Bill 803."

Speaker Giglio: "I'd ask... right after this Bill we're going to go to nonconcurrences, so anybody has any Bills that they want to nonconcur, will you please come up to the well and inform the Clerk. The question is, 'Shall the House concur in Senate Amendment #2? We're on House Bill 803, Mr. Clerk. Representative Churchill."

Churchill: "Yes, Mr. Speaker. That's Senate Amendment #1 and



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#2."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 803?' All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 108 voting 'yes', 1 voting 'no' and none voting 'present' and the House does concur in Senate Amendments #1 and 2 to House Bill 803 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 1237, Representative Brunsvold. Out of the record. House Bill 2329, Representative Lou Jones. House Bill 2329, the Lady from Cook, Representative Lou Jones."

Jones Lou: "Thank you, Mr. Speaker, Members of the House. I move to nonconcur on Senate Amendment #1 to House Bill 2329. That... House Bill 2329 merely sets up a board to report to the CHA main board and this Amendment was put on having something to do with salaries for the commissioners and does not relate to my Bill and I want it off. Thank you."

Speaker Giglio: "You've heard the Lady's Motion. Any discussion? Hearing none, all those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the Motion to nonconcur passes."

Jones: "Thank you."

Speaker Giglio: "Senate Bill 127, Anthony Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House refuse to recede from House Amendment #1 to Senate Bill 127."

Speaker Giglio: "Any discussion? Hearing none, all those in favor signify by saying 'aye', opposed 'nay'. In the

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opinion of the Chair the 'ayes' have it and the House refuses to recede and a Conference Committee be appointed. Senate Bill 392, Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 392 is the Illinois Residential Affordable Payment Program. We in the House thought we did a fair job with the Amendment. Representative Gene Hoffman and Sieben... Representative Sieben and Ellis Levin and I, thought we did solve the issue. However, in the Senate they want to look...look at it a little further and the only way we can do that is by the way of a Conference Committee. So, I would now refuse to recede to House Amendments #1 and 3 to Senate Bill 392 and request the formation of a Conference Committee."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? Hearing none, the question is...all those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the Gentleman's Motion carries. Representative Davis, Senate Bill 394. Senate Bill 394, Representative Davis."

Davis: "Thank you, Mr. Speaker. Okay. I Motion to refuse to recede. This is a Drug Paraphernalia Control Act and what it does is it takes out the language that the Supreme Court ruled was not clear and it also gives criminal penalties to those who sell drug paraphernalia. At this point there some technical problems, we'd like for it to go to Conference Committee."

Speaker Giglio: "You've heard the Lady's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the House refuses to recede from Senate (sic, House) Amendment #2 to Senate Bill 394 and a Conference Committee be appointed. House Bill 2076, Representative Kubik. The Gentleman from

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Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to nonconcur on Senate Amendment #1 to House Bill 2076. I discussed the Amendment... the Senate Amendment with Senator Berman, he will agree to recede in the Senate so that we can pass this Bill over in the Senate. I would appreciate your support."

Speaker Giglio: "You've heard the Gentleman's Motion, any discussion? Hearing none, all those in favor of refuse to nonconcur in Senate Amendment #1 to House Bill 2076 signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the Motion carries. Anybody else have any Bills that they wish to refuse to recede or to nonconcur? Representative Hannig."

Hannig: "Yes, on House Bill 2634. I would make a Motion that we not concur in Senate Amendments #1 and 2. The Bill dealt with abstinence as it passed the House. The Senate Amendments, in my opinion, water down the Bill and I'd like to ask the Senate to recede from those Amendments and so I would move not to concur in Senate Amendments 1 and 2."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in Senate Amendments #1 and 2 to House Bill 2634. The Chair would like to announce again and ask, are there any other Members that would like to nonconcur or refuse to recede on any of the Bills? The Lady from Cook, Representative Pullen."

Pullen: "On House Bill 1876, Mr. Speaker."

Speaker Giglio: "Proceed."

Pullen: "I move to nonconcur with the Senate Amendments to House Bill 1876. This Bill is one on which the Senate did a good deal of work and some of the Amendments that they put on

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this Bill need some technical improvements and that is my intent with respect to this Bill."

Speaker Giglio: "You've heard the Lady's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the Motion carries...and the House does nonconcur in Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9 to House Bill 1876. House Bill 805, Representative Virginia Frederick."

Frederick: "Thank you, Mr. Speaker. I move the House concur with Senate Amendments #1 and 2 of House Bill 805. The Bill required originally that landfill and garbage transfer stations clean off their trucks before entering a highway and it imposed a fine of \$500 for doing so. After the Bill passed the House and went to the Senate, by agreement with the EPA, the Waste Management Association and the Sponsors, it was agreed that garbage transfer stations were not a problem and they were taken out of the Bill. The EPA already imposes a fine of \$500, so that was not necessary. Senate Amendment #2, then, makes the Bill applicable to counties over 275,000 in population. I move concurrence of Senate Amendment 1 and 2 of House Bill 805."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 805?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 104 voting 'yes', 2 voting 'no' and 2 voting 'present' and the House does concur in Senate Amendments #1 and 2 to House Bill 805 and this Bill having received the Constitutional Majority is hereby declared passed. Let the record reflect, Mr. Clerk, that Representative Balanoff would like to be recorded as voting

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'no' on House Bill 805. Proceeding on the next page under Concurrence, State and Local Government appears House Bill 882, Representative Van Duyne. 882. House Bill 882, Representative Van Duyne. Are you ready, Sir? Proceed. Special Order of Business on page 3 of the Special Order of Business printout are State and Local Government Bills. Do you wish to proceed, Representative Van Duyne? 882. Go ahead, Sir."

Van Duyne: "Yes. Thank you. It makes no appreciable changes, so I would wish for concurrence."

Speaker Giglio: "Any discussion on the Gentleman's Motion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 882?' All those in favor vote 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 voting... 112 voting 'yes', 1 voting 'no' and 1 voting 'present' and the House does concur in Senate Amendment #1 to House Bill 882 and this Bill having received the Constitutional Majority is hereby declared passed. Ladies and Gentlemen, I would ask your attention to the center aisle and welcome the Governor of the State of Illinois, Governor James Thompson. Representative Wennlund, 887. Representative Wennlund in the chamber?"

Wennlund: "Yes."

Speaker Giglio: "Proceed."

Wennlund: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #2 which is a technical Amendment suggested by DCCA and what it does, it just changes the time by which high impact business investment tax credit must be taken to the year in which the equipment is placed into service. It's a technical

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change to comply with current rules and I move for a favorable concurrence vote on this."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #2 to Senate Bill... to House Bill 887?' All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'yes', none voting 'no' and none voting 'present' and the House does concur in Senate Amendment #2 to House Bill 887 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Steczo, 892. 892. The Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would move to concur with Senate Amendment #1 to House Bill 892. Amendment #1 provides an extension to the Village of Robbins, which is in Cook County, until June 1, 1989, for the filing of their tax levy ordinance with the County Clerk and it validates the taxes levied by the municipality despite the municipality's failure to file a tax levy ordinance on time. For the edification of the Members of the House, to explain what the situation was, as a result of a very heated election campaign in this village, the new board took office and found out that the old board failed to file this tax levy ordinance, thereby creating incredible problems for the...for the old board...or for the new board, rather. So, this is our attempt to allow the new board to be able to file that... that ordinance with the Cook County Clerk and hopefully resolve any problems that have resulted in the village. So I would move for concurrence in Senate Amendment #1 to House Bill 892."

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Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 892?' All those in favor vote 'aye', opposed 'no'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 104 voting 'yes', 7 voting 'no' and 2 voting 'present' and the House does concur in Senate Amendment #1 to House Bill 892 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Churchill, 905? The Gentleman from Lake, Representative Churchill."

Churchill: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 905 originally said that the police may prohibit the operation of a watercraft for 6 hours after the person who's driving the watercraft is arrested for being under the influence. The Senate Amendment says not only must they be arrested but they must be charged with operating the boat under the influence. I would now move to concur with Senate Amendment #1 to House Bill 905."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 905?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 905 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Hannig, 906. The Gentleman from Macoupin County, Representative Hannig."

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Hannig: "Yes. Thank you, Mr. Speaker, Members of the House. The underlying Bill was a proposal from the Auditor General and it passed out of the House on the Consent Calendar. The Senate added one Amendment which would provide that the collective bargaining employees of the Appellate Service...or the Appellate Prosecutor be paid out of the General Revenue Fund. I agree with the Amendment, would ask that we concur."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 906?' All those in favor vote 'aye', opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, 'take the record. On this question 110... 109 voting 'yes', 1...3 voting 'no' and 3 voting 'present' and the House does concur in Senate Amendment #1 to House Bill 906 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Black, 929. The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I would move to concur with Senate Amendment #1. Very briefly, the underlying Bill, House Bill 929, simply permits disclosure of presentence reports to a receiving probation department which will supervise a report on a defendant. That Bill passed the House 117 to nothing. Senate Amendment #1 was House Bill 1858 which passed the House 86 to 18. It's a quite strong Victim's Rights Bill and it does permit a civil cause of action to stand for the victim of criminal sexual assault, aggravated criminal sexual assault and other such crimes and since it passed out of here by a healthy majority, I would move to concur with Senate Amendment #1 on House Bill 929."



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Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Williams."

Williams: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen. I stand in strong opposition to Senate Amendment #1, ask this Body to nonconcur. What we have here is again, the very people who claim to be protectors of our freedom and protectors of our society out doing away with the very things that we hold valuable. And it's kind of apropos that this is coming at the time when everyone is debating the Gun Control Bill because the whole slogan is, 'Guns Don't Kill, People Do'. Well this Bill, as I stated before says, 'No. It's not people who do wrong, but books'. We're saying again that if you happen to have a book that describes or that is considered to be pornographic by someone, which is always questionable, and if someone does an act after looking at some of these books or in sometime within relationship to these books, they can then hold the manufacturer, the wholesaler, the producer and anyone else in the chain, liable for that crime committed because someone read a book. The question is, how far do we go? Once we begin to deal with...first of all, everything in this is questionable. You have to determine what is pornographic. Then after you do that, the next question is, what I might view as wrong from what you might view, then we start dealing with trying to set up all types of additional evidentiary procedures that has to be proven in court. You have to...you got to... you can prove this against a person whether or not the person is found guilty. The person can...the person can get off on the guilty plea and yet the manufacturer is still liable for what is considered basic freedom of speech. That's what we're dealing with here. This is a freedom of speech, First Amendment question, which I know this Body doesn't mind

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trampling over from time to time, but I'm saying this is very serious. We're talking about a guy who, basically, where do we stop? Since next week we'll bringing in a guy who read the Agatha Christie book, decided to go out and do what was done in the Agatha Christie book and then we'll be out trying to get the manufacturers, distributors and wholesalers of the Agatha Christie book because somebody read it and committed murder. It is just a little step from where we're going today to where we will be going and I urge that we do not concur in Senate Amendment #1 and that everybody take a moment to look at what we are about to do, not to this Bill, but to our Constitution."

Speaker Giglio: "The Gentleman from Vermilion, Representative Black to close."

Black: "Well, thank you very much, Mr. Speaker. The Senate Amendment #1 was...has been and was again today, fully debated. It passed this Chamber in its original form by a vote of 86 to 18 and again, I ask you to concur in Senate Amendment #1 to House Bill 929."

Speaker Giglio: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 929?' All those in favor vote 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 77 voting 'yes', 35 voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 929 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Richmond, 938. The Gentleman from Jackson, Representative Richmond."

Richmond: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendment #2 to House Bill 938 merely

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removes the provision which would allow a limited mine...wine manufacturer to sell wine to restaurants or retailers. And this was the provision of the Bill that raised objections from the liquor industry, or the beer distributors in particular and having this removed makes it an agreed situation, I as for...I move to..."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 938?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 111 voting 'yes', none voting 'no and 1 voting 'present' and the House does concur in Senate Amendment #1 to House Bill 938 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Hensel, House Bill 963. The Gentleman from DuPage, Representative Hensel."

Hensel: "Thank you, Mr. Speaker and Members of the House. I move to concur with Senate Amendment #1. What Senate Amendment #1 does is put the Bill into the posture that makes it a good Bill, a better Bill. It just requires that municipalities have to give approval if a county forest preserve district wants to acquire property in their municipality. If it's outside the municipality they have to get the concurrence of the governing body of the township and I just ask for a favorable vote. It passed 109 to nothing out of the House and passed the Senate 54-5. I think this is a very good Bill."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, the Sponsor yield?"

Speaker Giglio: "Indicates he will."

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Cullerton: "Is this the issue that concerns the proposed park in Kane County along the Fox River?"

Hensel: "Not a park, bike trails."

Cullerton: "This is the Bill that...that addresses?"

Hensel: "Yes."

Cullerton: "And was this...could you refresh my memory as to the Governor's position? I remember seeing a picture of the Governor in a boat out on the river, but I can't remember whether he was for the homeowners or for the park."

Hensel: "He's in favor of the homeowners, which means he's in favor of this Bill and..."

Cullerton: "...And against putting the park in there?"

Hensel: "No, it's not a park..."

Cullerton: "...I mean...I mean..."

Hensel: "...No, no."

Cullerton: "...Bicycle path?"

Hensel: "No, he's not against bicycle paths. He just thinks that the area that they want to locate the bike trails is not suitable for bike trails and this would give a little checks and balances into the operation of how the forest preserve district goes about acquiring their property."

Cullerton: "Okay, thank you."

Speaker Giglio: "The Gentleman from Lake, Representative Matijeovich."

Matijeovich: "The Gentleman yield?"

Speaker Giglio: "Indicates he will."

Matijeovich: "Representative Hensel, the Bill as originally drafted, House Bill 963, would have applied to Lake County...the County of Lake. Under the Senate Amendment to 963 and with the present geographical configuration of Lake County, the provisions of House Bill 963 in no way would apply to Lake County, is that correct?"

Hensel: "That's correct. It's been eliminated from the Bill,

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through the Amendment."

Matijevich: "Alright. Thank you."

Speaker Giglio: "Further discussion? The Gentleman from DuPage, Representative Hensel to close."

Hensel: "Thank you, Mr. Speaker. This Bill does not eliminate the powers that the forest preserve district has, as far as condemnation. It does not have anything to do with eminent domain. It just puts a checks and balances back into the system and actually, Amendment #1 also puts back the wording that was in the statutes prior to 1983, and I think it was a good Amendment back then. The statutes were there. I think this makes it better and I ask for a favorable vote."

Speaker Giglio: "Question is, 'Shall the House concur in Senate Amendment #1 to House Bill 963?' All those in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'yes', none voting 'no' and 1 voting 'present' and the House does concur in Senate Amendment #1 to House Bill 963 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 977, Representative Hannig. The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, thank you Mr. Speaker and Members of the House. The underlying Bill would require that we give a preference in awarding public contracts to bidders who use recycled materials. The Senate added two Amendments. Senate Amendment #1 would basically say that those individuals who were convicted of bid rigging or bid rotating in another state would also fall under those classifications in the State of Illinois. That is, they would be ineligible as if they had been convicted of bid rigging in Illinois. Senate

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Amendment #2 says that however, though, that no corporation shall be barred from entering into a contract with the state agency if an employee of the agency has been convicted of a crime as long as: 1; The corporation was adjudicated not guilty, and #2; it demonstrates to the governmental entity that the commission of the offense was neither authorized, requested, commanded nor performed by a director, officer or high managerial agent on behalf of the corporation. Those are the 2 Senate Amendments and I would move for their concurrence."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 977?' All those in favor vote 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'yes', 1 voting 'no', none voting 'present' and the House does concur in Senate Amendments #1 and 2 to House Bill 977 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Bowman, 995. Out of the record, Mr. Clerk. Representative...House Bill 1000, Representative Breslin, the Lady from LaSalle."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, I'm going to move to concur in Senate Amendment #1 on House Bill 1000. This is the Home Ownership Made Easy Program that would develop an investment plan aimed at making it easier for eligible home buyers to save for a down payment on homes. The Senate has made some changes which are all agreed to. In particular, they provide that the State Treasurer may invest monies in more than one investment option and that the initial deposit for each must still be \$250. In addition to that it would make all Illinois banks

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and savings and loan associations as information and distribution centers and sales agents on behalf of the home program. I shouldn't say it would make all of them. It gives the State Treasurer the authority to designate specific banks and savings and loans as distribution centers. Thirdly, it provides that 20 percent of the funds invested in the home investment pool be invested in Illinois banks and savings and loans. Fourthly, it provides that the State Treasurer is relieved from liability except for failure to act where those acts involve fraud or deceit. Fifthly, it provides that the State Treasurer supply a bond payable to the program participants. In addition to that it provides that the purchases must be relegated to residential real estate only and that the residential real estate must be a 1 or 2 unit dwelling, one unit of which is owner occupied. The previous Bill required that these bonds be issued in maturities of 3 years. This changes...of 3 or 5 years. This makes them at least 5 years. Last but not least, Ladies and Gentlemen, I would advise you that this Amendment represents an agreement between the State Treasurer, the Illinois Bankers Association, the Illinois Housing Development Authority and the Illinois Community Bankers Association and the Illinois League of Savings and Loan Associations, so I move for its concurrence."

Speaker Giglio: "Heard the Lady's Motion. Any discussion? The Lady from Sangamon, Representative Hasara."

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

Speaker Giglio: "She indicates she will."

Hasara: "Representative, I'm just curious. The other 80 percent of the money, would that go to non-Illinois banks or other Illinois financial institutions? It just seems like such a small amount. To only require 20 percent."

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Breslin: "Okay. The...it would not go, necessarily, out of Illinois banks and savings and loans, but it is not restricted, so this Amendment provides that there is a restriction on 20 percent. Quite frankly, this Treasurer and State Treasurers prior to him have made a significant effort to do all investments in Illinois, but this actually locks in 20 percent of the funds."

Hasara: "I mean, could we assume then that much of the additional 80 percent would go to other Illinois institutions?"

Breslin: "I think we can assume that. And it's not other than banks and savings and loans, but it's..."

Hasara: "That's what I mean. Okay. Thank you."

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

Parcells: "Thank you, Mr. Speaker. Representative, when you passed this out of the House I had some concerns as you may remember, and I wonder if any of those have been addressed. In other words, one of them if you remember was I said that I was afraid from having read the Bill that someone could invest this money and... never with the idea of buying a home, but getting a tax break instead. Is that... has that been addressed at all in the Senate Amendment?"

Breslin: "That has not been addressed. It was not seen by the Senate as a problem."

Parcells: "Well, I still see it as a problem, but that's of course my opinion, because I think that is a way to get tax breaks that is taking advantage of a system that was not meant to be that way. My second concern was out-of-state people could come here and invest their money and have no tax consequence. It does not... it did not in the original Bill say anything about being a resident of the state."

Breslin: "No, but it does require that eligible participants must purchase residential real estate in Illinois and they must



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live in it, so I think they must be Illinois residents if they have to live in the unit that they buy."

Parcells: "You mean if they bought... well, if they... but they don't... according.

Breslin: "They can come in from another state."

Parcells: "According to the original Bill, they didn't have to buy a residence here. They could invest this money and later on take it out."

Breslin: "Well, that was addressed. Well, they can still take it out, but in order to secure the advantage of the program, they must purchase residential real estate and it must...one unit of which must be owner occupied."

Parcells: "Yes. Well... and I like...I applaud the...what is the idea behind this Bill, but I am seeing certain wealthy...if you will...people, who have no intention of buying a home, but may at this point rent, or somebody out-of-state using this as a way to get around a tax consequence and I don't know that we've put in safeguards so that it will not be abused by them and then not be able to be used by those for whom you intend it, which is the poor to buy a first home. And I'm...to the Bill, Mr. Speaker. I think that...I like this idea. I don't think we've written it properly. I would prefer to see us put in those safeguards so that people from out-of-state could not be using Illinois as a place to save on tax dollars and so that those people would in the end have to use these funds to buy that home so that they're not taking advantage of a system that is created for first time home buyers and therefor at this time I suggest a 'no' vote."

Speaker Giglio: "The Lady from LaSalle, Representative Breslin to close."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, I think that this Bill is well thought out. It has the support of

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all of the financial entities that would be affected by it and I think it has the support of the citizens of Illinois, who I think want to preserve their ability to be homeowners. I therefor urge that we concur in Senate Amendment 1."

Speaker Giglio: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1000?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 109 voting 'yes', 5 voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 1000 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 558, Representative Giorgi. The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, I move the House concur to Senate Amendment #1 to House Bill 558. Senate Amendment #1 provides that the Department of Veterans Affairs with rulemaking power under an Act relating to the registration, location and reporting of burial places. And the original Bill, 558, is intact like it was."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 558?' All those in favor vote 'aye', opposed... opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

Giorgi: "I want to be sure all our Members were voted."

Speaker Giglio: "Mr. Clerk, take the record. On this question there are 99 voting 'yes', 9 voting 'no', 4 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 558, and this Bill having received the

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required Constitutional Majority is hereby declared passed.

Representative Kulas. Representative Myron Kulas.

Representative Kulas. Alright we'll come back.

Representative Olson. Bob Olson, 1051. The Lady from Cook, Representative Zickus, for what purpose do you rise?"

Zickus: "Yes, Mr. Speaker, I would like to be recorded as voting 'no' on House Bill 558."

Speaker Giglio: "Mr. Clerk, please...please let the record...and that'll be reflected in the transcripts. Representative Kulas has returned. House Bill 1027. The Gentleman from Cook, Representative Myron Kulas."

Kulas: "Thank you, Mr. Speaker. I would move that the House concur in Senate Amendment #2 and 3 to... to 1027... on 1, 2 and 3. Amendment #1 was put on at the request of the Department of Revenue. Amendment #2 clarifies the Bill's authorization for the Department of Revenue to revoke the clarifi...certification within ninety days. And Amendment #3 reduces the Public Health District Department levy back to its current statutory one percent of equalized assessed evaluation. And I would move to concur to these Amendments."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Piel."

Piel: "Just a quick question of the Sponsor. A question of the Sponsor?"

Speaker Giglio: "Proceed."

Piel: "Senate Amendment #1, this allows a backdoor referendum, is that correct?"

Kulas: "Hold on a second, let me just check. I'm not...I'm not sure. Yeah, that's correct."

Piel: "Okay, I just wanted the Members of the Body to realize that there was a backdoor referendum involved in this. Thank you very much."

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Speaker Giglio: "Representative... Further discussion?  
Representative Kulas to close."

Kulas: "I just move to concur."

Speaker Giglio: "You heard... you heard the Gentleman's Motion.  
The question is, 'Shall the House concur in Senate  
Amendments #1, 2 and 3 to House Bill 1027?' All those in  
favor vote 'aye', opposed 'no'. The voting is open. This  
is final action. Have all voted who wish? Have all voted  
who wish? Have all voted who wish? Mr. Clerk... Have all  
voted who wish? Mr. Clerk, take the record. On this  
question there are 47 voting 'yes', 66 voting 'no', only 2  
voting 'present'. Representative Kulas."

Kulas: "At this time, I would move to nonconcur in Amendment #1  
and concur in Amendment 2 and 3. Nonconcur in Amendment  
#1."

Speaker Giglio: "The... the Motion to concur has lost. Now the  
Gentleman moves to nonconcur..."

Kulas: "... To Amendment #1."

Speaker Giglio: "To Amendment #1. All those in favor signify by  
saying 'aye', opposed 'nay'. The opinion of the Chair, the  
'ayes' have it. And the House nonconcur with Senate  
Amendment #1 to House Bill 1027. Representative Kulas."

Kulas: "Now I would move to concur to Amendments 2 and 3 to House  
Bill 1027."

Speaker Giglio: "The Gentleman now has moved to concur in Senate  
Amendments #2 and 3 to House Bill 1027. All those in favor  
signify by voting 'aye', opposed 'no'. Representative  
Matijeovich."

Matijeovich: "Would the Gentleman yield? Does... I'm just looking  
at... at the analysis rather than the Amendment and the  
Bill, and it seems to me from the analysis, Amendment #3  
references Amendment #1. And if you nonconcur to Amendment  
#1 and went to... and they receded from that, where are we

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at with regards to Amendment #3? I'm not sure. I'm only looking at the analysis and are we... yeah, my... my... my nonpaid Parliamentarian. Mark O'Brien, tells me I'm absolutely right. Are you creating a problem? I think you may have to nonconcur to everything and go to Conference, as long as you nonconcurred with one."

Kulas: "Mr. Speaker, can we take this out of the record for the time being? We'll get back to this Bill a little later."

Speaker Giglio: "Dump the Roll Call, Mr. Clerk. Representative Olson. Representative Bob Olson, House Bill 1051."

Olson B: "Mr. Speaker, I move to concur with Senate Amendment #1 to House Bill 1051. The underlying Bill specified that the Secretary of State should put square footage on mobile home titles. Amendment #1 specifies that in determining the length of a mobile home you shall not include the length of the hitch. I ask for your support and concurrence."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1051?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'yes', none voting 'no' and 1 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1051, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Laurino, 1080. The Gentleman from Cook, Representative Laurino, House Bill 1080."

Laurino: "Mr. Speaker, I move to concur with Senate Amendment #1 to House Bill 1080. It's a technical Amendment. It clarifies language that was overlooked in the House and was so ably put on by Senator Berman in the Senate."

Speaker Giglio: "Any discussion? Hearing none, the question is,

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'Shall the House concur in Senate Amendment #1 to House Bill 1080?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 110 voting 'yes', none voting 'no' and 1 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1080, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Wennlund, 1083. The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 to House Bill 1083. What the Amendment does is it merely provides an avenue for a manufacture to appeal directly to the Illinois Pollution Control Board rather than to the Appellate Court. It's a... it's an Amendment that's agreed upon and merely a technical Amendment. Ask for your favorable support."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1083?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no' and 1 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1083, and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Steczo, House Bill 1123. The Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I would move to concur in Senate Amendment #1 to House Bill 1123. House Bill 1123

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amends the Carnival and Amusement Ride Safety Act and the Senate Amendment does two things. First, it more clarifies the definition of ski lifts and says that ski lifts, tow ropes or other devices used to transport snow skiers, that was made at the recommendation of the Department of Labor. In addition, the Department of Labor recommended language that provides for inspection of any tram, open car or combination of open cars to wagons pulled by a tractor or other motor vice... other motorized device which is not licensed by the Secretary of State. I know of no opposition, Mr. Speaker, to the Amendment. Would move for concurrence in Senate Amendment #1 to House Bill 1123."

Speaker Giglio: "Any discussion? The Gentleman from Warren, Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Giglio: "She indicates she will. Or he indicates he will... he will."

Hultgren: "Terry, I think I understand what the Amendment does, including these trams and open cars, includes them within the definition of an amusement ride. Once they come within the definition of an amusement ride, what requirements are then imposed on them? They have to be inspected by the department?"

Steczo: "They have to be inspected by the department once per year and be given a license to operate, basically."

Hultgren: "Is there a fee involved there and do you know what the fee is?"

Steczo: "I believe it's a minor fee, fifty dollars."

Hultgren: "Fifty dollars per..."

Steczo: "I believe it's fifty dollars but I could be mistaken. That's what the fee was when the law was originally passed. And I know of no... no... nothing that the Legislature's done to increase that... increase that fee."

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Hultgren: "Okay. Specifically, what I'm thinking about is at the street festival or fair that's held in Galesburg, they have open cars if you will, which are used to tour the Burlington Northern Rail Yards. And I'm assuming that with this Amendment that those open cars would then have to be licensed and I'm just trying to figure out how much it's going to cost to have those licensed? You think it'll be fifty dollars per car..."

Steczko: "Well, Representative... Representative Hultgren, I should also indicate the Amendment does say that unless those devices or those motorized vehicles are licensed by the Secretary of State already. If they're currently licensed by the Secretary of State's Office. I'm not sure what type of vehicle you're speaking of, then they would be exempted from this Act... from this Amendment."

Hultgren: "I see. Okay, thank you."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1123?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'yes', 2 voting 'no' and 2 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1123, and this Bill having received the required Constitutional Majority is hereby declared passed. Supplemental Calendar Announcements."

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

Speaker Giglio: "Representative DeJaegher, 1128. The Gentleman from Rock Island, Representative DeJaegher."

DeJaegher: "Thank you, Mr. Speaker and Members of the Assembly. I concur with Senate Amendment #1 to House Bill 1128. What 1128 did originally was increase the standards for home



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health care from 10,000 to 15,000. It went into the Senate and there was input made by the Department of Rehabilitation and also the Department of Aging, which basically stressed the fact that person must be able to pay before those services are implemented. So if that person has adequate income, of course that person would be denied... but if that person had it...didn't have it and of course that person would be eligible. So I concur with Senate Amendment 1 to House Bill 1128."

Speaker Giglio: "Any discussion? The Lady from Cook, Representative Parcells. Representative Breslin in the Chair."

Parcells: "Thank you, Madam Speaker. Ladies and Gentlemen, when this Bill originally passed, there was quite a bit of discussion on raising it because the cost is going to be 5.4 million dollars and it just eked out of the House to get over to the Senate. Now the Senate has added another 1.3 million to it. We don't know where this money would come from, plus it doesn't really make sense. These people are already allowed to have a 15,000 dollar amount of money that they have in investments and so on, and they can have a house, they can have a car, they can have social security and they can have an addition to that, now 500 dollars of added income. If they have only 450 dollars, they would pay a very, very small amount of money for this service, maybe 5 or 10 dollars a month. And I think on the bigger picture of the other taxpayers in the State of Illinois we have to draw the line somewhere. This is 1.3 million more dollars already added to the 5.4 million. I think it's a bad idea. And I think we should vote 'no' on this concurrence to Senate Amendment #1 on House Bill 1128."

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

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DeJaegher: "I think the information that the wordy Representative is giving isn't... is this has been agreed to by the Department of Rehabilitation Services. It will give them an opportunity of collecting fees. It's also an agreed Amendment by the Department of Aging. So with this in mind, I think that all of us should be voting 'yes' on this Bill."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1128?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 104 voting 'aye', 7 voting 'no', 1 voting 'present'. The House does concur in Senate Amendment 1 to House Bill 1128, and this Bill having received the...the Constitutional Majority is hereby declared passed. Senate Bill (sic - House Bill) 1131, Representative Levin. Senate Bill 1136, (sic - House Bill 1136) Representative Giglio."

Giglio: "Madam...Madam Speaker, Ladies and Gentlemen of the House, House Bill 1136 was a quick-take for the Little Calumet River and for Calumet City and Lansing, Illinois. The Bill went over to the Senate. Senate Amendment #1 was a technical Amendment. Senate Amendment #2 was an Amendment that was put on by 'Pate' Philip for a quick-take on the Cal-Sag River. And Senate Amendment #3 was put on by Representative Luft (sic - Senator Luft) for a eminent domain provision in his district with regards to enterprise zone. I would move to concur with Senate Amendments #1, 2 and 3 to House Bill 1136."

Speaker Breslin: "The Gentleman has moved to concur in the Senate Amendments on House Bill 1136. On the question, the Gentleman from DeKalb, Representative Countryman."

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Countryman: "Will the Gentleman yield?"

Speaker Breslin: "He will."

Countryman: "This #3, our analysis says it grants quick-take powers to a home rule municipality in an area designated by an enterprise zone by the municipality under the state, so it wouldn't apply to just one area? It could apply to many areas, is that correct?"

Giglio: "I believe that's correct, with the approval of a public hearing first and the members of the municipality or governing body."

Countryman: "What's a...what's the need for the permanent easement in the Salt Creek in DuPage County? Why do...why can't they do that by regular..."

Giglio: "...I understand that they have the same problem I had. There was...there's one parcel of property that they can't get the owner to agree too. And they have the same problem with... they want to do some dredging and cleaning in that area and there's... and that Bill... or that piece of property is in jeopardy, just like the ones that I had."

Countryman: "Well, Madam Speaker, to the Amendments. It seems to me that Amendments 1 and 2 are in conformance with what the underlying intent of the Bill was. But when we go into Amendment #3 we can open up Pandora's box, and since we're dealing with quick-take and that authority which isn't generally granted, it seems to me we ought to be very restrictive. And for that reason, I guess I'd have to vote against the Gentleman's Motion."

Speaker Breslin: "The Gentle...there being no further discussion, Representative...Representative Giglio to close."

Giglio: "Madam Speaker, Ladies and Gentlemen of the House, I would ask for your concurrence in Senate Amendments #1, 2 and 3."

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

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Senate Amendment 1, 2 and 3 to House Bill 1136?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Balanoff is recognized to explain his vote."

Balanoff: "Yes, yes. I would encourage everybody to concur with the Senate Amendments. Anybody that understands the problems on the Little Calumet River would certainly understand the problem that Representative Giglio is trying to address. Thank you."

Speaker Breslin: "Any further discussion? No explanation of votes. Have all voted who wish? The Clerk will take the record. On this question there are 72 voting 'aye', 39 voting 'no', 2 voting 'present'. The House does concur in the Senate Amendments 1, 2 and 3 to House Bill 1136, and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 1027, going back to Representative Kulas's Bill. Representative Kulas."

Kulas: "Thank you... thank you, Madam Speaker. We had a problem with this Bill a few minutes ago. I'm not exactly sure what the status of the Bill is, because we made a Motion to nonconcur in Amendment #1 and then, having voted on the prevailing side, I'd like to reconsider that vote."

Speaker Breslin: "The Clerk informs me that the House has nonconcurred in Senate Amendment #1 and no action has been taken on Senate Amendments 2 and 3."

Kulas: "Well, having voted on the prevailing side, I would like to reconsider the vote."

Speaker Breslin: "On #1?"

Kulas: "Right."

Speaker Breslin: "Representative Kulas moves to reconsider the vote by which Amendment #1 was concurred in. On that question, is there any discussion? The Gentleman from DuPage, Representative McCracken."

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McCracken: "Is the purpose in this just to eventually strip off Amendment #1 or..."

Kulas: "No, the purpose is to concur with all three Senate Amendments. I didn't understand the Amendments fully. There was a question of a backdoor referendum in Amendment #1, that was taken care of by Amendment #3. Amendment #3 allows the board to raise the levee only by a front... by a referendum."

McCracken: "How was the Gentleman on the prevailing side of the concurrence Motion?"

Kulas: "Well, I...I made a Motion to nonconcur in Amendment #..."

McCracken: "...Oh, to nonconcur?"

Kulas: "In Amendment #1. So..."

McCracken: "Okay. Alright, thank you."

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

Matijevich: "Only to set the record straight, Madam Speaker. You said the Gentleman makes a Motion to reconsider the vote by which we concurred..."

Speaker Breslin: "... It should be nonconcurring."

Matijevich: "...Nonconcurring..."

Speaker Breslin: "Correct, Representative Matijevich. Representative Kulas, do you need to close?"

Kulas: "No, Ma'am."

Speaker Breslin: "The question before you, Ladies and Gentlemen, is, 'Shall the House recon...shall the House reconsider the vote by which the House nonconcurring in Senate Amendment #1?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House reconsiders the vote. Now, Representative Kulas, moves to... to... Representative Kulas."

Kulas: "I would move to concur in Senate Amendments 1, 2 and 3..."

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Speaker Breslin: "...Very good..."

Kulas: "...To House Bill 1027."

Speaker Breslin: "The Gentleman moves to concur in all three of the Senate Amendments on House Bill 1027. And on that question, the Gentleman from Cook, Representative Piel."

Piel: "Your feeling is, is that #3 doesn't weigh with the backdoor referendum?"

Kulas: "Amendment #3 makes it a... if the board wants to up the levee to 1.15, it would have to be by a referendum, a frontdoor referendum..."

Piel: "... Correct, correct. But, it returns the authorized rate of the public health tax subject to a backdoor referendum, back to point one. So in other words, there is a backdoor referendum provision there. If it wants to go over it, it provides that a tax levied over the .1%, but not to...but not to exceed the .15%, wouldn't be subject to a frontdoor referendum."

Kulas: "The backdoor referendum isn't in at all. It had... it would have to be done by a front...by a frontdoor referendum. That was the purpose of Amendment #3."

Piel: "I'm not..."

Kulas: "...Amendment #1 had the backdoor referendum in it."

Piel: "... I agree. I agree..."

Kulas: "... Amendment #3 took that..."

Piel: "... But the...but looking at #3, it returns the authorized rate of the public health tax subject to the backdoor referendum back to .1%."

Kulas: "Well, that's a front door referendum itself then."

Piel: "Okay. I got...I've got it, Woody...the existing law presently already authorizes a backdoor referendum and this would...to increase that you would have to do it by a frontdoor, correct?"

Kulas: "That's correct."

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Piel: "Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House concur in Senate Amendments 1, 2 and 3 to House Bill 1027?' 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 voted who wish? The Clerk will take the record. On this question there are 95 voting 'aye', 21 voting 'no' and none voting 'present'. The House does concur in Senate Amendments 1, 2 and 3 to House Bill 1027, and this Bill having received the Constitutional Majority is hereby declared passed. The next Bill is House Bill 1137, Representative McCracken on behalf of Representative Klemm."

McCracken: "Thank you, Madam Speaker. I move to concur in Senate Amendments 1 and 2. The original Bill requires notification to all taxing districts at a Board of Review hearing, where a change of more than 100,000 dollars in assessed valuation is at issue. Senate Amendment #1 is the same as House Bill 602, which passed out of here as an agreed Bill. It provides that assessors in townships or multi-townships with a population of fifteen thousand or more may fulfill the educational requirements to hold that office if they've completed at least three hundred hours of course work which includes one hundred fifty hours of course work requiring a written exam. Amendment #2 requires...or allows a collector to refuse a personal check in payment of property taxes within 30 days before a tax sale. Payment would have to be accepted if it were money, cashier's check, certified check or money order. I move the concurrence in Senate Amendments 1 and 2."

Speaker Breslin: "The Gentleman has moved that the House concur in Senate Amendments 1 and 2 to House Bill 1137. And on the question, the Gentleman from Livingston, Representative

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Ewing."

Ewing: "Yes, Madam Speaker, I just would like to ask if you would see if the Speaker would give us a chance to get copies of the photograph that your photographer's taking up in the gallery. I think that would be nice for all of us to have those for our walls. So would you please ask the Speaker to have the Democratic Staffer give us copies?"

Speaker Breslin: "Representative Ewing, I am advised that that's not a Democratic Staffer, but I would certainly encourage that...that such things not take place on the floor of the House. Representative Ewing. Representative Ewing is recognized."

Ewing: "Madam Speaker, we've been over this a couple of times. I think, you know, we can both have photographers around. We all know how this process works and there are times when we're in here for long days and I don't think we either want... either side wants to be embarrassing the other side. Thank you."

Speaker Breslin: "Do you think this needs further discussion, Representative Morrow? What were you going to verify."

Morrow: "I just want clarify."

Speaker Breslin: "Proceed, Sir."

Morrow: "Representative Ewing, I also agree. But I also want you to know that on your side of the aisle and I did mention it to Tom, earlier, your guy was up in this aisle... up in the balcony over here taking shots, but I do agree with you. Long days like this we don't need that type. Thank you."

Speaker Breslin: "The question before us is, 'Whether or not the House should concur in the Senate Amendments on this Bill?' On the question, the Lady from Cook, Representative Wojcik. There being no further discussion..."

Wojcik: "No, Madam...Madam Speaker, it's not on the Bill. After a while recognize me."



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Speaker Breslin: "The... the question is, 'Shall the House concur in the Senate Amendments on House Bill 1137?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final action. Have all voted who wish? The Clerk will take the record. On this question there are 100 voting 'aye', 11 voting 'no' and none voting 'present'. The House does concur in Senate Amendments 1 and 2 to House Bill 1137, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Wojcik, for what reason do you seek recognition?"

Wojcik: "Yes, Madam Speaker, on House Bill 1027 I was recorded as voting 'yes' and I would like to vote 'no'."

Speaker Breslin: "The transcript will reflect that, Representative."

Wojcik: "Thank you."

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

Hasara: "Madam Speaker, I would also like to have my vote reflected as 'no' on 1027."

Speaker Breslin: "That will be carried in the transcript, Representative Hasara. House Bill 1148, Representative Steczo. Proceed, Sir."

Steczko: "Thank you, Madam Speaker. I would move to concur with Senate Amendments #2 and 3 to House Bill 1148. Senate Amendment #2 provides that when a tax supported library desires to convert the existing library to a library district, there has to be...there has to be more information provided to the voters than currently provided for in the law. And that information would include the number of trustees to be elected by the new district and it specifies that there shall not be more than the number of trustees on the board prior to conversion and It also

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stipulate the maximum number of trustees who may reside in a single township. Amendment #3 corrects a technical error in the Bill and that's all that Amendment #3 does. So I would move for concurrence in Senate Amendments #2 and 3 to House Bill 1148 and there is no opposition that I'm aware of, Madam Speaker."

Speaker Breslin: "The Gentleman has moved for the concurrence in Senate Amendments 2 and 3 to House Bill 1148. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendments 2 and 3 to House Bill 1148?' 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 108...109 voting 'aye', 1 voting 'no' and 2 voting 'present'. This Bill having received the...the House does concur in Senate Amendments 2 and 3 to House Bill 1148, and this Bill having received the Constitutional Majority is hereby declared passed. Is Representative McGann in the chamber? Mr. McGann? Representative Bugielski indicates that the record should reflect that he wanted to vote 'aye' on House Bill 1148. The next Bill then is House Bill 1155. Excuse me. Representative Sutker, for what reason are you seeking recognition?"

Sutker: "Madam Speaker, I would like to have the record reflect that on House Bill 779, I meant to vote 'no'."

Speaker Breslin: "The transcript will reflect that, the record will not, Sir."

Sutker: "Let the transcript so reflect. Thank you, Madam Speaker."

Speaker Breslin: "Very good. The next Bill is House Bill 1155, Representative Klemm. Out of the record. House Bill 1202, Representative Homer. Mr. Clerk. Mr. Clerk, we had

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called 1202? Had you not reflected that? And then I called 1202 and Mr. Homer is ready. Proceed, Representative Homer. Mr. Homer, you've been recognized to present a Motion on this Bill. Have you decided..."

Homer: "Thank you, Madam Speaker. My confusion stems from the fact that I brought to the Chair's attention yesterday, that my speak light does not always light and it's unlit at the moment. So, thank you for that. This...this measure is a proposal danced by the Attorney General's Office, which amends the Narcotics Forfeiture Act to provide for the forfeiture of property or the seizure of property, at the time or following the time of the indictment. As the Bill passed to the Senate, the measure would have allowed for the seizure of property when someone is charged with... with narcotics racketeering to be seized prior to the charge being brought. The Bill was amended in the Senate in the Senate Judiciary Committee by Senator Daley, to provide that the right of the state to seize the property would not vest until such time as there has been in filing of an information or the return of an indictment by a grand jury. I would answer questions and move for the support...for the adoption of the Senate Amendment 1."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1202. And on the question, the Lady from Cook, Representative Currie."

Currie: "Just with a question if I might, Madam Speaker. Did you say that the forfeiture provisions are triggered at the time of indictment or at the time of conviction?"

Homer: "Current law, the forfeiture provisions are triggered following sentencing. The Bill, as passed by the House, would have...would have allowed for the forfe...the seizure of the property to be invoked prior to the actual filing of the charge. The Senate Amendment is somewhat of a

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compromise, and that it says that the...the seizure could take place any time after the indictment or the filing of a criminal information. Of course, the seizure would be conditioned upon...the forfeiture would be conditioned upon the subsequent conviction, but the rationale of the Bill is that in order to put any teeth at all in the Narcotics Forfeiture Act, which seizes to hurt drug dealers in this state, where it hurts, that's in the pocketbook; would be to allow for some pre-sentencing seizure of property, because the experience of... the enforcement of this Act shows that where a person is charged with narcotics racketeering, often times, the profits or the property associated with the drug dealing has disappeared by the time the sentencing has taken place. So this is an effort by the Attorney General's Office to try to allow for that property to actually be in existence and in the hands of the suspect or the defendant, so that it may be subject to the forfeiture provisions."

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

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

Speaker Breslin: "He will."

Young: "Just so I'm clear. This Amendment deals with seizure property and that is... at what time in a proceedings? This is seizure prior to conviction, isn't it?"

Homer: "Yes, it is."

Young: "Is it seiz...seizure prior to indictment also?"

Homer: "No, that...that was the...the Bill as it passed, did have it in that form, but the Amendment would make the seizure possible only following the indictment or the filing of the criminal information."

Young: "Okay. Is there any provision in the Bill that deals with if the... if the case is never tried or sets a time frame, as to when the case would have to come to trial before a

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return of the seized property?"

Homer: "Well, there's no provision in this Bill concerning the time for trial, but of course as you know, there are other provisions that allow a defendant the right to a speedy trial in the Criminal Code. This...it's not set forth in this Bill, however."

Young: "Alright. To the... to the Amendment, Madam Speaker, Ladies and Gentlemen of the House. I know it's hard to pay attention to all these Amendments that are going on here, but if the Ladies and Gentlemen of the House would pay attention, I think this is an Amendment that you should consider carefully before you vote for it. I know it's quite popular to be strong and tough on crime and for law and order, but what we're dealing here is with private property, with the property rights of individuals. And we're allowing property to be seized by the government before an individual has been convicted of a crime. Now we all agree that in certain instances property illegally gained should certainly be seized by the government, but that's not what we're doing here. We're taking an individual's property prior to conviction. We're taking it after charges have been filed with no mention on what happens if those charges aren't brought to a speedy conclusion. So I think this is a bad precedent to set. If someone has committed a crime we should seize their property, but again, what we're moving toward is an individual not being innocent and proven guilty. If he's innocent until proven guilty, you take his property after he's proven guilty. In this situation, you're taking it while in fact he may very well be innocent. We all know that once property is seized, it'll have such a devastating effect, the individual will never be made whole again. They will not have a chance to properly defend themselves.

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You can destroy lives and family and property, and someone could ultimately be innocent of what they were charged with and their property seized for. This is a bad Amendment and I hope we do not support this very, very, devastating Amendment."

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

Homer: "Well, thank you, Madam Speaker. And I have a high respect and regard for the previous speaker. What we're talking about however, I think is clear. We're talking about people who are charged with the offense of narcotics racketeering and it has been shown at the federal level, as well as on the local level, that the only real way to put a stop to the drug source where it begins, is to try to reduce the extraordinary profits that enure to drug dealers and people who engage in narcotics racketeering. That's the reason we have on our books a narcotic forfeiture law. But that law is fatally defective as it currently is written, because it only comes into play after a person has been sentenced, which as you know, can be months and sometimes even years after a charge is brought. Now any person charged with narcotics racketeering, who has...who is represented by counsel, will surely know or be advised that the state may come in after sentencing and take the profits for those drug dealings. And that you better divest yourself of them, or conceal them, or get rid of them, and you got about six or eight months to do that. This Bill tries to put some sense into the law, to allow that after the filing of an indictment, after a grand jury has determined there's probable cause, that an individual is...has committed the offense of narcotics racketeering, for the state to come in; not to take the property as it's owned, but to freeze the property that is the profits that are connected with drug dealings. So that if in fact, that

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individual is convicted subsequently, those profits can be taken and turned over to the state, where they rightfully belong. And not go into the pockets of the conspirators of the drug pusher. This is a simple Bill. It's one that puts law enforcement on equal footing or attempts to do so with the drug kingpins in this state. It's a Bill that ought to be supported resoundingly. I would urge a 'yes' vote."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 1202. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Shaw is recognized to explain his vote."

Shaw: "Yeah, thank you, Madam Speaker, Ladies and Gentlemen of the House. I just wanted to add... well I had in mind of asking a questions, in terms of... does that mean that you give up the attorney's fee that that drug dealer paid you to defend him? Could that come in...could they...could the state come in and confiscate your fee? And if I sold my house to a drug dealer, the state could come in and take the proceeds from my house even though I had sold it to a drug dealer, but the profits...proceeds came from a drug deal? Which mean, that the state could come in...if they can take your fee, they can come in and take the proceeds that I sold a house for. And I think you should look at this Amendment."

Speaker Breslin: "The Gentleman...the Lady from Cook, Representative Davis, one minute to explain your vote."

Davis: "Thank you, Madam Speaker. I think most of us in here are aware of the Supreme Court of Illinois' 1987 decision, stating that our drug paraphernalia law was unconstitutional. And I believe here again, this Amendment is going to make our drug profit law unconstitutional, which really means we're not truly putting teeth into the

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law, we're giving that drug dealer an out. We're pretending to want to jail him and forfeit his property, but because the law is unconstitutional by seizing his... seizing his gains before he's convicted, will make this law unconstitutional and we really won't have a law at all. So therefore, I will have to vote 'no'."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there are 91 voting 'aye', 19 voting 'no'. The House concurs in Senate Amendment 1 to House Bill 1202, and this Bill having received the Constitutional Majority is hereby declared passed. Representative White, we passed over House Bill 1152, which is a... Representative White, we passed over this Bill, House Bill 1152. I believe that came out of your committee. Do you wish to call it at this time? Out of the record. We'll proceed back with the regular Order, House Bill 1203, Representative McPike. Out of the record. House Bill 1211, Representative Bowman. Out of the record. House Bill 1212, Representative Bowman. Out of the record. House Bill 1227, Mr. Edley. Representative Edley."

Edley: "Thank you, Madam Speaker. Ladies and Gentlemen of the General Assembly, I move to concur with Senate Amendment #1."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 1227. On the question, is there any discussion? The Gentleman from Cook, Representative McNamara."

McNamara: "I would like him to explain what Senate Amendment #1 does."

Edley: "It strictly... some technical changes to clean up the language in 1227. Just simply technical."

Speaker Breslin: "The Gentleman from Vermilion, Representative



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Black."

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

Speaker Breslin: "Yes."

Edley: "Yes."

Black: "I'm looking at the Amendment and you're changing the term 'service region', which I think is, if not in statute, everyone here understands what that is in the educational delivery service system; and you're changing that to 'service center region', which is substantially different."

Edley: "Well, it was an error in the drafting. We received that from the State Board of Education. They had recommended 'service center regions', and when it was drafted, they dropped off the 'center', and we included... we corrected that in the Senate..."

Black: "... Okay. Alright. I remember now. In other words, rather than deal with just the educational superintendents..."

Edley: "... That's right..."

Black: "... Of the service centers, I know where you're headed now. This is the one that the cost-effectiveness on your system is outstanding, as I recall, correct?"

Edley: "... Yeah, that's right."

Black: "Okay. Alright, thank you."

Edley: "Okay."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1227?' 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 115 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment #1 to House Bill 1227, and this Bill

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having received the Constitutional Majority is declared passed. Senate Bill (sic - House Bill) 1237, Representative Brunsvold. Out of the record. Senate Bill (sic - House Bill) 1250, Representative Hartke. Wildlife Code, poaching. You're recognized for your Motion. You're recognized, Sir. Your light is on."

Hartke: "Thank you, Madam Speaker. Senate Amendment #1 clarifies the maximum amount of fine for the poaching Bill. As you recall, the underlying Bill, House Bill 1250, ups the maximum penalty... or ups the penalty for poaching wildlife in the State of Illinois. I would appreciate your support."

Speaker Breslin: "The Gentleman has moved to concur in the Senate Amendment on House Bill 1250. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1250?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On the question there are 114 voting 'aye'. This Bill having received the Constitutional Majority is declared passed, and the House concurs in Senate Amendment 1 to House Bill 1250. House Bill 1251, Representative Mays."

Mays: "Thank you."

Speaker Breslin: "Proceed, Sir."

Mays: "I move we concur with Senate Amendment #1 to House Bill 1251. Senate Amendment #1 adds the junk fax mail language to this Bill. And I think it passed the Senate overwhelmingly. With this, I would simply move for its passage."

Speaker Breslin: "The Gentleman has moved to concur in the Senate Amendment on House Bill 1251. On the question, the Gentleman from DeKalb, Representative Countryman."

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Countryman: "Will the Gentleman yield?"

Speaker Breslin: "He will."

Mays: "Certainly."

Countryman: "Now, let's see. This... this is... somebody want... if we want to send out a press release on our fax machines and send it to those people we think probably want it, and they don't want it, can they charge us with an offense if they get a fax from us, that they say that they later didn't want and consider to be junk?"

Mays: "They can come back on you, John. If you do that, you know, it's not your paper, it's not your telephone line, it's not anything. They can come back on you."

Countryman: "Well, but it's my mailbox and they put that junk mail in it."

Mays: "You don't want that do you?"

Countryman: "I usually throw it away..."

Mays: "... That's why we need this Bill."

Countryman: "Huh?"

Mays: "Well, I mean, you know, how you going to draw the line? Aren't we dealing with a question of freedom of speech?"

Mays: "In the Amendment that we put on here, you got to have reasonable belief that the sender is given permission before he does this type of thing. That's reasonable. I don't know what that standard is according to common law, that's your area. But it's a good Bill. I would move for its adoption."

Speaker Breslin: "Representative Countryman, do you wish to speak to the Bill, as amended?"

Countryman: "Thank you. I guess my problem is that I don't think there's enough definition in this to tell you what somebody reasonably believes, if you can send it to or what material is considered junk. I recognize that we're just learning how to deal with these new fangled fax machines, but I

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think you tend to infringe upon freedom of speech. Certainly you can tie up somebody's fax machine and maybe their fax paper as a result of it, but we have the option of turning off the machine or notifying somebody that we don't want their material. And... I think that as long as... I mean, you can't... you can't put something on your phone really, that says I don't want to take any phone calls from junk telephone callers. Because of the controls here, I don't happen to think this is a good Amendment and I ask you to vote 'no'."

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

Didrickson: "Thank you, Madam Speaker, Members of the House. I rise in support of the Gentleman's measure. I think the fact that when we get junk mail at home, that doesn't really infringe upon us to the extent that junk mail coming across on our fax machines will do and does. That means that it uses my paper that I pay for and I'm not asking for that kind of junk mail. It means that it's using up time on my fax machine and I haven't asked for that kind of time being used and time does have a price to it. And I think the Gentleman's Motion is absolutely correct."

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

Bowman: "Thank you, Madam Speaker. Will the Gentleman yield for a question?"

Speaker Breslin: "He will."

Bowman: "I'm sorry, Representative Mays, if I'm...if I'm repeating the line of inquiry that Representative Countryman began, but I'm concerned about the part of the legislation, at least in its original form, that prohibited the sending of press releases by fax machines, unless the recipient gave prior approval. You know, not every newspaper in the state is on subscribes to the wire

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services and the fax machines are the most efficient way of...most timely and efficient way of getting news to them. And I just wondered if you or I were to fax a press release to a newspaper or other media outlet without first calling them up and asking if they wanted to receive it, would that be against the law?"

Mays: "Representative, I think there was some discussion on that point and a number of other points when it got taken up in the Senate, and frankly Representative...Senate Barkhausen's Amendment, I'll read directly, that we're trying to concur in, kind of limits it to...and I'll read Section 2b. 'No person shall knowingly use a fax machine to send or cause to be sent to another person a fax of a document containing unsolicited advertising or fund raising material.' Those two categories. 'Except to a person which the sender knows or under all circumstances reasonably believes to have the permission of.' So, it's just for unsolicited advertising as for unsolicited fund raising materials, as the Bill is structured now as I understand it."

Bowman: "Okay. So...so, press releases are out altogether?"

Mays: "It's not in the language that's in the Amendment that's before us, yes."

Bowman: "Well, no but does that Amendment strike the language which was in the original Bill? That's the question."

Mays: "I was not aware of what the language of the original Bill was. This is it as far as this topic goes."

Bowman: "Okay. Does the Amendment delete everything after the enacting clause and just start all over again? Let me ask that."

Mays: "The original Bill that this Amendment came to amended the Unified Code of Corrections, so it's a completely different topic there. This is new language not contained like the

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House Bill that passed."

Bowman: "Oh, I see. So, everything in the House Bill that passed is still there. This is just in the Code of Criminal..."

Mays: "Right. This is just the additional that narrows it to unsolicited advertising and to fund raising material."

Bowman: "Wait...wait a minute. I'm sorry. Now you're confusing me, because I thought you said it narrows the scope of the original Bill, but you say it doesn't really modify anything that was in the original Bill. It's adding new language to a new Section of the statute."

Mays: "I was talking about the original Bill that we all voted for that passed this House something like 86 to 9. That Bill has been severely limited by this Amendment on my Bill."

Bowman: "Oh. I...I...okay, wait a minute. I get it. So, this is...this is not the original Bill that was amended in the Senate, this is an Amendment to your Bill..."

Mays: "That's right."

Bowman: "...that does what Representative... I get it."

Mays: "Just carrying water for Senator Barkhausen."

Bowman: "I get it. Okay, thank you very much."

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

Harris: "Thank you, Madam Speaker. Question of the Sponsor."

Speaker Breslin: "Proceed."

Harris: "The Senate Amendment #1 limits unsolicited fax transmissions, correct?"

Mays: "It simply says, 'No person shall knowingly use a fax to send unsolicited advertising or fund raising material', except with the permission of the guy they're sending it to."

Harris: "Is there a problem? I mean do you have specific...specific instances when fax transmissions have

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caused problems that people are receiving them when they don't want them?"

Mays: "I have not personally on my fax machine, but I understand Senator Barkhausen is attempting to stop a problem before it gets rolling."

Harris: "Do you think we have a...we could be...we have a problem before it gets rolling. If I can to the Bill, Ladies and Gentlemen of the House, you will all receive in your mail, if you have not already, a current issue of State Legislatures magazine, the current State Legislatures magazined date July 1989. In there on page 11 it deals with this very issue, 'Junk Mail to Junk Fax'. There are five other states which are considering similar legislation; California, Connecticut, Maryland, New York and Oregon. Quite frankly, they say it's a problem which is not really a problem. We are addressing something here which I don't think really needs to be addressed at this point, in no other state has this Bill, at least as of mid June, in no other state has this similar Bill passed. We hear talk that there may be an instance out there that people are getting faxes that they don't really want, and maybe yes indeed that's true, but to elevate it to the height of this great problem that so many people are referring to, it seems to me it is not appropriate, it's not the case, and I think the appropriate vote in this instance is for...is a 'no' vote on the Concurrence Motion."

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

Zickus: "Thank you, Madam Speaker. I rise in support of this Amendment. This is a pro-business Bill and the Amendment has taken care of some of the questions regarding press releases that were objectionable in the original Bill. There are many instances now that I've heard of where

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business people's machines are being tied up with unsolicited information coming over their machine on paper that they're paying for. They said this is a pro-business issue and it should receive a 'yes' vote. Thank you."

Speaker Breslin: "Representative Mays, is recognized to close."

Mays: "Thank you, very much, Madam Speaker. I simply would move to concur. This Amendment narrows the topics to unsolicited advertising or unsolicited fund raising materials. If Representative Harris wants to give his fax number over the whole...for the record, we can all send him some of that stuff and be accused of a petty offense or whatever it is in the Bill. It's a reasonable...it's a reasonable Bill. I would simply move for concurrence."

Speaker Breslin: "The Gentleman has moved to concur. The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1251?' 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 102 voting 'aye', 9 voting 'no' and 3 voting 'present'. The House does concur in Senate Amendment 1 to House Bill 1251, and this Bill having received the Constitutional Majority, is hereby declared passed. With leave of the Body I'd like to go back to Representative Bowman's Bill that had to be taken out of the record earlier. That's House Bill 995, Mr. Clerk. 995. Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 to House Bill 995. In its original form, House Bill 995 did several things amending the Crime Victims Bill of Rights Act. Probably the most controversial thing that it did when it left the House was taken out in the Senate by Senate Amendment 1. Namely, the provision that permitted the



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crime victims and/or their families to offer victim impact statements during the Grand Jury proceedings. That was a novelty, an innovation that although it passed the House, the Senate rejected. So, to save the other items in the Bill, I will at this time move to concur in the Senate Amendment #1."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 995. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 995?' 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', 1 voting 'no' and none voting 'present'. The House does concur in the Senate Amendment to House Bill 995, and this Bill having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we are now going to the Order of Nonconcurrency. It appears...it begins on page 15 on your regular Calendar and when we finish this order we'll then go to Supplemental #1. So, starting...starting on page 15 on the Calendar under the Order of Nonconcurrency appears Senate Bill 116, Representative Levin. Out of the record. Senate Bill 125, Representative Black. Out of the record. Senate Bill 127, Representative Young. Anth... Senate Bill 255, Representative McPike. Out of the record. On page 16 appears Senate Bill 392, has already been done, I understand. Senate Bill 472, Representative Bugielski. Mr. Bugielski, do you wish to make a Motion on this Order of Nonconcurrency, either to recede or to refuse to recede from your House Amendment? If you want a Conference Committee on this Bill, you'll have to move to refuse to

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recede."

Bugielski: "Move to recede."

Speaker Breslin: "Okay."

Bugielski: "I refuse to..."

Speaker Breslin: "Okay. The Gentleman moves to refuse to recede from the House Amendment on Senate Bill 472. On that question is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 472?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and a Conference Committee will be appointed. Senate Bill 514, Representative Preston. You should tell us why you're moving to refuse to recede."

Preston: "Yes, Madam Speaker, Ladies and Gentlemen of the House. I move to nonconcur."

Speaker Breslin: "You mean, refuse to recede."

Preston: "Excuse me. To refuse to recede in House Amendment #1. There is some language difficulties that are still being worked out and I'm informed that there is being drafted an Amendment that has those language difficulties worked out and we're asking this go to Conference Committee."

Speaker Breslin: "The Gentleman has moved to refuse to recede from the House Amendment on Senate Bill 514. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from the House Amendment on Senate Bill 514?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The House refuses to recede from House Amendment 1 to Senate Bill 514 and a Conference Committee will be appointed. Senate Bill 632, Representative Curran."

Curran: "Thank you, Madam Speaker. I wish to refuse to recede from House Amendment #1 to Senate Bill 632. There...what

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we're trying to do is work out the language difficulties we have between the House and Senate, and I think it's best done through a Conference Committee."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment 1 to Senate Bill 632. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 1 to Senate Bill 632?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The House refuses to recede on its Amendments and a Conference Committee will be appointed. Senate Bill 678, Representative Ryder. Ryder-Parcells. You're recognized to make your Motion. What do you wish to do on this Bill?"

Ryder: "Refuse to recede."

Speaker Breslin: "Can you tell us why?"

Ryder: "I refuse to recede. This was...both of these Amendments...2 superseded 1, but it comes closer to the original intent of the Bill and I think of the Sponsor."

Speaker Breslin: "Okay. The Gentleman has moved to refuse to recede from the House Amendments on Senate Bill 678. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendments 1 and 2 to Senate Bill 678?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The House refuses to recede from its Amendments on Senate Bill 678 and a Conference Committee will be appointed. Senate Bill 789, Representative Giorgi. Mr. Giorgi."

Giorgi: "Madam Speaker, I refuse to recede from House Amendments to Senate Bill 789 and request a Conference Committee."

Speaker Breslin: "Can you tell us why you want to put this into a Conference Committee?"

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Giorgi: "Well, there are quite a number of things here that I'm very...from my conventional mind I don't comprehend many of them. From my conventional mind I don't comprehend many of these things, so I'm going to need some more work."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendments 1, 5, 7 and 8 on Senate Bill 789. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from the House Amendments on this Bill?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House refuses to recede from the House Amendments on Senate Bill 789, and a Conference Committee will be appointed. Senate Bill 853, Representative McGann."

McGann: "Just one minute."

Speaker Breslin: "What do you prefer to do on this Bill?"

McGann: "Madam Speaker and Members of the Assembly, I wish to nonconcur on Amendment #2 to Senate Bill 853 and request a Conference Committee."

Speaker Breslin: "The Gentleman moves to refuse to recede from House Amendment 2 to Senate Bill 853. On the question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from the House Amendment on Senate Bill 853?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House refuses to recede from its Amendments on this Bill, and a Conference Committee will be appointed. Senate Bill 855, Representative Parke. Out of the record. Senate Bill 856, Representative Leitch."

Leitch: "Thank you, Madam Speaker. I would move that the House not recede from the Amendment, please."

Speaker Breslin: "And can you tell us why, Sir?"

Leitch: "Yes. The Senate Sponsor and I and some other parties

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are continuing to work on some language for the Bill that it needs to put it into final form."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment 1 to Senate Bill 856. On the question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 1 to Senate Bill 856?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House refuses to recede from its Amendment on this Bill, and a Conference Committee will be appointed. Senate Bill 918, Representative Parke. Out of the record. Senate Bill 971 has already been passed...or been acted upon. Senate Bill 1075, Representative Ronan. Do you wish to recede from this Amendment or not?"

Ronan: "How did we get to this Bill, Madam Speaker? What Calendar is this on?"

Speaker Breslin: "It's on the Order...it's on the Order of Nonconcurrency. The..."

Ronan: "That's great. Alright."

Speaker Breslin: "The Senate doesn't like your Amendment. They want to know whether you'll eliminate it or not?"

Ronan: "No."

Speaker Breslin: "No?"

Ronan: "Yeah, I'd rather send it to Conference Committee."

Speaker Breslin: "Okay. The Gentleman has moved to refuse to recede from House Amendment #1 to Senate Bill 1075. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from the House Amendment on this Bill?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The House refuses to recede from its Amendments on Senate Bill 1075, and this Bill will be put into a Conference Committee. Senate Bill 1094,

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Representative Granberg. Out of the record. Senate Bill 1139, Representative Ryder."

Ryder: "Thank you, Madam Speaker. I refuse to recede from House Amendments 1 and 3 for the purpose to place this in a Conference Committee Report. The purpose of the Bill is to serve as a vehicle for any agreements on reimbursement for long term care, should those agreements take place. Currently negotiations are taking place that may or may not resolve to end the use of this Bill for that purpose. Therefore, I refuse to recede and ask that a Conference Committee be appointed."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendments 1 and 3 to Senate Bill 1139. On the question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from the House Amendments on Senate Bill 1139?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House refuses to recede from its Amendments on Senate Bill 1139, and a Conference Committee will be appointed. Senate Bill 1333, Representative Pullen. Out of the record. We'll go on the same Order of Nonconcurrences that appear on Supplemental #1. It's the same procedure. These are Senate Bills on which the Senate has not concurred in our Amendments. So the Sponsors are Hasara. White. Madigan. Trotter. Bugielski. Ronan. Bugielski. Sutker and McPike. The First Bill is Senate Bill 1114, Representative Hasara. Out of...Representative Hasara is recognized."

Hasara: "Thank you, Madam Speaker. I move to refuse to recede from Amendment #1 on Senate Bill 1114."

Speaker Breslin: "And can you tell us why?"

Hasara: "There is a typographical error in the Amendment. The Bill deals with emergency medical services."

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Speaker Breslin: "The Lady has moved to refuse to recede from the House Amendment on Senate Bill 1114. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from its Amendment on this Bill?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House refuses to recede from this Amendment on Senate Bill 1114, and a Conference Committee will be appointed. Senate Bill 1198, Representative White. Representative White, you're recognized, Sir."

White: "Mr. Speaker and Ladies and Gentlemen of the House, I move to recede from Senate Amendment 1 to Senate Bill 1198."

Speaker Breslin: "So, that means that you don't want to have this Amendment on?"

White: "No, I do not."

Speaker Breslin: "You're going to give up the Amendment?"

White: "Yes."

Speaker Breslin: "The Gentleman moves to recede from House Amendment #1 to Senate Bill 1198. On that question, is there any discussion? There being none, the question is, 'Shall the House recede from Amendment #1 to Senate Bill 1198?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative White, for what reason do you seek recognition?"

White: "I failed to tell you why I didn't want the Amendment on. The Illinois Public Health Department did not want the Amendment. I put it on, and they through our negotiations asked that I remove it and I'm doing so. So, this is not a controversial move on my part, it's one that worked in concert with the Illinois Public Health Department."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', 3 voting 'no' and none voting 'present' and the House recedes

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from House Amendment #1 to Senate Bill 1198, and this Bill having received the Constitutional Majority, is hereby declared passed. Senate Bill 1258, Representative Madigan. Is there anyone handling this for Representative Madigan? No. Senate Bill 1305, Representative Trotter."

Trotter: "Yes, thank you, very much, Madam Chairman and Members of the House...Madam Speaker and Members of the House. I respectfully refuse to recede from the Amendments. The Department overall is in support of this Bill, but there's some technical language they would like to clear up to bring some conformity with this Bill with some other legislation."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendments 1 and 3 to Senate Bill 1305. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from its Amendments on this Bill?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the House refuses to recede from House Amendment 1 and 3 to Senate Bill 1305, and a Conference Committee will be appointed. Senate Bill 1339, Representative Bugielski."

Bugielski: "Thank you, Madam Speaker. Senate Bill 1339, I refuse to recede on the Amendment and..."

Speaker Breslin: "Can you tell..."

Bugielski: "...on technical problems and language that we're working out with the Senate, and I ask that a Conference Committee be appointed."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment 1 to Senate Bill 1339. On the question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from its Amendment on this Bill?' All those in favor say 'aye',



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opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House refuses to recede from its Amendment on Senate Bill 1339, and a Conference Committee will be appointed. Senate Bill 1369, Representative Ronan."

Ronan: "Thank you, Madam Speaker. I refuse to recede from which Amendments, whatever they are, and request a Conference."

Speaker Breslin: "The Gentleman has...have you told us why? Why do you wish to keep these Amendments?"

Ronan: "Yeah, because this is the kind of Bill that belongs in a Conference Committee."

Speaker Breslin: "The Gentleman has moved to refuse to recede from the House Amendments on Senate Bill 1369. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from its Amendments on this Bill?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House refuses to recede from House Amendments 1, 2 and 4 to Senate Bill 1369, and a Conference Committee will be appointed. Senate Bill 1380, Representative Bugielski."

Bugielski: "Thank you, Madam Speaker. Senate Bill 1380...I refuse to recede on the Amendment on Senate Bill 1380. Technical problems and we're still working out with the..."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment 1 to Senate Bill 1380, and on that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 1 to Senate Bill 1380?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House refuses to recede from its Amendment on this Bill, and a Conference Committee will be appointed. Senate Bill 1391, Representative Sutker."

Sutker: "Yes, thank you, Madam Speaker. I move not to recede

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from House Amendments 1 and 2 and ask for a Conference Committee Report. There would be major inconsistencies between the House Bill and the Senate Bill were I not to do this action at this time."

Speaker Breslin: "The Gentleman has moved to refuse to recede from the House Amendments on Senate Bill 1391. On the question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from its Amendments on this Bill. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House refuses to recede from House Amendments 1 and 2 to Senate Bill 1391, and a Conference Committee will be appointed. Senate Bill 1451, Representative Bugielski."

Bugielski: "Thank you, Madam Speaker. I refuse to recede on House Amendment #1 on Senate Bill 1451. We are still working with the Senate Sponsor on putting the proper language into the Bill."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment #1 to Senate Bill 1451. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from its Amendment on this Bill. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House refuses to recede from House Amendment #1 to Senate Bill 1451, and a Conference Committee will be appointed. Senate Bill 1456, Representative McPike. Out of the record. I would announce, Ladies and Gentlemen, that we are still requesting that if you intend to nonconcur in Bills that are on the Order of Concurrence under State and Local Government, we would appreciate it if you would come up and notify us. Just come to the well and tell the Clerk that you intend to nonconcur and we will call those Bills as quickly as possible. Remember, we are

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working towards a deadline and if these Bills are going into a Conference Committee, you have to get those Conference Committees up and operating very quickly. Ladies and Gentlemen, we are now going to go to those Bills that we have where people wish to nonconcur on Bills that are on the Order of Concurrence, State and Local Government. The First Bill is Senate Bill 227, Representative Giorgi."

Giorgi: "Madam Speaker, I move to nonconcur in Senate Amendments 1, 2, 3 and 4 to House Bill 227, because they took this Bill and went too far in the salary increases for county officials. I ask that a Conference Committee be...group be formed."

Speaker Breslin: "This is House Bill 227, not Senate Bill 227."

Giorgi: "Nonconcur. We're moving to nonconcur."

Speaker Breslin: "The Gentleman has moved to nonconcur in the Senate Amendments to House Bill 227. On that question, is there any discussion? There being none, the question is, 'Shall the House nonconcur in Senate Amendments 1, 2, 3 and 4 to House Bill 227?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in the Senate Amendments to this Bill. House Bill 2059, Representative Munizzi."

Munizzi: "Thank you, Madam Speaker. I ask to nonconcur with this and that it be placed in a Conference Committee at this time."

Speaker Breslin: "Well, we can't...this is a House Bill, so the Senate has to take that action, but can you tell us why you don't concur with the Senate Amendment?"

Munizzi: "I'm sorry, my mistake. Thank you. Apparently there's some problem with the legality of the language in the Amendment for the DUI restriction as to whether it should say 'fatal injury' or some other form of injury and it's

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just not clear, so I ask to nonconcur."

Speaker Breslin: "Okay. The Lady has moved that the House nonconcur in Senate Amendment #1 to House Bill 2059. On the question, is there any discussion? There being none, the question is, 'Shall the House nonconcur in the Senate Amendment to this Bill?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in Senate Amendment #1 to House Bill 2059. House Bill 2704, Representative Giorgi."

Giorgi: "...now?"

Speaker Breslin: "Mr. Giorgi, this is 2704."

Giorgi: "I move to concur with Senate Amendments 1 and 2 to 2704, Madam Speaker."

Speaker Breslin: "You're concurring or nonconcurring? We have a note that you want to nonconcur."

Giorgi: "2704?"

Speaker Breslin: "Well, that's why you're on this list."

Giorgi: "No. No, I want to concur."

Speaker Breslin: "Okay, we're only handling those Bills where people wish to nonconcur, so I'll strike this Bill from the list and we'll get you in the normal order. House Bill 1695, Representative Dunn. Mr. Dunn, we have you on...we have a note that you wish to nonconcur on this Bill."

Dunn: "Yes, I do. House Bill 1695."

Speaker Breslin: "Can you tell us why?"

Dunn: "Yes. The Senate Amendment needs some technical changes."

Speaker Breslin: "The Gentleman has moved to nonconcur in Senate Amendments 1 and 2 to House Bill 1695. On that question, is there any discussion? There being none, the question is, 'Shall the House nonconcur in the Senate Amendments to House Bill 1695?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House does nonconcur in the Senate Amendments to this

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Bill. House Bill 1865, Representative Petka. Proceed, Sir."

Petka: "Thank you, very much, Madam Speaker. I wish to nonconcur with Senate Amendment #1. Even though the Senate put on an Amendment which was to clarify the legal description that we had passed out of the House, it is apparent that we still have not clarified that legal description and so I'd like to just have a few...a day or two to work on it, so I move for nonconcurrency."

Speaker Breslin: "The Gentleman has moved to nonconcur in Senate Amendment #1 to House Bill 1865, and on that question, is there any discussion? There being none, the question is, 'Shall the House nonconcur in the Senate Amendment on this Bill?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in Senate Amendment 1 to House Bill 1865. Ladies and Gentlemen, we are going to go back to the Order of Concurrences on the Special Order of State and Local Government where we left off. The First Bill is Representative Cowlshaw's Bill. Other Sponsors are Saltsman. Brunsvold. Younge. Wyvetter. Younge. Steczo. Currie. Woolard. Phelps. We'll be moving down this order, so the First Bill is Senate Bill 1261, Representative Cowlshaw. Out of the record. Senate Bill 1262, Representative Saltsman."

Saltsman: "Yes, Madam Speaker. I move to concur with Senate Amendment 1 to House Bill 1262."

Speaker Breslin: "You have to tell us what the Bill does and what the Amendment does."

Saltsman: "Yes. Madam Speaker, when this Bill went over to the House to take advantage of some enterprise zone programs, we put that the minimum of an industrial facility to be built would be at sixty million dollars. We are raising

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that now to eighty million dollars, because it would be less opportunity for people to take advantage of this tax cut. So, I agree with it and it raises the amount of a industrial complex from a cost factor of sixty million dollars to eighty million dollars to be eligible for these incentives."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1262. On the question, the Gentleman from Cook, Representative McGann."

McGann: "Thank you, Madam Speaker and Members of the Assembly. I rise in opposition to concurring in this Senate Amendment. I would ask that everyone would listen, cause currently a business must create two hundred jobs and retain one thousand jobs in order to receive this utility tax credit which is the subject matter of this Amendment. The Bill undermines the state's approach to economic development which is to create jobs. The most important issue is to create jobs. To vote 'yes' for this Bill, this Amendment and concurrence, it's the single homeowner that will be taking the burden, not business, the single family homeowner, not business. I ask you to vote 'no' and do not concur in the Senate Amendment. I think it's about time we protect that family homeowner. Thank you."

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

McCracken: "Will the Sponsor yield?"

Speaker Breslin: "He will."

McCracken: "Representative Saltsman, our information is that this applies to a particular chemical company and that this infusion of capital dollars is very substantial, but would create only about twenty new jobs. Is that your understanding?"

Saltsman: "No, it'd create at least fifty at the plant plus what

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it would 'seine' in with other jobs as far as transportation, barge lines, railroads and so on."

McCracken: "So there'd be fifty direct jobs as a result of the investment and then whatever ancillary benefits there are?"

Saltsman: "Yes."

McCracken: "Alright. The current requirements are for creation of two hundred full-time equivalent jobs in Illinois, or the retention of a minimum of one thousand full-time jobs. The current utility tax exemptions made as a result of the enterprise legislation, cost the Department of Revenue or the State of Illinois about three million dollars per year. This would add to that figure in some unknown amount, although we would expect it to be a noninsubstantial figure. We defeat the very purpose of the enterprise zone legislation, if we are willing to judge only by the amount invested in determining whether an enterprise zone should be in effect for a particular business. The entire point is not necessarily to build up a tax base, the entire point is the creation or retention of jobs in Illinois. The Department of Revenue is in opposition to this Bill and even though the investment does appear to be very substantial, it does not and should not meet the requirements for the various tax breaks an enterprise zone designation would afford it. I rise in opposition."

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

Saltsman: "Yes. The information given to both of the last two Speakers is very misleading. First of all, you don't lose money for something you don't have. If the plant is not constructed, you don't have any incentive to give away anyhow. So, if you want to give away the other programs that bring investments to the state like state income tax, for the jobs that are being created, the transportation

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programs that will be set up with this, that's fine, but this investment is very substantial. It...the reason we did this, we only had it at sixty million dollars when the Bill left here, and we find out now that the plan would cost approximately eighty million dollars. So by raising this, it does not give the possibility to other companies with smaller operations to abide by this, so there would be a least amount of different types of buildings going up and we insisted that this be industrial. That was the Bill that passed out of here by a substantial margin. If you don't concur with this, it reverts back to sixty million dollars and we gotta. So the worst thing you could do...we're trying to increase it by twenty million dollars, if not, it reverts back to sixty million dollars and you're in worse shape than you are then. We're volunteering this. So if you go to defeat this Amendment, what you're trying to do is you're defeating your own purpose, because they're increasing this amount to make sure that it doesn't be a habit forming thing for industry in the whole State of Illinois. So, I urge you to concur with this. Currently, we have no income coming at all and without this there won't be any, so you're not losing anything. So, I ask for the vote for the concurrence of this Amendment."

Speaker Breslin: "The Gentleman...the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1262?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Mr. Clerk, voting is open. Representative Morrow, one minute to explain your vote."

Morrow: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I've been trying to figure out how I have a conflict of interest on this issue, but I feel that I should get up to say that I possibly have a conflict but I will vote my conscience. Thank you."



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Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 62 voting 'aye', 51 voting 'no' and 1 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 1262, and this Bill having received the Constitutional Majority, is declared passed. Senate Bill 1312, Representative Brunsvold. Out of the record. Senate Bill 1313, Representative Wyvetter Youngue."

Youngue: "I thank you, Madam Speak..."

Speaker Breslin: "Excuse me, House Bill 1313."

Youngue: "Right. Thank you, Madam Speaker. I move to concur in Senate Amendment #1 to House Bill 1313. House Bill 1313 increases the tax rate from 2 percent to 3 percent on the insurance premiums sold on property in the municipality which for...and our corporations must pay into the Municipal Fire Protection District. Amendment #1 decreased or deleted the increase and I move to concur with Senate Amendment #1."

Speaker Breslin: "The Lady has moved to concur in the Senate Amendment to House Bill 1313. On the question, is there any discussion? There being none, the Gentleman from Fulton, Representative Homer. Representative Youngue. Representative Youngue."

Youngue: "Madam Speaker, may I move to nonconcur because there's an error in the Amendment?"

Speaker Breslin: "I see. The Lady has moved...has changed her Motion to one of nonconcurrence. The question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 1313?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in the Senate Amendment to House Bill 1313. House Bill 1328, Representative Steczo."

Steczko: "Thank you, Madam Speaker and Members of the House. I

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would move to concur with Senate Amendment #1 to House Bill 1328. The House Bill 1328 creates the Lawn Care Products Application Act, and we...and the Act provided for signage to be placed on a lawn after the...after the lawn has been sprayed with some chemicals. The Senate Amendment #1 provides that on that signage along with the company name there should be placed a phone number, and I would move to concur with that Amendment."

Speaker Breslin: "The Gentleman has moved to concur in the Senate Amendment to House Bill 1328. On that question, the Gentleman from Warren, Representative Hultgren."

Hultgren: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Breslin: "He will."

Hultgren: "Representative Steczko, a quick question if I may. Indicating here that the signs are required when lawn chemicals are used for purposes of establishing your intent, does lawn chemicals include fertilizer or is it just limited to pesticides?"

Steczko: "Representative Hultgren, the Bill in itself provides the exemptions for the various signage requirements, so people that would apply your farm fertilizers and do work in farm fields would be exempted from the Act. This is strictly designed to deal with the application of lawns, etc."

Hultgren: "I understand it's to apply in the lawn situation rather than the agricultural situation, but my question is, does the term 'chemicals' include fertilizers or is it limited to pesticides?"

Steczko: "Representative Hultgren, I believe that the language indicates that it applies to commercial applicators immediately after an application, to place a marker indicating the presence of pesticides."

Hultgren: "Thank you, very much. I appreciate that."

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Steczo: "The question is, 'Shall the House concur in the Senate Amendment on House Bill 1328?' 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 the House does concur in Senate Amendment #1 to House Bill 1328, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 1356, Representative Currie. Out of the record. House Bill 1395, Representative Steczo."

Steczo: "Thank you, Madam Speaker. I would move to concur with Senate Amendment #1 to House Bill 1395. Senate Amendment #1 provides that the State Board of Education shall include on the list a clinical psychologist when the list is to be developed...when lists are developed rather, for situations when independent educational evaluators are needed. I should mention to the Members of the House who may have been contacted by the State Board of Education and the Illinois Education Association who may have indicated opposition to this...to this provision of this Amendment, have withdrawn such opposition and currently have no position. So, I would ask that the House concur with Senate Amendment #1."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 1395. 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. Terry, what...in other words, clinical psychologists are going to be allowed under this Amendment to be...become independent evaluators for special ed."

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purposes, correct?"

Steczo: "That is correct."

Black: "Would there be any possibility under this Amendment that it might then be more advantageous to do a reduction in force or an attrition of a...psychologist you might have on staff and simply use, on those occasions when you need one, a...an independent evaluator in this case?"

Steczo: "Representative Black, no. These are situations where there happens to be a dispute and quite often the school will provide a list of independent evaluators to...to try to end the dispute. So, quite often its not the school psychologists in that particular school district that are...that are given to provide these independent evaluations, generally they may be school psychologists or others from outside that district. So, the intent here is to say that if you're going to be looking outside of the district for an independent evaluator that in addition to putting on the list a school psychologists...a school psychologist rather, it may be permissible to provide the name of a clinical psychologist as well. And, I should also add that the Amendment also provides that that clinical psychologist in terms of charging, can charge no more than the...than the school psychologist might under the same circumstances."

Black: "Alright, I just saw that language and I'm glad you pointed that out. Since these people aren't certified, if I heard you correctly, you said the State Board and the IEA had withdrawn their opposition. Correct?"

Steczo: "Both groups currently have no position."

Black: "I see, very interesting. Alright, thank you very much."

Speaker Breslin: "The Lady from Cook, Representative Cowlshaw.  
Excuse me, the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. I hadn't planned on moving

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right away soon. Thank you. Will the Sponsor yield for a question, please?"

Speaker Breslin: "He will."

Cowlshaw: "Representative, I simply want to ask you a question that was asked of me by one of my own constituents over this past weekend. This is a gentleman who lives on the southeast side of Aurora and who works as a school psychologist. He had been alerted to this Amendment and had apparently been provided with general information about what it did, but had not actually seen the language of the Amendment. His question, which I think is a valid one and I hope you will be able to answer it, was this. He says that it is his belief that those people who are school psychologists who meet all of the qualifications to serve as a school psychologist are at least in some cases, if not all cases, required to have higher qualifications and to be better qualified to deal with special education issues than an independent licensed clinical psychologist. If that is so, then in fact what we are doing would be to reduce the professionalism of the people who would be dealing with these very sensitive questions. Just tell me if you believe that in fact you are permitting somebody who is not a school psychologist to deal with these issues and if you believe that in fact the people other than school psychologists are not as well qualified either by training or experience, to deal with these issues."

Steczo: "Representative Cowlshaw, in response, I would say that the clinical psychologists that we're asking to be included in this list, may in fact be as if not more qualified than the school psychologists, and it would be at the discretion of the school district themselves to maintain the names of clinical psychologists on the lists. The difference is that the school psychologist is certified, if you will, by

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the State Board of Education, and the school psychologist must do a one year internship if you will, in the school. So, it would be appropriate I guess, to say that in the school setting the clinical...the school psychologist would have some familiarity with the school type of issues, however, I should point out that...quite often the educational...or most school psychologists have masters degrees where it's my understanding clinical psychologists have PHD's and...my understanding too is that...is that school psychologists have no exclusivity on being familiar with problems that may arise in special education or in the school setting. So, by allowing the inclusion of these clinical psychologists on the list, it doesn't mean that school psychologists will be...will be...excluded, it just means another option and another choice for parents to seek."

Cowlishaw: "Thank you, very much. Terry, that was an excellent answer, I really appreciate that because I have been genuinely concerned about this. Just one other quick question. These...these lists of these people would be...would be compiled by the State Board of Education?"

Steczo: "I believe that the...the lists are either compiled by the State Board or by the local school district. My thought was that it was by the...it is the State Board of Education. The Amendment says, 'The State Board of Education shall include on the list clinical psychologists licensed pursuant to the Clinical Psychologist's Licensing Act.'"

Cowlishaw: "Alright, very good. Terry, does that mean then that if we were to adopt this Amendment, local school districts could not go out and just hire any clinical...licensed clinical psychologist who happened to be...have an office in that community, that in fact, the listing of the people

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who would be acceptable to do this would be compiled by the State Board of Education which presumably could take into account whether these people are familiar with special education kinds of issues and that sort of thing. Now, do I understand your Bill correctly, it does give the State Board the authority to do this?"

Steczo: "Representative Cowlshaw, I think you make an excellent point in that regard, because that would be the case."

Cowlshaw: "Thank you, very much."

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

Levin: "Would the Gentleman yield?"

Speaker Breslin: "He will."

Levin: "Several months ago the...the State Board proposed a rule, which it subsequently withdrew, which attempted to limit the options of the parents in terms of the professionals that they could utilize in the IEP conferences. What does this do, vis-a-vis, to currently available options that the parents have?"

Steczo: "If the...if the current options are limited to school psychologists, this would allow them a further option of choosing a clinical psychologist."

Levin: "But..."

Steczo: "So it would open up the options to the parents."

Levin: "They withdrew that because there was no statutory authority..."

Steczo: "Because there was no...?"

Levin: "...for...they withdrew that rule which would have limited parents to school psychologists and as a result, that is not the law, it was not the law before, and there was a buzz saw of parent protest as well as professional protest when they attempted to put it through. Is what you're doing here opening up options or is it in effect reducing options by requiring that it be a psychologist who's on

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some list as opposed to somebody who simply qualified. The problem with what the State Board was trying to do was that there's only a finite number of individuals who are school psychologists, and so by limiting it to that or limiting to really any category less than anybody who is professionally qualified, you're making it more difficult for the parent to find an expert to come in and state their side of the case in opposition to the view points of the professionals from the school district."

Steczo: "Representative Levin, I disagree that this is a limitation, because current law right now provides for a list and we're specifying that a certain...certain group of individuals may be placed on the list, not to the exclusion of others. So, if the State Board were to at some point in the future resurrect the attempt to...to maybe limit, in this respect they would not be able to limit to school psychologists solely, therefore opening up the options to...to parents to have a choice either of school psychologists or clinical psychologists. So, I would...I would suggest that this Amendment is not exclusionary in any way to what the State Board can do now, but just make certain that in the future there would be some option that could be followed by the parents aside from the present...present practice generally of using just school psychologists."

Levin: "So, what your saying is that it is your intent as the Sponsor that this amendatory language is not intended as a restriction..."

Steczo: "That is correct."

Levin: "...but to actually expand the category of professionals that are available to the parents."

Steczo: "That is correct."

Levin: "Thank you."



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Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1395?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Flinn, for what reason do you seek recognition?"

Flinn: "Well, I guess it's to explain my vote, and I would like to complain about all the conversation that went on about a Bill that's going out at 111 to 1...or to none, rather. This could very well pass after Friday night at midnight and there are a whole bunch of them on the Calendar that can. I would suggest that the Sponsor mumble a little bit more and speak less clearly."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there are 116 voting 'aye', and the House does concur in Senate Amendment #1 to House Bill 1395, and this Bill having received the Constitutional Majority, is declared passed. With leave, the Chair will go back to a Bill just acted on a few moments ago, House Bill 1313. Representative Wyvetter Younger is recognized for a Motion."

Younger: "Thank you, Madam Speaker. I move to reconsider the vote by which the House nonconcurred to Senate Amendment #1 to House Bill 1313."

Speaker Breslin: "Representative Younger, having voted on the prevailing side, moves to reconsider the vote by which the House nonconcurred in the Senate Amendments to this Bill. An error has been noted in that Motion, so we wish to reconsider that vote. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House reconsiders the vote by which this House nonconcurred in the Senate Amendment to this Bill. Representative Black, for what reason do you seek recognition?"

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Black: "Thank you, very much, Madam Speaker. We seem to have some confusion in our file here and we'd like to ask the Sponsor a question at the appropriate time."

Speaker Breslin: "Okay. Representative Younge now moves to concur in Senate Amendment #1 to House Bill 1313, and on that question she had already explained initially why she wished to concur. So, on the question the Gentleman from Vermilion, Representative Black."

Black: "Yeah. Representative, what we're trying to figure here is whether there's somehow involved in this Senate Amendment the ability to do some kind of tax increase or transfer monies from one purpose to another or what have you."

Younge: "Right. The subject matter of this is a tax rate on foreign insurance companies selling fire insurance at a particular municipality. The Bill left the House with a rate increase of 2 percent to 3 percent, and what the Senate did was to delete that rate increase and we're concurring in that deletion."

Black: "So, it stays at 2 percent?"

Younge: "That's correct."

Black: "Does the underlying Bill then allow any diversion of monies raised by that from where it currently goes?"

Younge: "The current situation is that the money goes into the pension fund for firemen. That was not the original intent of the...when the Bill was originally passed, so this Bill now permits the money to be spent for uniforms for firemen and equipment for firemen and this Bill is wanted by the Illinois Firefighters."

Black: "Alright. There's a Gentleman standing in front of you that is pretty knowledgeable on this matter, perhaps he can shake his head. Is this...are we heading in the right direction here, Representative? Thank you, very much."

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

Mr. Regan, do you wish to speak on this issue? He does not. There being no further discussion, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1313?' 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 102 voting 'aye', 7 voting 'no' and none voting 'present'. The House does concur in Senate Amendment 1 to House Bill 1313, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 1396, Representative Woolard."

Woolard: "Thank you, Madam Speaker and Members of the House. Thirteen...House Bill 1396, the Amendment put on by the Senate changes the funding source and I move to concur."

Speaker Breslin: "Would you tell us what the original Bill does?"

Woolard: "Basically, it's to insure that small rural fire departments would not become broke and out of funds prior to the end of their budget year due to a catastrophic event that might take place in that area."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1396. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in the Senate Amendment to this Bill?' 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 114 voting 'aye', 1 voting 'no' and none voting 'present'. The House does concur in the Senate Amendment to House Bill 1396, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 1400, Representative Phelps."

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

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House. I move to concur with Amendment 1 to House Bill 1396. This Bill, as amended, deletes the original language of the Bill and adds language which creates a seniority list of educational support personnel to be distributed prior to February 1st of each year. Two years ago, the General Assembly passed and the Governor signed into law that educational support personnel be dismissed by seniority when under a category of employment. That law did not include this provision that we have in the Bill now, and as amended, it simply requires that the school district make their seniority list available through the collective bargaining process, and it clears up any confusion that may occur as districts face possible layoffs in the spring. The language of the Bill is the same language used in making the list available for teachers and community college employees. I move to concur."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1400. On the question, the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. I'm back in the right county again. Would the Sponsor yield for three questions having to do with legislative intent so that we can get something like that established?"

Speaker Breslin: "He will."

Cowlshaw: "Thank you very much. I would like to just ask three questions because I believe that it is important for us to understand and for most of all for our school districts to understand what the intention is. The first question is, currently seniority lists are established by the school board for full-time tenured teachers as specified in 2412 of the School Code. Under the provisions of this Amendment to House Bill 1400, would a school board be required to establish a seniority list for full-time education support

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personnel just as a school board does now for tenured teachers? Is that correct?"

Phelps: "Representative, my understanding of the Bill now, it doesn't change anything in that bargaining unit."

Cowlshaw: "No, I'm not implying that you're changing anything that is presently being done..."

Phelps: "The same text."

Cowlshaw: "...for tenured teachers."

Phelps: "Alright."

Cowlshaw: "The question is, do school boards now have to do precisely the same thing in establishing these lists for education support personnel as they do for tenured teachers?"

Phelps: "Yes."

Cowlshaw: "Very good. Next question. Would this seniority list be used to determine the order of dismissal for support personnel just the way seniority lists are used for certified staff when there has to be a dismissal?"

Phelps: "It's the same text."

Cowlshaw: "Fine."

Phelps: "Right."

Cowlshaw: "And are there... Are these support personnel to have recall rights to vacancies similar to those for tenured teachers?"

Phelps: "That I cannot answer emphatically, but I have reason to believe that it follows the same pattern."

Cowlshaw: "Well, one of the purposes of having the seniority lists for tenured teachers is that so when there are job openings, there are recall rights that are established as a result of those seniority lists and... Are you telling me that's not your intent for support personnel?"

Phelps: "I really don't know exactly on your last question is what I'm saying."

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Cowlshaw: "Is it your intent... then let's ask one overall kind of philosophical question. Is it your intent... Is it your intent that this Amendment to House Bill 1400 should mean that school districts would treat education support personnel in the same way in relation to these lists as we presently treat tenured teachers as it applies to the questions of seniority lists and dismissal and recall?"

Phelps: "Not fully what you stated. No, it's not the full intent."

Cowlshaw: "Where would these two kinds of listings differ. In what respect would they differ? It has been my understanding all along that the intent was to do precisely the same thing for education support personnel as we do for tenured teachers."

Phelps: "Right."

Cowlshaw: "Now, where does this vary from what we do for the lists for tenured teachers?"

Phelps: "Well, as I stated two years ago when the Governor signed into law, ESP's be dismissed by seniority within their own category of employment. That did not include the provision that the seniority list be established as I do in this Bill. So that's my intent. That's the intent of the Amendment put on in the Senate."

Cowlshaw: "I don't think perhaps that I expressed my question very well. Is it your intent... Is it your intent that the uses for these lists should be identical to the uses of the similar lists for tenured teachers?"

Phelps: "It's the same language. It's up to them. It's the same language that we require for teachers and community college employees. It's the same thing."

Cowlshaw: "Okay. I... First, you say well, it doesn't apply the same way for conditions of recalling a teacher..."

Phelps: "No, I said I wasn't sure about your last question, if I

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remember right. I didn't say..."

Cowlshaw: "That's very unfortunate. I'm sure that you have answered these questions to the best of your ability, and I guess we'll just have to assume that our school districts will have to move forward with a certain amount of uncertainty, because the Sponsor doesn't know what his Bill does."

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

Phelps: "In closing, maybe to clarify Representative Cowlshaw's question. Part-time ESP's may be included in the seniority lists if they are included in the bargaining unit. So, they will be treated somewhat the same, but there is some flexibility. So I move for a favorable vote to concur with Amendment 1."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1400?' 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 86 voting 'aye', 26 voting 'no' and 3 voting 'present'. The House does concur in the Senate Amendment on this Bill and this Bill, having received the Constitutional Majority, is declared passed. Senate Bill (sic - House Bill) 1409, Representative Morrow. Mr. Morrow is recognized."

Morrow: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 to House Bill 1409. What it does, it would... it does is that it provides that a nonstudent or parent who was to come on school grounds with a pager, as long as he has that pager for lawful means, does not have to attain authority from the school to be on the school grounds. It also deletes

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Sections 2 and 3 of the Bill which dealt with the seizure of a pager. I ask for a 'aye' vote on House Bill 1409 with Senate Amendment #1."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 1409. On the question, the Gentleman from Winnebago, Representative Hallock."

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

Speaker Breslin: "He will."

Hallock: "Has this Bill been amended, Charles, to specify who exactly this will be applying to and not a broad brush with these kind of devices?"

Morrow: "Could you be a little bit more clearer."

Hallock: "Well, who does this apply to specifically now? Does it apply only..."

Morrow: "It still would apply... It will still...to apply to anyone who was to come onto a grounds of a school who would use a pager for illegal means. It will still provide that someone who is on school grounds, who is using a pager in the act of, let's say, selling drugs, it would provide that he could be charged with a criminal offense."

Hallock: "So it applies only in those cases, not to anyone who comes on with a pager, but someone who is involved in those activities."

Morrow: "In an illegal activity. In the Senate, the Senate... The Senators were concerned about a parent possibly coming to a school play or a football game, and they not having the knowledge that it was illegal to have that pager on the grounds or they didn't have the time to go to the school and ask could they bring that device on to the school grounds. They felt that it would be wrong, that a parent coming onto the grounds to see their son or daughter, that it would be wrong for the school to seize the device from them."



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Hallock: "Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1409?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Dunn, one minute to explain your vote."

Dunn: "Thank you, Madam Speaker. I may possibly have a conflict of interest with this legislation, and I intend to vote my conscience."

Speaker Breslin: "Mr. Clerk, take the record. On this question there are 112 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in the Senate Amendment on House Bill 1409 and this Bill, having received the Constitutional Majority, is hereby declared passed. With leave, I'd like to go back to Representative Brunsvold's Bill. House Bill 1312, Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker. I wish to concur in Senate Amendment #1 to House Bill 1312. The underlying Bill did many things as an agreed Bill between the Illinois Fire Chiefs Association, Association of Fire Protection Districts and the Associated Fire Fighters of Illinois. It dealt with appointments, senior..."

Speaker Breslin: "Proceed, Representative. Representative Dunn...Representative Brunsvold."

Brunsvold: "Thank you. Military service, determining disabilities and so on. The Senate Amendment for legislative intent is not clearly worded. I want to say that right now. The intent of the Amendment is to say that the Fire Chief seniority as a member, a fire fighter and his seniority as a fire chief would be accrued together and the total years in service would be counted for his seniority. That's what the Amendment does. It's agreed

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on, and I would ask for the concurrence on Senate Amendment #1."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 1312. On the question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Madam Speaker. I'd like to ask the Sponsor a question on the underlying Bill, if I could?"

Speaker Breslin: "Proceed."

Black: "Thank you. Representative, the underlying Bill has something to do with the election process on Fire District Law. I don't think, as I have looked through the Bill, I don't think it says anything about the election of the district trustee. Representative Novak and I have a Bill, I think it's on the Governor's desk, trying to get this election process clarified. I just want to make sure there isn't anything in here that will add to that confusion."

Brunsvold: "No."

Black: "Thank you very much."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1312?' 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'. The House does concur in Senate Amendment 1 to House Bill 1312 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1416, Representative Flinn."

Flinn: "Thank you, Madam Speaker. House Bill 1416 permits the Genealogical Societies to reproduce the original record of birth of a hundred years old and older and deaths of fifty years old and older. And what the Amendment does, the Senate Amendment does, is add a marriage license

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seventy-five years old or older. So what the Amendment really does is make a good Bill better. I move for the adoption or concurrence of Senate Amendment #1."

Speaker Breslin: "The Gentleman has moved to concur in the Senate Amendment on House Bill 1416. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1416?' All those in favor vote 'aye', opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment 1 to House Bill 1416 and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill (sic - House Bill) 1423, Representative Bugielski."

Bugielski: "Thank you, Madam Speaker, Members of the House. I wish to concur in Senate Amendments 1, 2 and 3 to House Bill 1416 (sic - 1423). Senate Amendment #1 is a technical Amendment and... Oh, 1423. And Amendment #3 amends the Section of the Insurance Code requiring that firms which seek to acquire Illinois Insurance Companies must file a detailed financial statement with the Department of Insurance. Amendment 3 provides that this filing requirement does not apply where the company being acquired has more than \$1,000,000 in assets and more than 500 shareholders and if the sale of insurance constitutes an insignificant part of the company's total business. The Director of the Department of Insurance supports this Amendment along with all other enterprises and the insurance companies involved."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendments 1, 2 and 3 to House Bill 1423. On the question,

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is there any discussion? There being none, the question is, 'Shall the House concur in the Senate Amendments on House Bill 1423?' 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 114 voting 'aye', none voting 'no' and none voting 'present'. The House does concur on the Senate Amendments to House Bill 1423 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1425, Representative Ronan."

Ronan: "Thank you, Madam... Thank you, Madam Speaker and Members of the House. I move to concur with Senate Amendment #1 to House Bill 1425. This deal... This legislation deals with the Department of Professional Regulation, how they notify physicians in this state on what the rules and procedures are. This will make it inappropriate for that Department to discriminate against any physician because of national origin or geographic location of medical education. It's an attempt to let the physicians of this state who are properly qualified to be treated fairly by that Department. Be glad to answer any questions."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1425. On that question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1425?' 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? Mr. Phelps, do you wish to vote? 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

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hereby declared passed and the House does concur in Senate Amendments...in Senate Amendment 1 to House Bill 1425. House Bill 1453, Representative Sutker."

Sutker: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 and Senate Amendment #2 to House Bill 1453. What the Amendments of Senator DeAngelis and Senator Netsch have done is to provide relief for certain corporations who are...which are innocent of any wrong doing but who have had employees that may have violated the law. If those employees have been found guilty of a violation that...that guilt finding is not imputed to the corporation unless the corporation directed through its officers, directors or high managerial appointees to...to that employee to do such action. It's an attempt to provide certain relief to those corporations under these circumstances, and I move that we concur in the Senate Amendments."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendments 1 and 2 to House Bill 1453. On that question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 1453?' 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 111 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in the Senate Amendments to House Bill 1453 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1463, Representative Grandpa Wennlund is recognized."

Wennlund: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 14... I move to concur in the four Senate Amendments to House Bill 1463. Senate Amendment

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#1... Senate Amendment #1 really reinserted some language that was... Will you take this out of the record?"

Speaker Breslin: "Absolutely not. I want to see if you can handle this. Oh, you can't."

Wennlund: "The purpose..."

Speaker Breslin: "I thought his testimony was better than yours."

Wennlund: "Fourteen sixteen... 1463 basically was passed out of

the House. It was to add a provision in so that parochial schools and private schools would have the same access to criminal records for criminal record background checks for employees that public schools had. In addition to...the First Amendment would really replace statutory language that came out in the House. It also provides that a subsequent aggravated battery of a child after conviction, but before five years have elapsed since the conviction of the same offense, is a Class X felony for repeat offenders. This was put on at the request of the Cook County State's Attorney's Office. At the time Richard J. Daley, I believe was still... Richard M. Daley was still State's Attorney. And I ask for House concurrence in these Amendments."

Speaker Breslin: "The Gentleman has moved to concur in the Senate Amendments to House Bill 1463. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in the Senate Amendments on House Bill 1463?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Let the record reflect that Grandpa Wennlund's grandson dissents. Have all voted who wish? Yes, he votes 'no'. The Clerk will take the record. On this question there are 110 voting 'aye', 2 voting 'no' and none voting 'present'. The House does concur in the Senate Amendments on House Bill 1463 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1476,

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Representative Steczko."

Steczko: "Thank you, Madam Speaker. I would move to concur with Senate Amendment #1 to House Bill 1476. House Bill 1476 is an agreed Bill between the interior design profession, between the architects and between the home builders. Senate Amendment #1 made a change at the request of the Illinois Home Builders that provides that nothing in the Act can be construed as requiring the services of any interior designer for interior designing of single family residences. And with that language adopted, it is an agreed Bill, Madam Speaker, and I'd move for concurrence."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1463 (sic - 1476). On the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment... Representative Steczko.'"

Steczko: "Clarification, Madam Speaker. You had indicated the House in your Motion to move for concurrence on House Bill 1463, I believe. The Bill number is 1476."

Speaker Breslin: "Excuse me. 1476. The question is, 'Shall the House concur in the Senate Amendment on House Bill 1476?' 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 110 voting 'aye', 2 voting 'no' and 2 voting 'present'. The House does concur in the Senate Amendment to the House Bill 1476 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1496, Representative Homer. Out of the record. House Bill 1505, Representative Curran. Mr. Curran, do you want to concur on the Amendments on this Bill?"

Curran: "Yea, I want to concur. I wish to concur in Senate

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Amendment to 1505. Currently there's no test for psychologists available. There's one teacher in Senator Watson's district, that while she has a certificate, couldn't be certified because there was no test. The State Board concurs because this only applies to one person. So I wish to concur in this Amendment."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 1505. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1505?' 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 112 voting 'aye', 1 voting 'no' and none voting 'present'. The House does concur in Senate Amendment 1 to House Bill 1505 and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill (sic - House Bill) 1524, Representative Lang. Mr. Lang. Out of the record. Senate Bill (sic - House Bill) 1530, Representative Flowers. Representative Flowers. Out of the record. Senate Bill (sic - House Bill) 1545, Representative Shirley Jones."

Jones, Shirley: "Madam Speaker, I move to concur Sen...Amendment #1 on House Bill 1545... Amendment #1 and 2."

Speaker Breslin: "Tell us what the Bill does and what the Amendment does."

Jones, Shirley: "Amendment #1, instructs as printed upon the... both in front and back the following statement: This is not a check. On Amendment #2...insert immediately after line...after line 14 the following: Section 2. The Act takes effect on January 1st, 1990."

Speaker Breslin: "The Lady has moved to concur in Senate Amendments 1 and 2 to House Bill 1545. And on that



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question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 and 2 to House Bill 1545?' 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 114 voting 'aye'...115 voting 'aye'. This Bill, having received the Constitutional Majority, is declared passed and the House concurs on Senate Amendments 1 and 2 to House Bill 1545. House Bill 1616, Representative McPike. Excuse me, Representative Flinn, for what reason do you seek recognition?"

Flinn: "I'm the Cosponsor of the Bill and Representative McPike's in a meeting. He asked me to handle this."

Speaker Breslin: "Proceed, Sir."

Flinn: "What all Senate Amendment #1 does to House Bill 1616 is install an immediate effective date. It has no effective date and Senator Watson, the Senate Sponsor, put a Senate Amendment on it wanting to give it an immediate effective date. I move the adoption."

Speaker Breslin: "The Gentleman has moved to concur in the Senate Amendment on House Bill 1616. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1616?' 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' and this...and the House does concur in Senate Amendment #1 to House Bill 1616 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1621, Representative Madigan. Is there anyone out there who is going to present this Bill for the Speaker?"

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Out of the record. House Bill 16...House Bill 1627,  
Representative Goforth."

Goforth: "Thank you, Madam Speaker. I move to concur with Senate  
Amendment #1 and Senate Amendment #2. What this does is  
make a good Bill excellent."

Speaker Breslin: "The Gentleman has... Can you tell us what the  
original Bill does and what the Amendments do?"

Goforth: "It was Departments of Mines and Minerals Bill, and  
everyone is concurred on it. We didn't have time to get  
the Amendments on in the House. We passed out of the House  
and then they concurred...put them on in the Senate.  
Everybody's in agreement."

Speaker Breslin: "The Gentleman has moved to concur in Senate  
Amendments 1 and 2 to House Bill 1627. On the question, is  
there any discussion? There being none, the question is,  
'Shall the House concur in the Senate Amendments on this  
Bill?' 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 114...115  
voting 'aye'. The House does concur in the Senate  
Amendments on House Bill 1627 and this Bill, having  
received the Constitutional Majority, is hereby declared  
passed. House Bill 1660, Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the  
House. House Bill 1660 was originally the cleanup Bill of  
the Dental Practice Act. Amendment #1 from the Senate  
makes a minor change. It permits the Department to  
consider diplomas or certificates to determine that an  
applicant has graduated from a dental school and that that  
dental school is in good standing. I would move to concur  
with Senate Amendment #1 to House Bill 1660."

Speaker Breslin: "The Gentleman has moved to concur in the Senate

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Amendment on House Bill 1660. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1660?' All those in favor vote 'aye', opposed 'no'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in the Senate Amendment to House Bill 1660 and this Bill, having received the Constitutional Majority, is declared passed. House Bill 1661, Mr. Ryder. Out of the record. House Bill 1666, Mr. Ryder. Out of the record. House Bill 1670, Representative Myron Olson is recognized. You're recognized, Sir."

Olson Myron: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 to House Bill 1670. Senate Amendment #1 was originally House Bill 1663, which is a JCAR initiative. And it was originally designed to clarify the proceedings for funding public water supply grants by requiring 100% state funding. The Amendment basically says that there will be 30% matching funds from local governments receiving the grant. I move to adopt the concurrence Motion."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 1670. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in the Senate Amendment on House Bill 1670?' All those in favor vote 'aye', opposed 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', 1 voting 'no'. The House does accept or concur in Senate Amendment 1 to House Bill 1670 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1680, Representative

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Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to accept Senate Amendment #2? Just a minute, please. Oh, I'm sorry, Madam Speaker. I apologize for the delay. There was a Senate Amendment #1, but it was not adopted. So I move to concur in Senate Amendment #2 to House Bill 1680. The Bill, as it was originally passed out of here, had to do with the State Board of Education taking into account reductions in any school district to assessed valuation by \$100,000 or 2% of the district's total assessed valuation as a basis upon which to recompute the state aid entitlement. Senator Berman added this Amendment in the Senate, which simply requires the State Board to incorporate the total aggregate adjustments. That is whether it went up or down when recomputing a district state aid entitlement. That's all it does. I move for its adoption."

Speaker Breslin: "The Lady has moved to concur in Senate Amendment 2 to House Bill 1680. And on that question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 2 to House Bill 1680?' All those in favor vote 'aye', opposed 'no'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 115 vot...116 voting 'aye', none voting 'no', none voting 'present'. The House does concur in Senate Amendment 2 to House Bill 1680 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1686, Representative Churchill is recognized."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The original Bill was a Bill that established a fee structure for the creation of the low level nuclear waste

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facility. And what occurred when it went over to the Senate was that the Department and Commonwealth Edison and Chem Nuclear got together to work out what the fee schedules going to be in this, and the two Amendments from the Senate basically represent that cleanup of the fee language. And so I would now move to concur with Senate Amendments #1 and 2 to House Bill 1686."

Speaker Breslin: "The Gentleman has moved to concur in the two Senate Amendments on House Bill 1686. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 1686?' All those in favor vote 'aye', opposed 'no'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112...111 voting 'aye', 3 voting 'no' and 1 voting 'present'. The House does concur in Senate Amendments 1 and 2 to House Bill 1686 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1692, Representative Black is recognized."

Black: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. House Bill 1692, as it left the House 104 to nothing, simply amended the Solid Waste Planning and Recycling Act, and provided that state mandated recycling goals for county solid waste management programs shall apply only if there are viable markets for the materials to be recycled. Senate Amendment #1, added in the Senate, provides that county solid waste management plans shall promote the use of products made from recycled materials among business newspapers and local governments in the county. As amended, that Bill passed the Senate unanimously. I would move to concur in Senate Amendment #1 to House Bill 1692."

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Speaker Breslin: "The Gentleman has moved to concur in the Senate Amendment on House Bill 1692. And on that question, is there any discussion? There being none, the question is, 'Shall the House concur in the Senate Amendment on this Bill?' All those in favor vote 'aye', opposed 'no'. 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'. The House does concur in the Senate Amendment on House Bill 1692 and this Bill, having received the Constitutional Majority, is hereby declared passed. We have two Motions now for non-concurrence. The first is Representative Levin's. It appears on the Order of Non-concurrence on the Regular Calendar on page 15. The Bill number is Senate Bill 116, Mr. Clerk. Representative Levin."

Levin: "Madam Speaker, Ladies and Gentlemen of the House, I would move to, I think, refuse to recede with respect to House Amendments 1, 2, 3 and 4 and ask that a Conference Committee be appointed."

Speaker Breslin: "The Gentleman has moved to refuse to recede from the House Amendments on Senate Bill 116. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from the House Amendments on Senate Bill 116?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House refuses to recede from House Amendments 1, 2, 3 and 4 on Senate Bill 116 and a Conference Committee will be appointed. On the Order of Concurrence under State and Local Government, Mr. Clerk, appears House Bill 1847. Representative Countryman is the Sponsor. He wishes to move to non-concur. Representative Countryman."

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Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The underlying Bill was designed to correct a problem that occurred in some counties in this state with regard to judicial driving permits and the proceedings once individuals pled guilty to DUI. The Bill passed out of the House and was sent to the Senate and Senator Schaffer put on an Amendment which says that no hearing need to be held. In conferring with the people who have the problem, they indicate that that Amendment is not sufficient to solve the problem. So I move we non-concur in that Senate Amendment."

Speaker Breslin: "The Gentleman has moved to non-concur in Senate Amendment 1 to House Bill 1847. And on that question, is there any discussion? There being none, the question is, 'Shall the House non-concur in Senate Amendment 1 to House Bill 1847?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House non-conc...does...refuses to concur in Senate Amendment 1 to House Bill 1847. House Bill 1754 is on the same Order, Mr. Clerk. Representative Preston is recognized for a Motion. Mr. Preston is recognized."

Preston: "Thank you, Madam Speaker. I ask to move to recede from Senate Amendment #3 to House Bill 1754."

Speaker Breslin: "You mean to non-concur?"

Preston: "To non-concur, excuse me. I beg your pardon, to non-concur on Senate Amendment #3."

Speaker Breslin: "The Gentleman... And can you tell us why we are not going to concur?"

Preston: "Yes, there is a dispute over the concept in the language contained in Senate Amendment #3. They're, as we speak, trying to work that out and I want assent to non-concur in Amendment 3 for that reason."

Speaker Breslin: "The Gentleman moves to non-concur in Senate

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Amendments 1, 2, 3, 4 and 5 of House Bill 1754. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House non-concurs in all of the Senate Amendments on this Bill. House Bill 440 is on the same Special Order of State and Local Government, Mr. Clerk. The Sponsor is Representative Hallock. Excuse me, Representative Preston, for what reason do you seek recognition?"

Preston: "Madam Speaker, I think the... I think an error was made. I was asking to non-concur in Senate Amendment #3 on House Bill 1754, and I believe that I heard the Speaker say that I move to non-concur on 1, 2, 4 and 5."

Speaker Breslin: "Well, I said all of them. If you wish... If you need to make a change in language, you're going to have to get this Bill into a Conference Committee. And this..."

Preston: "Well, the Senate could recede from Amendment #3."

Speaker Breslin: "I see. I see. I thought you needed a change in language."

Preston: "Well, we do, but the agreement I made was to non-concur only in that one Amendment."

Speaker Breslin: "I see. Okay."

Preston: "At this point."

Speaker Breslin: "Then, Ladies and Gentl... Mr. Clerk, let's go back to House Bill 1754. Representative Preston moves to non-concur in Senate Amendment #3 to House Bill 1754. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House non-concurs in Senate Amendment... in Senate Amendment #3 to House Bill 1754. Representative Preston is recognized for another Motion."

Preston: "Thank you, Madam Speaker. I move to concur in Senate Amendments 1, 2, 4 and 5 to House Bill 1754."

Speaker Breslin: "The Gentleman therefore moves now to concur in



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House (sic - Senate) Amendments 1, 2, 4 and 5. This will be final passage. On the question, is there any discussion?"

Preston: "Madam Speaker, just to clarify. This isn't final passage of the Bill. Is... This is final? This does..."

Speaker Breslin: "It could be. It could be. If the Senate refuses..."

Preston: "If the Senate recedes."

Speaker Breslin: "Right, if the Senate recedes, the Bill goes to the Governor."

Preston: "I see. That's fine. That's right. Please proceed."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendments 1, 2, 4 and 5 to House Bill 1754. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Mr. Clerk, take the record. On this question there are 113 voting 'aye', none voting 'no' and none voting 'present' and the House does concur in Amendments 1, 2, 4 and 5 to House Bill 1754. Now, Representative Hallock is recognized on a Motion on House Bill 440."

Hallock: "Thank you, Madam Speaker. I move that the House non-concur with Senate Amendment #1 and 2 respectively. What #1 does, it deals with venue. #2, it changes the conditions with regard to court's provision and drivers' licenses. I would ask that these Amendments both be non-concurred with. We send it back to the Senate and put it in Conference Committee. Thank you."

Speaker Breslin: "The Gentleman has moved to non-concur on the Senate Amendments on House Bill 440. On that question, is there any discussion? There being none, the question is, 'Shall the House non-concur in Senate Amendments 1 and 2 to House Bill 440?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it."

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And the House does non-concur in Senate Amendments 1 and 2 to House Bill 440. Okay, Ladies and Gentlemen, we will go back on the Order of Concurrence - State and Local Government. With leave, I'll go to Representative Currie's Bill on House Bill 1356."

Currie: "Thank you, Madam Speaker. I move the House do concur on Senate Amendment 1 to House Bill 1356. The underlying Bill deals with pesticide issues, and the Amendment, offered by the Senate, expands an exemption for leaf composting, applying that exemption to composting operations within a particular farm program. And I move its adoption."

Speaker Breslin: "The Lady has moved to concur in Senate Amendment 1 to House Bill 1356. And on the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1356?' 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? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment 1 to House Bill 1356 and this Bill, having received the Constitutional Majority, is hereby declared passed. Next, Ladies and Gentlemen, we will go to the Special Order of State and Local Government Concurrences, starting at the top on page 3 on the Calendar. The First Bill we have already non-concurred in. The Sponsors on this list will be McGann. Mautino. Bowman. Santiago. Kubik. Hasara. Piel. Phelps. Flowers. et cetera. The First Bill is House Bill 1718, Mr. McGann. You're recognized for a Motion to concur on this Bill."

McGann: "Thank you. Thank you. I was just waiting for it to come on the board. I'm sorry. Thank you, Madam Speaker

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and Members of the Assembly. I move to concur with Amendment #1 to House Bill 1718, which has to do with the closing of liquor establishments rather by...than by precinct but by individual places. And I would move its concurrence."

Speaker Breslin: "The Gentleman has moved to concur in the Senate Amendment on House Bill 1718. On that question, the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker...Mrs. Speaker. Will the Gentleman yield?"

Speaker Breslin: "He will."

Mautino: "You, Representative, you are targeting a specific address with this legislation. Is that correct?"

McGann: "Yes In the City of Chicago currently you can vote a precinct dry, and we're with the approach that that may not be a total fair and equitable way to do it when there's only one problem place. That one problem place should be singled out."

Mautino: "Well, I've notice that proposals have been presented to eliminate that provision as it pertains to the Wrigley Field area, the Sox Park and you're reversing that philosophy by saying we can...you...someone can vote a specific address or a specific entity out of business. Is that correct? That's what you're doing with this Amendment."

McGann: "If you let me have that one more time... Starting in Wrigley Field, we're really talking about, I think that this Amendment, if I may just put it this way, this Amendment arose in the Senate from Representative or Senator D'Arco and Senator John Daley, the brother of the present Mayor of the City of Chicago. They sent that Amendment over here on a shell Bill..."

Mautino: "Representative, I don't particularly care who sent that

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Amendment over here. Let's define exactly what you're doing. We, in the White Sox provision for that stadium, included a proviso that that area could not be voted dry. We also did the same at Wrigley Field. There was a concern that people in that area would vote that area dry. Now you're turning that around and saying yes, you can vote a specific address dry. I think it's totally unfair to make the case for the owners of the White Sox and the owners of Wrigley Field, that you can't touch them in any way or anywhere around them, but you can go to poor Joe Blow or Mary Smith that's running a restaurant and bar and because some problems occur which should be under the auspices of the local liquor commissioner to straighten out, you have a provision to vote them out of business. I think it's just crazy. If you're going to have a statute, you have it for everybody. You don't weigh specifically on a address the fact that you can put them out of business because somebody doesn't like them."

McGann: "The restaurant would not be out of business. And I think you are referring to...because a person contacted me on this exact point earlier today. The restaurant is not losing its license, the liquor license in that restaurant, if there was a problem."

Speaker Breslin: "Are you finished, Representative Mautino?"

Mautino: "You're... I'm sorry."

McGann: "I said you weren't listening to me, Representative Mautino."

Mautino: "I was trying to answer the Gentleman's question. I'm sorry."

McGann: "You ordinarily listen very well and very explicit in your presentation. I don't believe this would affect the restaurant where a liquor license is. If it's a bad place, they may lose their liquor license, that don't say that

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they lose their food license."

Mautino: "Well, if I may respond, Madam Speaker. In, I think, all cities and villages and in licenses that are under the control of counties, if there are problems at those establishments, the police department, the Liquor Control Commissioner who is the Mayor and the County Board Chairman and the Village President have an avenue available to them to correct that situation. My personal philosophy on this question is different than the Senate Amendment. I don't believe you should be able to target a single individual or a single enterprise for extinction because of let us say maybe the local officials are not really doing their job. And I just think it's bad public policy to say that this individual who has an investment can be put out of business because you can vote his specific address dry. I think it's unfair. That's all."

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

Matijevec: "Yes, I almost hesitate to speak on this issue because the Sponsor, both the Senate and the House Sponsors, I more often than not agreed with. I happen to believe just as Representative Mautino believes that you are targeting by this Amendment single establishments. We have within the law the provision where precincts or subdivisions can by referendum vote an area dry. What you are doing by this Amendment, I think, you are establishing a terrible precedent. What you are saying, for example, is that, let's say that in a precinct there are two establishments, only two establishments. And one establishment may have some political pull or whatever influence that particular establishment may have, you may have that establishment lobbying in an election to get the other competition out of business for no other reason than

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he likes to get all the business for himself. And I have found that the Liquor Commissioners or Liquor Commission have all the power in the world to close an establishment if that establishment is not operating lawfully or in the public interest. All they have to do is do their job. They are given all the enforcement powers that they need. But to vote a single establishment dry by referendum, I think, runs totally opposite of what all of us believe in in the free enterprise system. So I would urge the Members to vote against this Amendment and let the city, if they do find fault with an establishment, close it within the existing laws, but not to use this as a means to do it."

Speaker Breslin: "The Gentleman from Lee, Representative Myron Olson."

Olson M: "Thank you, Madam Speaker. I would just briefly like to join Representatives Mautino and Matijevich on this issue. Having worked in county government, I've seen how diligently mayors and county board chairmen take the responsibilities, and to put it into a size class as this Amendment concurrence suggests, I think is bad policy, and we should reject this Motion."

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

McGann: "Thank you, Madam Chairman and Members of the Assembly. I certainly do agree with the previous speakers and the point they're trying to make. But let me just set a scenario for you in the City of Chicago which this actually addresses the problems there. As you probably know in most of the communities in the City of Chicago, there are many, many taverns in a given precinct. Maybe 99% of these establishments operate very well for the community itself. But say you have one that is causing real problems, causing problems for the neighbors around them and so forth that

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they cannot affectively by the law presently or the police administration deal with these situations and the community neighbors are having problems. This will not penalize the good licensees in these areas, but will only target that bad operator. I would ask for movement on this concurrence to Amendment #1 to House Bill 1718."

Speaker Breslin: "The question is, 'Shall the House concur in the Senate Amendment to House Bill 1718?' 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 27 voting 'aye', 80 voting 'no' and the Motion fails. Representative McGann. You're recognized for another Motion."

McGann: "Yes. I would move now to non-concur with Senate Amendment #1 to House Bill 1718 and ask for a Conference Committee."

Speaker Breslin: "The Gentleman moves to non-concur in Senate Amendment 1 to House Bill 1718. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House non-concurs in Senate Amendment #1 to House Bill 1718. House Bill 1723, Representative Mautino."

Mautino: "Thank you, Madam Speaker. I move to concur with Senate Amendment 1 to House Bill 1723. The underlying Bill created the Limited Health Service Organization. It was a composite of the health services provided and establishes the regulations of same. The Senate Amendment deleted the provision giving the Director of Insurance the authority to define the limited health services because they were not specifically mentioned in the Bill. Second part of that Amendment, Senate Amendment, deletes the provision authorizing the Department of Public Health to examine the

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limited health service organizations and place those provisions under the Director of Insurance alone in all the categories. That was at the request of both the Department of Insurance and the Department of Public Health, and I move for concurrence in Senate Amendment #1 to 1723."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 1723. On the question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1723?' All those in favor vote 'aye', opposed 'no'. 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 113 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in the Senate Amendment to House Bill 1723 and this Bill, having received the Constitutional Majority, is declared passed. House Bill 1724, Representative Mautino."

Mautino: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Senate (sic - House) Bill 1724 created the Upper Illinois River Valley Development Authority for...to promote industry, residential and recreational development in Grundy, LaSalle, Bureau, Putnam and Marshall Counties. The Amendment that was added in the Senate provided for the request of the Illinois Housing Authority...the Illinois Housing Development Authority to be included into the proposal, which says that the Illinois Housing Development Authority be notified of not less than thirty days prior to the commitment to issue bonds, notes or other... other evidences of indebtedness, and if in fact that the Illinois Housing Development Authority provides... if not, then they shall then approve the project within ten days or provide the alternative financing for the project. I move for its concurrence and adoption on 1724."



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Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 1724. On that question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1724?' 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 114 voting 'aye', none voting 'no' and none voting 'present'. The House does concur in the Senate Amendment on House Bill 1724, and this Bill having received the Constitutional Majority is hereby declared passed. Senate Bill (sic - House Bill) 1732, Representative Bowman. Proceed with your Motion, Sir. You're recognized on your Motion."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 to House Bill 1732. The Bill as it left the House, was a plan for consolidating the various audits that the state performs on institutions of higher education in Illinois, rather than having the piecemeal approach that we experience at the present time. The Senate modified the Bill in such a way that the audits could at the...could be done at the same time as the regular annual audit performed by the institution of higher education. And it seems to be a very simple way of dealing with a problem, so I agree to the Senate Amendment and ask the House to concur."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1732. And on that question, is there any discussion? There being none, the question is, 'Shall the House concur in the Senate Amendment on House Bill 1732?' All those in favor vote 'aye', opposed 'no'. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this

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question there are 111 voting 'aye', none voting 'no' and 2 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 1732, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Giglio in the Chair."

Speaker Giglio: "Representative Santiago, 1746."

Santiago: "Yeah, Mr. Speaker, Members of the House, I move to concur in Senate Amendment #2, to House Bill 1746. The Amendment makes a technical correction to the Bill as introduced in the Senate, regarding the offense of possession and delivery of LSD."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #2 to House Bill 1746?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendments #2 to House Bill 1746, and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Kubik, 1774, Sir. The Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to concur with Senate Amendments #1, 2, 3 and 4. The underlying Bill, 1774, is a...is an easement Bill for the Department of Transportation. What Senate Amendments 1, 2 and 3 and 4 do are add additional parcels to that legislation. I'll be happy to answer any questions. This is an agreed Bill. I'd appreciate your support."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1, 2, 3 and 4

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to House Bill 1774?' And on that question, all those in favor vote 'aye', opposed 'no'. The voting is open. This will be final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 voting 'yes', none voting 'no', 1 voting 'present'. And the House does concur with Senate Amendments #1, 2, 3 and 4, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Hasara, 1777. The Lady from Sangamon, Representative Hasara."

Hasara: "Thank you, Mr. Speaker. House Bill 1777 made some changes relating to a modification or termination of a guardianship order. Senate Amendment #1 made permissive rather than mandatory, the requirement for the court to appoint a guardian ad litem? in cases of a modification or termination. I move for the adopt... I move to concur in Senate Amendment #1 to House Bill 1777..."

Speaker Giglio: "...Any discussion? The question is, 'Shall the House concur in Senate Amendment #1?' All those in favor vote 'aye', opposed 'no'. This is final action. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 voting 'yes', none voting 'no', none voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1777, and this Bill having received the Constitutional Majority is hereby declared passed. Alright, there... on the previous Bill, Representative Kubik's Bill, we had a problem with the computer on the Roll Call. So we're going to have to dump the...the last Roll Call on that Bill. So, the question is, 'On House Bill 1774, the...Representative Kubik moves for the concurrence of Senate Bill... or House... Senate Amendments 1, 2, 3 and 4?' And on that

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question, all those in favor vote 'aye', those(sic-opposed) vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'yes', none voting 'no' and 1 voting 'present'. And the House does concur in Senate Amendments #1, 2, 3 and 4 to House Bill 1774, and this Bill having received the Constitutional Majority is hereby declared passed. The... the Lady from Cook, Representative Muzzini."

Munizzi: "Munizzi, Frank."

Speaker Giglio: "Munizzi."

Munizzi: "Thank you, Mr. Speaker. I would just like to state that on House Bill 1718 to concur in the Senate Amendments, I'd like to be recorded as... I'm sorry, I had intended to record 'aye'... to be recorded as voting 'aye' and I voted 'nay', and I just wanted for the record to state that."

Speaker Giglio: "Mr. Clerk, let the record so indicate, Representative Muzzini's (sic - Munizzi's) request. Representative Piel, 1778. Is the Gentleman in the Chamber? Nonconcur. Representative Phelps, the Gentleman from Southern Illinois, House Bill 1782. Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendments 1, 2 and 3 to House Bill 1782. Essentially, these three Amendments address an increased amount to expend for downstate public transportation and the Illinois Public Transit Association supports this, as well as the... it increases the amount of dollars to be able to tap into more... Section 18, federal dollars that are used to match our downstate allotment to the Department of Transportation. So I move to concur with all three Amendments."

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Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1, 2 and 3 to House Bill 1782?' And on that, all those in favor will vote 'aye', all those vote 'no'. The voting is open. Representative Black."

Black: "Thank you very much, Mr. Speaker. I just wanted to ask the Sponsor if he had any idea what this was going to cost with these Amendments we're concurring on. We didn't file a fiscal note. It's no big deal, but I... I'm sure it's going to cost some dough."

Speaker Giglio: "Okay. Alright, we'll call... we'll... alright. Go ahead proceed, Representative Black."

Black: "... Alright, thank you..."

Speaker Giglio: "... Representative Phelps."

Black: "Thank you very much. I appreciate that, Mr. Speaker. Representative, do you have any idea with what the impact of the Senate Amendments will have as to the additional costs for grants on these transportation systems, et cetera?"

Phelps: "Not exactly and maybe none. The... the problem is, is that with a reallocation of what the state receives from federal Section 18 dollars and with what the... the state receives through the downstate public transit..."

Black: "... Right... right..."

Black: "... One-sixteenth sales tax, it may not amount to any increase. If it does, it would be fairly nominal."

Black: "Alright. But... but we are talking about GRF money, are we not?"

Phelps: "Well, the one-sixteenth sales tax that the downstate public transit system takes from the county and municipals, is just deposited in the GRF. Yes."

Black: "Alright. Is... do you know what the Department of Transportation's position is on the... on the... on the

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concurrence? Are they neutral? Opposed? In favor..."

Phelps: "... I believe they... I believe they oppose Amendment 1 and part of Amendment 2, and I think they're okay on... let's see. They oppose Amendment 1. I think they support 2 and oppose part of Amendment 3."

Black: "So they're about fifty-fifty on a concurrence, huh?"

Phelps: "Something like that. I flunked higher math, but maybe sixty percent."

Black: "Alright. Thank you very much, Representative."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1, 2 and 3 to House Bill 1782?' All those in favor vote 'aye', opposed 'no'. The voting is open. This will be final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 89 voting 'yes', 19 voting 'no', 2 voting 'present'. And the House does concur in Senate Amendments #1, 2 and 3 to House Bill 1782, and this Bill having received the required Constitutional Majority is hereby declared passed. The Lady from Cook, Representative Flowers, 1824."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, I move to concur with Senate Amendment #1 to House Bill 1824. And what the Amendment does, it merely says that the Attorney General may appoint a special assistant attorney. And I would move for the passage of House Bill 1824."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1824?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. The Gentleman from Cook, Representative Piel."

Piel: "Mr. Speaker, when the Lady described it, she says the Attorney General 'may'. According to our analysis, the

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Attorney General is required to. And there is... there is a difference there. Would be required to. Maybe the Lady would like to explain her vote, because there is a difference if 'may' and... is required to."

Speaker Giglio: "Proceed."

Flowers: "Mr. Ch... Mr. Speaker, Ladies and Gentlemen of the House, according to my analysis, it says here, 'that the Attorney General may appoint a special assistant'. That's what it says in my analysis. That was the purpose of the Amendment to make it permissive, because in the original Bill it was not permissive. Or the Attorney General may use his discretion."

Piel: "My apology. You're right."

Flowers: "Thank you, Sir."

Speaker Giglio: "On this question there are 103... 107... 108... Have all voted? One hundred and eight voting 'yes', 4 voting... 109. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'yes', 3 voting 'no' and 2 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1824. This Bill having received the required Constitutional Majority is hereby declared passed. Representative Santiago, 1863."

Santiago: "Mr. Speaker, Members of the House, I move to concur in Senate Amendment #1 to House Bill 1863. The Amendment creates a new offense, titled, Domestic Battery, committed when a person intentionally or knowingly causes bodily harm to a family or a household member or makes physical contact of an insulting or provoking nature with any family or household member. This Bill... this Amendment is identical to House Bill 2266, which passed the House by a 93 to 3 margin. I move to concur, if there's no objections."

Speaker Giglio: "Any discussion? The Gentleman from DeKalb,

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Representative Countryman."

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

Speaker Giglio: "He indicates he will."

Countryman: "Why...why do we need this offense? Doesn't the current battery statute cover it?"

Santiago: "Well... I didn't hear the question."

Speaker Giglio: "Representative Countryman, could you repeat the question please? And would you...would you please give the Gentleman some order. The House is starting to get a little noisy and it's very difficult for the person explaining the Bill to answer any questions here. You can't hear what's going on. So would you kindly keep your remarks down to a minimum so the House could proceed with its business. And we can hopefully complete our business and adjourn at a reasonable hour. Representative Countryman."

Countryman: "Well, I guess my only question is why do we need an offense of domestic battery? Doesn't the present statute cover it?"

Speaker Giglio: "Representative Santiago."

Santiago: "Well, I... Basically, we...the Senate added the Amendment because they thought it will be helpful in these types of domestic problems. What it also does, if a person's convicted of the new offense, of a domestic battery under the Amendment, that person will be ineligible for a sentence of court supervision if the defendant has been...has within the last five years been convicted of the offense of domestic battery or of criminal sexual abuse, or has been assigned court supervision for the offense of the domestic battery or criminal sexual abuse."

Countryman: "How are you going to know that they had court supervision?"

Santiago: "Pardon... Well, you're...you're an attorney and I



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think that there will be a record of this...the court procedures."

Countryman: "Well, there shouldn't be, because the record for court supervision can be expunged after two years."

Santiago: "Well...we tried to change that, but you opposed it. We tried to make it to five years and you opposed it. So, you know..."

Countryman: "... No, I supported that..."

Santiago: "... We're trying to work with you..."

Countryman: "... For five years, but they killed it in the Senate. Now they want to put this Amendment on that makes it within five years and we're not going to know. They... As a matter of fact, I was trying to work out all the expungement stuff so we had a solution on that, would make this Bill work, but the Senate wants to kill it and put this back on."

Santiago: "Well, we can sit here and debate all day. I think it's a good Amendment. There's no... no problem with the Amendment and I think let's take it up to the board and see what happens with it."

Countryman: "Well, that's what we're paid to do is debate all day. Sometimes when we debate, we learn how to improve these things."

Santiago: "Well... I move for... do passage on this Amendment."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1863?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 107 voting 'yes', 4 voting 'no' and 2 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1863. This Bill having received the required

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Constitutional Majority is hereby declared passed. House Bill 1864, Representative Petka. The Gentleman from Will, Representative Petka."

Petka: "Thank you very much, Mr. Speaker, Members of the House. I move to concur with Senate Amen... Senate Amendment #1. Senate Amendment #1 merely added an effective date of January 1st, 1991."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1864?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1864, and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Kubik."

Kubik: "Rising on a point of personal privilege, Mr. Speaker. I'd like to take a moment to recognize the hardworking people from the Brookfield Zoo have... who have been up in Room 400 all day entertaining about ninety young people of Legislators and other people. And if we could give them a people a nice round of applause. They've worked very hard and represented to do very well."

Speaker Giglio: "Representative Parke."

Parke: "Thank you, Mr. Speaker. For those of you that or... we hoped that when we adjourn on the 2nd or 3rd of July, that those of you that are going to go back and give a Fourth of July or Independence Day speech, I happen to have extra copies of a Fourth of July speech that you may be interested in. And if so, I'm going to come around and pass them out and you can take them and hopefully, you'll

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find words that you'd want to share with the people in your district."

Speaker Giglio: "Thank you, Representative. And while you're there on the microphone, Senate Bill 855. You had a request and Senate Bill 918."

Parke: "Yes, I would like to ask for a Motion to refuse to recede on both of these Bills, 855 and Senate Bill 918 for the purpose of putting them in Conference Committee."

Speaker Giglio: "Heard... you heard the Gentleman's Motion. Refuse to recede from House Amendment #1 to Senate Bill 855. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment #1 to 855, and a Conference Committee be appointed. On House Bill 918, the Gentleman moves that the House refuse to recede from House Amendments #1 and 3 on Senate Bill 918. Hearing none, all those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede on House Amendments #1 and 3 to Senate Bill 918, and a Conference Committee be appointed. On page four of the Special Order of Business appears House Bill 1865. The Gentleman from Will, Representative Petka. Representative Petka in the chamber? Representative Pullen. Representative Pullen in the chamber? Out of the record, Mr. Clerk. The Lady from Cook, Representative Wojcik, House Bill 1888. The Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Mr. Speaker, Members of the House, I move to concur with Senate Amendment #1, which places the Bill's provision within Chapter 56 1/2, Food and Drugs, as requested by the Department of Public Health."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House

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Bill 1888?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 107 voting 'yes', 1 vot... 110 voting 'yes', 1 voting... 111 voting 'yes'. Have all voted who wish? Take the record, Mr. Clerk. One hundred and eleven voting 'yes', 1 voting 'no' and none voting 'present'. And House Bill 8... and the House does concur in Senate Amendment #1 to House Bill 1888, and this Bill having received the Constitutional Majority is hereby declared passed. Supplemental Calendar Announcements."

Clerk O'Brien: "Supplemental Calendar #2 is being distributed."

Speaker Giglio: "Representative Petka, House Bill 1865. The Gentleman from Will, Representative Petka."

Petka: "Mr. Speaker, we already had nonconcurrred on that this morning."

Speaker Giglio: "Thank you. The Lady from Cook, Representative Pullen, 1871."

Pullen: "Yes, Mr. Speaker, the Governor's Office has some concerns about some wording on this Bill and I would like to try to correct that before it gets to him if possible. So I move to nonconcur in Senate Amendment to House Bill 1871."

Speaker Giglio: "You heard the Lady's Motion. Any discussion? Hearing none, all those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcurr with Senate Amendment to House Bill 1878... 1871. 1871, Representative Pullen?"

Pullen: "Not House Bill 1878, Mr. Speaker. I think we just did 1871, is that correct?"

Speaker Giglio: "'76 is nonconcurrred. The one that you just asked for to nonconcurr, which..."

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Pullen: "... Was 1871."

Speaker Giglio: "1871."

Pullen: "And now can we go to 1878?"

Speaker Giglio: "Alright. All in favor of the Lady's Motion to nonconcur in House Bill 1871 say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur, Senate Amendment #1 to 1871. Now, 8... number two. Senate Amendment #2 to House Bill 1871. Thank you, Mr. Clerk. House Bill 1878, Representative Pullen."

Pullen: "Mr. Speaker, I think I'd like to take this out of the record and call House Bill 1880."

Speaker Giglio: "Take this out of the record, Mr. Clerk. 1880."

Pullen: "Mr. Speaker, I move to concur in...in the Senate Amendment to House Bill 1880. This Bill relates to...to requiring a state's attorney to seek a court ordered HIV test of an accused rapist, if the victim so requests. The Amendments deal with ensuring that the victim is allowed access to the results of the test, which was the purpose for the Bill to begin with. And so I move to concur with what the Senate has done with House Bill 1880."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 1880?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendments #1 and 2 to House Bill 1880, and this Bill having received the required Constitutional Majority is hereby declared passed. Myron Olson, 1896. The Gentleman from Lee, Myron Olson."

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

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House. House Bill 1896 authorizes the Secretary of State not to renew driver's licenses for those people that have an obligation in fines. Amendment #1 and 2 clar... Amendment #1 in the Senate, clarified the effective date of the Bill and Amendment #2 said, that upon proof of having paid the fine, the license would immediately be issued. We move for concurrence to Senate Amendment #1 and 2 on House Bill 1896."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1...Senate Amendment #1 (sic - and #2) to House Bill 1896?' All those in favor say 'aye', or all those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'yes', 4 voting 'no', 1 voting 'present'. And the House does concur with Senate Amendments #1 (sic - and #2) to House Bill 1896, and this Bill having received the Constitutional Majority is hereby declared passed. The Lady from Cook, Representative Didrickson. Representative Didrickson in the chamber? Out of the record, Mr. Clerk. Representative Currie. Is Representative Currie in the chamber? Out of the record. Representative Black. Representative Black in the chamber? 1966."

Black: "Oh, thank you very much, Mr. Speaker. House Bill 1966, I think passed the House chamber pretty much unanimously. It extends the lemon law to recreational vehicles and the controversial Amendment that Representative Rice so beautifully spoke against and got a 100 'no' votes on it for me. Thank you, Representative Rice. That's no longer in there. So it's simply an extension of the RV lemon law, but in the Senate there was a Senate Amendment added. Let me very briefly tell you what this does and the Senate

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Amendment passed 57 to 1. There's been a recent court case that says, that the existing statute under the Consumer Fraud Act relating to a three day right of rescision on sales that are made on a door to door basis, can be expanded to mean anything that is brought into your house through direct mail. All we're doing with Senate Amendment #1 to House Bill 1966 is to clarify this and say specifically, that...for this three day rescision, the person has to come into your house for you to take advantage of this. It will simply clarify the question that the court decision raised and ensure that established retailers will not be regarded as door to door sellers if they used direct mail marketing. I think it's a very important Amendment. I stand in support of it. It's supported by the retailers, most of the members of the retail community. I would ask that we concur in Senate Amendment #1 to House Bill 1966."

Speaker Giglio: "Any discussion? The Gentleman from DeKalb, Representative Countryman."

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

Speaker Giglio: "He indicates he will."

Countryman: "Is this the terrible Bill that has the restraint in trade for converted vans on it?"

Black: "No, no, Representative. Let me make that very clear. Thanks to you and Representative Rice, that failed with 2 'aye' votes and 108 'no' votes."

Countryman: "Yeah, but then you came back with something else that got out of here. Is this the... is that... is that..."

Black: "... No... no, there is no such Amendment on this Bill. This Bill is relatively clean, straightforward, stands for good government, the American Flag, motherhood and apple pie."

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Countryman: "Well, I can't believe it. But maybe for once in your life you got a good Bill."

Black: "Thank you very much."

Speaker Giglio: "Representative Terzich."

Terzich: "Yeah, Representative Black, on this particular Bill, on recreation vehicles..."

Black: "... Yes, Sir."

Terzich: "The lemon law basically, was on the manufacturer of motor vehicles..."

Black: "... Correct..."

Terzich: "How does... how does on... on the recreation vehicles, since most of them are converted and they have equipment and supplies that are not necessarily that of the manufacture, such as a... maybe a refrigerator or a stove, and things of that nature..."

Black: "... Yeah..."

Terzich: "How... how would this apply? Who... would the lemon law..."

Black: "... It... In our... In our..."

Terzich: "... Be applied to the manufacturer of the vehicle or the products..."

Black: "... No, no..."

Terzich: "... Inside the recreation vehicle?"

Black: "Yeah. We specify in here, if it's the chassis, obviously, it's whoever built it, General Motors, Ford or Chrysler. If it's the refrigerator, you go back on the refrigerator manufacturer. If it's the microwave...it was never our intent and we think it's clear in here that the living space is not covered under the lemon law. You deal with the manufacturer of the chair, or the refrigerator, or the, you know, the converter on that. Not... that was the we had a controversial Amendment that did some of those things, and that's no longer a part of this Bill."



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Terzich: "So, let's say that General Motors had a Chevrolet RV, and you decided that you were having mechanical problems, the motor blew up or whatever the case may be; and you thought that you had a lemon on that vehicle, then would they in essence want to be re... have that vehicle replaced, including the equipment inside which might be the refrigerator or stove or any of that..."

Black: "Yeah. If I understand your question, and I share your concern on that, if it's part of the chase', the drive train, whatever, obviously that's pretty much already covered. However, if it's been modified by the converter, if they choose to move the gas line or change the capacity of the gasoline tank without the permission of the manufacturer, then that converter is going to have to stand on that warranty problem."

Terzich: "So therefore, if you have... you had a... if you thought that you had a bad RV and it wasn't necessarily the vehicle in itself but the equipment inside the vehicle, who would they... who would they complain to? Who..."

Black: "In my opinion, they would take it back to the converter or where they bought it and work that out. And ninety percent of these problems are going to be mechanical in nature and they're going to have to be fixed by the big three or the auto manufacturer that built it. We... we wanted to make sure that you couldn't... you couldn't access a new RV because you're refrigerator didn't work. And it's certainly my intent and let me say for the record, that that's not what we intend to do with this Bill and if we find that that is indeed a point of contention, we'll fix it. I assure you of that."

Terzich: "No, I was the Sponsor of the lemon law Bill anyhow, so I mean, but good luck."

Black: "Thank you very much."

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Speaker Giglio: "Further discussion? The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 1966?' And on that question, all those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Gentleman from Cook, Representative Rice."

Rice: "I promised not to say anything, brother Black, but it seems as though you've been to somebody's book."

Speaker Giglio: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 117 voting 'yes', 1 voting... none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1966, and this Bill having received the required Constitutional Majority is hereby declared passed. 1878, the Lady from Cook, Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There are 4 Amendments that have been put on by the Senate. I wish to concur in Amendments 1, 2 and 3 and to nonconcur in Amendment #4. Which Motion would you wish me to put first, Mr. Speaker? Would it be better to put the concurrence Motion first?"

Speaker Giglio: "You heard the Lady's Motion. The Lady moves to concur with Senate Amendments #1, 2 and 3 to House Bill 1878. And on that, all those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there 114 voting 'yes', none voting 'no' and 1 voting 'present'. And the House does concur in Senate Amendments #1, 2 and 3. Now, the Lady moves that the House nonconcur in Senate Amendment #4. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur with Senate Amendment #4 to House Bill

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1878. Representative McCracken, 1978. The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I move that the House concur in Senate Amendment #1. The underlying Bill puts the Department of Aging decisions under the Administrative Review Act. Senate Amendment #1 would give a right to a licensee... Excuse me, it... it gives the right to a licensee to have reviewed a decision of the Department of Financial Institutions, a decision to place within three miles of the licensee, a currency exchange. All this would do is... is bring into conformity with the rights of a person whose application is denied, the right of review. And I move the Senate concur in Amendment #1."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1978?' And on that question, all those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur... Anthony Young, 'aye'. Edley, 'aye'. One hundred and sixteen voting 'yes', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1978, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Peterson, 1988. The Gentleman from Lake, Representative Peterson."

Peterson: "Thank you, Mr. Speaker. I move to concur with Senate Amendment 1 to House Bill 1988. The original Bill would exclude from employee education and training requirements employers who... employees are not routinely exposed to toxic substances. The Amendment put on in the Senate,

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would change 'routinely' to 'never'. This makes a more clear definition of what this Bill should do and I move for concurrence on House Bill 1988."

Speaker Giglio: "Any discussion? The Gentleman from Fulton, Representative Homer. You're... Are you seeking recognition, Sir? Are you seeking recognition?"

Homer: "Mr. Speaker, I've been informed that... that perhaps the Chair, on the last Bill, indicating that the House had concurred, that you... you had incorrectly announced that House Bill 18..."

Speaker Giglio: "... 189...78..."

Homer: "... 78, hadn't been concurred in, when it should have been 1978. And I was just bringing it to your attention..."

Speaker Giglio: "... Thank you..."

Homer: "... So you could clarify it for the Journal and the record."

Speaker Giglio: "Thank you, Representative Homer. Let the record indicate that the Bill passed, that the Chair mistakenly called the wrong number and it was 1978 that concurred with Senate Amendment #1, and the Bill receiving the Constitutional Majority is hereby declared passed. I'm sorry, Representative Peterson. Any further discussion on the concurrence of Senate Bill...or Senate Amendment #1 to House Bill 1988? Hearing none, all those in favor signify by voting 'aye', opposed 'no'. The voting is open. This is final action. Representative Balanoff, are you seeking recognition, Sir?"

Balanoff: "Yeah. Yes. I just want to let the record reflect that this Amendment weakens the Bill and I don't necessarily agree with the Amendment, but I think the content of the legislation is very important and so I'm voting 'aye'."

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Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'yes', none voting 'no' and 1 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1988, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Stange, 2004."

Stange: "... Thank you..."

Speaker Giglio: "The Gentleman from DuPage, Representative Stange."

Stange: "Thank you, Mr. Speaker. I also move to concur with Amendment 1 and 2 on House Bill 2004. Amendment 1 changes various fees under the Private Security Act. Amendment #2 provides additional grounds for discipline of licensed collection agencies, as well as penalty provisions."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2004?' And all those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 116 voting 'yes' and 1 voting 'no' and none voting 'present'. And the House does concur in Senate Amendments #1 and 2 to House Bill 2004, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Currie, out of the record. Representative Bugielski, House Bill 2029. Are you ready, Sir? The Gentleman from Cook, Representative Bugielski on House Bill 2029."

Bugielski: "Thank you, Mr. Chairman, Members of the House. I wish to concur on Senate Amendment #1 to House Bill 2029. The Amendment... it's adding the... allows savings and loan association banks for the saving's associations to

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eliminate cumulative voting rights. And I ask that we concur in Senate Amendment #1. This has been agreed upon by the savings and loan and the banking industry."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2029?' And on that question, all those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 112 voting 'yes', 3 voting 'no' and none voting 'present'. Is that... has everybody voted now? On this question, House Bill 2029, there are 111 voting 'yes', 3 voting 'no' and 1 voting 'present'. And the House concurs in Senate Amendment #1 to House Bill 2029. Representative Martinez voting 'aye'. One hundred and twelve voting 'yes'. And the House does concur in Senate Amendments #... Senate Amendment #1 to House Bill 2029. This Bill having received the required Constitutional Majority is hereby declared passed. The Chair would like to return to House Bill 1480. The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, I move to nonconcur in Senate Amendment #1 on this Bill, primarily, in order to aide Representative Homer on a local district matter, that he would like to put into the Bill. He has explained the matter to me thoroughly. I think it is an issue that you would concur in, because it is something that this Assembly has done in the past. I therefore, would agree to nonconcur in this Amendment."

Speaker Giglio: "You heard the Lady's Motion. All those in favor signify by saying 'aye', opposed 'no'. In the opinion of

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the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendment #1 to House Bill 1480. Representative Mays. Out of the record. Representative Novak, 2052. Mr... 2052, the Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 to House Bill 2052. Simply this is an Amendment that was inadvertently overlooked in committee in the House. It should have been put here, it was put on over in the Senate. It is a Farm Bureau approved Amendment. The Amendment provides a definition for 'pesticide residue' as used in the Bill. The definition includes 'pesticides, fertilizers or growth regulators in or on a food product'. And I ask for its approval."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2052?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 116 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 2052, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Piel, 2061. Representative Ryder. Representative Ryder. Out of the record. Representative Kubik, 2076. Representative Kubik. The Gentleman from... We did that one. Representative McAuliffe. Representative McAuliffe in the chamber? Out of the record. Representative Hasara, 2091. The Lady from Sangamon, Representative Hasara."

Hasara: "Thank you, Mr. Speaker. House Bill 2091 provides that the Department of Public Health establish criteria and

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procedures for participation of retail food establishments as food vendors, under the women, infants and children nutrition program. The Senate Amendment simply makes some technical changes as requested by the USDA, to make our state law more in compliance with the federal statute. So I move to concur with Senate Amendment 1 to House Bill 2091."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2091?' All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'yes', none voting 'no' and none voting 'present' and the House does concur in Senate Amendments...Senate Amendment #1 to House Bill 2091. This Bill having received the Constitutional Majority is hereby declared passed. Alright, we're going to back up one. Representative McAuliffe, 2077. The Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker. I would move to concur in Senate Amendment #1. Provides that if a conflict should arise between state and federal regulations in compliance with...final federal rules shall be considered compliance with state regulations."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2077?' All those in favor vote 'aye', opposed 'no'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 110 voting 'yes', none voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1



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to House Bill 2077 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Ryder on 2097. Out of the record. Representative Olson. Representative...excuse me. Representative Lee Olson."

Olson, M.: "Myron."

Speaker Giglio: "Myron."

Olson, M.: "Thank you, Mr. Speaker. I have a problem with House Bill 1896, which we moved to concur. The Senate inadvertently failed to send over in their message the 2 Amendments which were adopted, so I would now move to nonconcur so we can send this to Conference to put that in good form."

Speaker Giglio: "Representative Olson, I believe then the proper Motion would be to..."

Olson, M.: "Reconsider."

Speaker Giglio: "Reconsider..."

Olson, M.: "Right."

Speaker: "...by which the House concurred. The House in Senate Amendment #1 to House Bill 1986...1896."

Olson, M.: "1896. That is correct. Having voting...having voted on the prevailing side, I make that Motion, Mr. Speaker."

Speaker Giglio: "Representative Brunsvold. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Will the Gentleman yield to a question?"

Olson, M.: "Yes."

Brunsvold: "Could you explain, Representative, what the Senate Amendments are going to be that are going to be added?"

Olson, M.: "Yes. What happened there is, in the message that the Senate sent to the House Clerk they neglected to put in one of the 2 Amendments which were adopted which gave us an effective date. So consequently, when I offered the Concurrence Motion I said we accept Amendments 1 and 2, but

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the record in the House indicates the Senate only sent us one Amendment and that had to do with the reissuance of a drivers license immediately upon the presentation of a receipt. So we have to put this in Conference to make sure we get in both Amendments."

Brunsvold: "And the second Amendment contains language dealing with effective date?"

Olson, M.: "The effective date was not...was not included in the message sent from the Senate to the House."

Brunsvold: "Thank you."

Olson, M.: "You're welcome."

Speaker Giglio: "The question is, 'Shall the House reconsider?' All those in favor vote 'aye', opposed 'nay'. Voting is open. Reconsider the vote by which...Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 116 voting 'yes', none voting 'no' and 1 voting 'present'. The Motion prevails. Now the Gentleman asks that the House nonconcur Senate Amendment #2. One. Senate Amendment #1. All those in favor signify by saying 'aye', opposed 'nay'. The 'ayes' have it and the House nonconcur with Senate Amendment #1 to House Bill 1896. Robert Olson, 2108. The Gentleman from Logan, Representative Robert Olson."

Olson, R.: "Yes. House Bill 2108 originally, in its original form amended the Illinois Controlled Substance Act to prohibit the dispensing of butyl nitrate(sic-nitrite). Senate Amendment 1 clarifies the Bill. It's at the suggestion of the Department of Alcohol and Substance Abuse, by adding the words, 'for inhalation or introduction into the human body'. I move for concurrence."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? Hearing none, all those in favor signify by voting 'aye', opposed 'nay'. Voting is open, this is final

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action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 2108 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 2123, the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to concur with Senate Amendments 2 and 4 to House Bill 2123."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #2 and 4 to House Bill 2123?' And on that question all those in favor vote 'aye' those opposed vote 'no'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes', none voting 'no' and none voting 'present' and the House does concur in Senate Amendments #2 and 4 to House Bill 2123 and this Bill having received the required Constitutional Majority is hereby declared passed. Alright, before we go over to the next page we have House Bill 2020. The Lady from Cook, Representative Barbara Currie."

Currie: "Thank you, Mr. Speaker. I move the House do concur in Senate Amendments 1 and 2 to House Bill 2020. The provisions of House Bill 2020 are very similar to those of House Bill 1507 which passed this House with an overwhelming majority just a few short weeks ago. That Bill dealt with permitting in the environmental protection agency for new hospital incinerators. The Bill has been since amended in the Senate, so as to provide some further

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exemptions to the permitting procedure. There is no question on the basis of hard scientific evidence that the kinds of emissions that are involved in any kind of incineration, municipal waste or hospital incineration, are substantial and can cause harm. The environmental protection agency has a history, a tradition of adequate permitting activities for small businesses and for large, and I would urge your concurrence on this Motion to concur in Senate Amendments 1 and 2, to House Bill 2020."

Speaker Giglio: "Any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Yes, I rise in opposition. These hospital incinerators which are at issue in Senate Amendments 1 and 2 were to have been this year... or I should say next year...the subject of a more comprehensive review of incinerators generally, of which hospital incinerators would be a part. This would treat as...the same as municipal incinerators, hospital incinerators, even though hospital incinerators are typically of much lower emission volume. This would represent an unreasonable regulation without adequate review of these hospital incinerators, and the particular threat they pose, if any. I stand in strong opposition to this. There was discussion among the interested parties about putting this off for a year so that this can be a part of a more comprehensive review of...of this issue, and I rise in opposition to Senate Amendments 1 and 2."

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

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

Speaker Giglio: "She indicates she will."

McGann: "Yes, Representative, I have before me a bulletin from the Illinois Hospital Association. I've also received two

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calls, one from Holy Cross Hospital in Chicago, and one from Little Company Mary Hospital this afternoon relative to this issue, and they state here that House Bill 1507 was called twice in the Senate Energy Committee where substantial testimony was heard, and it failed to garner sufficient votes to be considered by the full Senate. Instead, it is showing up here as Amendments 1 and 2 to House Bill 2020, is that correct?"

Currie: "Representative, I think that there is some misunderstanding. The Bill failed in Senate Committee the first time because the Sponsor of the Bill in the Senate offered an Amendment dealing with a highly charged issue that had nothing to do with the permitting of hospital incinerators that is the point of this Bill. The second time I think the defeat was, in effect, an accidental one. But there's no question that the history of what happened to the Bill in the Senate makes it clear that the Committee's problem with the Bill in the first instance was with an Amendment offered by the Senate Sponsor that did not bear directly on the issues involved in this Bill."

McGann: "Thank you. To the Bill itself. The Illinois Hospital Association would much prefer the Sponsor to nonconcur on these Amendments 1 and 2. They are against this procedure because they feel as though it should be part of a greater picture in the future, and I would rise in opposition to concurring."

Speaker Giglio: "Further discussion? The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you Mr. Chairman, Ladies and Gentleman of the House. I too, rise in opposition to this Bill. It's my understanding that this was primarily an effort to attempt to regulate some of the smaller hospitals, especially those in downstate Illinois. I've heard from one of the largest

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hospitals in downstate Illinois, Methodist Medical Center, which indicated to me that if this Bill were to pass, they would immediately be faced with some \$300,000 in expenses. Everybody is interested in working on this problem, everybody wants to solve this problem, everybody believes that we have a problem and need to work on it, but I would strongly encourage a more deliberative approach. I would strongly encourage this to be put off for some time so the various parties can get together and work out something that makes sense. The practical effect of this measure would be to, in effect, sic the EPA on all the hospitals in Illinois, and that in my judgement is an error and I would urge a 'no', vote."

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

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentleman of the House. I rise in opposition to the Sponsor's Motion to concur in the Senate Amendments. Now there may be some confusion on 1507, but let me tell you, and I hope that you all listen up, there is no confusion on the opposition to these two Amendments. The proposed standard in the Bill was designed for municipal incinerators. Now you can't...in all good conscience, you can't put the standards on a municipal incinerator on that that's used by a hospital. Now if you do so, if you persist and you pass this out and you do so, I'll tell you what is going to happen. You're going to discourage hospitals to even continue to operate or even build an on-site incineration system. And this...this will fly in the very face of public health experts that say the safest means of disposing of hospital waste is on-site incineration. So if they don't have the incinerator, then they're going to have to haul their waste by certified

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toxic waste or contaminated waste haulers, which is going to in some cases triple, or even quadruple their cost. Now all of you, whether you're downstate or upstate should be concerned about the cost of health care, it's one of the major problems that causes us all to go gray down here. So if you vote to concur in these Senate Amendments, if you don't agree with anything else anybody has said, I can assure you you're going to add to the cost of hospitals doing business and that can be translated sweetly and simply into an increase in health care cost. I stand in opposition and urge you to vote against concurrence in these Amendments."

Speaker Giglio: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to concur with Senate Amendment 1 and 2 to House Bill 2020. You know, it's funny that a lot of these lobbying groups and there's another issue that will be coming up soon, where I'm sure everyone has been lobbied, pro and cons against. But when this Bill, the Bill 1507 was in the House, we had many, many hours of talk on the Bill. There was a concern in Representative Currie's district, my district, Representative Trotter's district, where they are going to build one of these types of facilities. And it's odd that none of these other groups sit down, or saw it fit to come to a meeting. But all of a sudden the Bill gets into the Senate and then they probably feel that they have a little bit more leverage in the Senate and then they want to kill the Bill. I urge a green vote, or to concur with Senate Amendment 1 and 2 on House Bill 2020 because Representative Currie and myself and others spent long hours trying to get the language where they could build these type of facilities. In our district, we've worked it out. They're going to continue

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to build the facility, and all these people who are coming in late, you know this is Johnny come lately and everyone has to stop the process because they're not satisfied. This has to stop. Thank you."

Speaker Giglio: "Representative Flinn."

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

Speaker Giglio: "Heard the Gentleman's move...Motion. All those in favor say 'aye', opposed 'nay'. In the opinion of the chair, the 'ayes' have it, the Motion carries. Representative Currie to close."

Currie: "Thank you, Mr. Speaker, Members of the House. I think there is a lot of misinformation about what's in House Bill 2020. First, there is no question that the kinds of pollutants that are incinerated in a hospital incinerator just like any other kind, can cause harm to the people. There is further no question that there is not a strong regulatory program covering these kinds of incinerators in the State of Illinois today. In fact, municipal... hospital waste incinerators tend to produce more dioxin per gram of waste burned than do municipal incinerators. We have worked on this Bill with particular facilities as well as we have tried to respond to many of the concerns raised by the Hospital Association. The Bill does not cover any existing facility. The Bill does encourage recycling. This is not about infectious hospital wastes, which is why when the Chairman of the Energy and Environment Committee announced that Task Force, he did not suggest that we stop work on this kind of regulatory legislation. Other states have left into the void, and we find that New York, New Jersey, Connecticut...these states all have strong regulatory programs. Illinois has none. In the state of Delaware, there is currently a ban on the development of new hospital incineration facilities while that state waits



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to do appropriate rulemaking. This is a reasonable Bill meant to deal with a reasonable situation. We can make sure that our people are breathing clean, healthy air. We have expressed legitimate concern for the small hospitals and we do not anticipate first, that the standards the EPA applies will be like those applied to municipal waste incinerators. We further believe that the agency with it's long experience of permitting, will make sure that new incinerators that come on line, big ones and small ones, meet appropriate standards. This Bill is supported by the Environmental Community, by the State Environmental Protection Agency and by many in the waste industry itself. I urge your 'aye' vote on this Concurrence Motion."

Speaker Giglio: "The question is, ' Shall the House concur in Senate Amendments #1 and #2 to House Bill 2020?' All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. This is final action. And on that question, the Gentleman from Madison, Representative Stephens. One minute to explain your vote."

Stephens: "Thank you, Mr. Speaker. The language included in these Amendments would cost Utlaut Hospital in Greenville, Illinois about \$100,000 a year. When you're operating on a \$6,000,000 budget, that's a tremendous expense. It cannot be afforded. There was a remark made across the aisle that the...the...to the effect that the lobbying groups did not participate sincerely. That's just not true, the lobbying groups have participated very sincerely. They represent interest throughout the state. This is a Bill that would...that may be needed in one particular area, but you cannot address specific needs and have them affect the hospitals throughout the state in such a negative manner. The good vote is a red vote. We'll keep them up there, and we'll all work together to deal with this problem, but this

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is not the way to handle it."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 24 voting 'yes', 79 voting 'no' and...vote Representative Barnes 'no'. On this question there are 80 voting 'no' and the Motion fails. Representative Currie."

Currie: "Then I'll move not to concur in Senate Amendments 1 and 2 to House Bill 2020."

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

McCracken: "Is it your intention to put this back in the Conference Committee so we are forced to vote on it one more time? I say, are you going to put those Amendments back into the Conference Committee so we have to vote on this one more time?"

Currie: "Representative, I'll discuss the Bill with the Senate Sponsor. This Bill did include totally different provisions as it passed the House, so I'm not quite sure what will happen next, but you can be sure that there will not be a Conference report that looks like Senate Amendments 1...that is Senate Amendment 1 or Senate Amendment 2 to House Bill 2020."

McCracken: "Do I take that to mean you won't deal with the subject matter at all, or that you have..."

Currie: "I won't make that commitment, but I certainly will make a commitment that you will not be asked to vote on the precise language you were asked to vote on just now."

McCracken: "I wonder if we should do a Roll Call, so we can kill this Bill so we don't have to vote on this stuff again. Nah...that's too mean."

Speaker Giglio: "The Gentleman from Will, Representative Wennlund."

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Wennlund: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. I urge your support of the Representative's Motion. The negotiations have been taking place over the last couple of days with the Illinois Hospital Association. They were very close. This will give an opportunity to try to complete those negotiations and sit back down to the table and try to work out an agreeable compromise. So, I urge your aye votes in favor of the Lady's motion to nonconcur in Senate Amendments #1 and 2."

Speaker Giglio: "Further discussion? The lady moves to nonconcur. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the chair the 'ayes' have it, and the Motion carries. 1926, Representative Currie, 1926. Out of the record. On page 5, Special Order of Business, State and Local Government appears House Bill 2129. The Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. House Bill 2129 as it went out of here required insurers to cover mammography screenings. The Senate added an Amendment which says that health... a level playing field Amendment which requires health maintenance organizations to do the same and I move... I concur and move for its adoption."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2129?' and on that question all those in favor vote 'aye', opposed 'no', the voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 115 voting 'yes', none voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 2129 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Steczo, 2174. Representative

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Steczo. Out of the record. Representative Jones, 2194.

Representative Lou Jones. Out of the record.

Representative Curran, 2196. The Gentleman from Sangamon."

Curran: "I move to concur with the Amendments on House Bill 2196."

Speaker Giglio: "Representative Cullerton, are you seeking recognition?"

Cullerton: "I just wanted to make sure I understood which Bill we were on. I thought we were on 2191."

Speaker Giglio: "The type is kind of fuzzy on this number, Representative. 21...Representative Ronan, for what purpose do you rise, Sir?"

Ronan: "Thank you, Mr. Speaker. Mr. Speaker, we've been going down the Roll Call for the last 3 days. We haven't skipped any Bills. You want me to go through the list, Mr Speaker, on what Bills you want in order? Now you just called 2174, the next one's 2191, Representative Ronan. What's your theory on why you didn't call 2191?"

Speaker Giglio: "Well, there's no theory. I just must've passed over it, Representative Ronan. My apologies."

Ronan: "Thank you, very much."

Speaker Giglio: "House Bill 2191, Representative Ronan."

Ronan: "Thank you, Mr. Speaker."

Speaker Giglio: "You want this out of the record?"

Ronan: "No. No, Mr. Speaker, I think this is a fine Bill whose time has come. I move to..."

Speaker Giglio: "Representative Ronan on House Bill 2191."

Ronan: "But Mr. Speaker, just so I...for clarification...do you want it out of the record?"

Speaker Giglio: "No. I was going down the list, you know, when you do this for a number of hours sometimes your eyes get kind of glarey, truthfully, and you miss..."

Ronan: "Do you think we should set up some kind of an age

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classification then, so when we have the older Speakers in the Chair we have some kind of a system to give them an opportunity not to skip over Bills, Mr. Speaker? You know. Like in China, we had a problem where we had some old Leadership and what we did was just replace them. Thank you, Mr. Speaker."

Speaker Giglio: "It's nice to know, Representative Ronan, that I feel like I'm human. I make mistakes also."

Ronan: "Well, I'm very pleased to see that you correct them so rapidly, Mr. Speaker. Okay. I move to accept Senate Amendments #1 and 2 to House Bill 2191. This deals with captive insurance concept that we passed out of the House. The Senate added 2 Amendments. Senate Amendment #1 was adopted by the Illinois State Medical Society to clarify a situation to deal with medical malpractice. Senate Amendment #2 dealt with the concept of the Bill dealing with insurance companies to clarify their ability to do business here in the State of Illinois and to have more companies be able to do business here in the State of Illinois. I'll be glad to answer any questions concerning Senate Amendments #1 and 2."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate ...' Representative Leitch, the Gentleman from Peoria."

Leitch: "I would respectfully request that the vote be separate on the Amendments, please."

Speaker Giglio: "The question is the division of the question."

Ronan: "Okay. Okay then, we'll do it."

Speaker Giglio: "Alright. 'Shall the House concur...Representative McCracken."

McCracken: "On a point of order. I don't think you can divide the question because the effect would be to throw the Bill into a Conference Committee if he refused to recede from a

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Senate Amendment. This is not the type of question that can be divided, just because you're talking about 2 Amendments. This is a single comprehensive Motion. It is not divisible. Let's vote it up or down on the 2 Amendments."

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

Cullerton: "Representative McCracken, I don't know where you are on this issue. I happen to be in support of both Amendments, but that is definitely not right. There are 2 separate Amendments. If the Senate..."

McCracken: "I know there are 2 separate Amendments."

Cullerton: "If the Senate recedes from one of the Amendments, the Bill goes to the Governor."

McCracken: "But the Senate's not going to recede from one of the Amendments."

Cullerton: "Oh. I didn't know that you knew that already. This is a very important point. If you are in agreement with one of the Senate Amendments and not in agreement with the other, you should have a right on every Bill to have a division of the question and have a separate vote on either one. You have to do that. We do that every year."

McCracken: "It is a meaningless act to concur on one and not the other because the effect will be to put it into a Conference Committee."

Cullerton: "That's not true."

McCracken: "It is not...it is not divisible. He wants to concur in both Senate Amendments, if you allow him to concur only in one or the other, the effect is to put it in a Conference Committee, which is the same effect as if it had failed on the Motion to concur in both Amendments."

Cullerton: "Mr. Speaker, let me just address that issue. This is a very important issue. We cannot ask for a Conference

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Committee on a House Bill. We have to either concur or nonconcur with those Amendments. It's the Senate that asks for a Conference Committee. If they recede from one of these Amendments, the Bill goes to the Governor. Each Amendment was adopted separately. You can't have one...you can't say that you have to have one vote on both Amendments. It's just not true, and I happen to be supportive of both of these Amendments, as it turns out, but I just think that the principle here is an important one."

Speaker Giglio: "Representative McCracken."

McCracken: "This is the first year of a fundamental rule change where we are going to keep control of these Bills throughout Conference Committee. If you do not allow a single vote pursuant to the Motion and it results in a Conference Committee, you have abrogated the rule requiring the...that the Sponsor of the Bill retain control. Now this is a question of whether he wants the Amendments to stay intact. If one of the Motions loses if you divide it, if one of the Amendments is not concurred in, the effect is to put it into a Conference Committee. It is not divisible."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Well, Mr. Speaker, I can't believe I'm listening to this debate, because this is fundamental in what the legislative process is all about. A Sponsor makes a Motion. We cannot anticipate what the Senate is going to do, so the...and anybody has a right to divide Amendments. Anybody... That's a right. That's...the rules gives you that right and let us say that Amendment #1...that we do concur and let's say that we nonconcur with the other Amendment. The Senate can recede. Let's say there's 10 Amendments and we just nonconcur in one. The Senate can

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recede and that goes to the Governor, but anybody has that right to divide any Amendment. I don't know where Representative McCracken's coming from on this issue and I don't really believe it's debatable, because the rules are very clear."

Speaker Giglio: "Representative Leitch."

Leitch: "Parliamentary inquiry, please. Mr. Speaker, I would ask for a ruling from the Chair on this."

Speaker Giglio: "The Parliamentarian informs the Chair that any Member has the right to ask for a division of the question. In this issue. Representative Mautino."

Mautino: "Also Parliamentary inquiry, Mr. Speaker. In the new rule that was adopted whereby total control of the legislation is maintained by the Sponsor, I believe that under that rule the Sponsor would have the first choice of submitting a Motion to the Body. If that Motion were to be the concurrence of all Senate Amendments on a House Bill, that is under the total control of that Sponsor. After that point I believe that any Member, therefor, can then ask for a division of a question, even if it were successful, but I don't know how they would do it."

Speaker Giglio: "I...the Sponsor of the Bill has the prerogative of taking the Bill out of the record and do whatever he wants and defer the Bill if he chooses to do so. Representative Ronan."

Ronan: "Thank you, Mr. Speaker. I move to concur with Senate Amendments #1 and 2. Okay. Why, I'm making a Motion I want to concur in Senate Amendments #1 and 2. That's the Motion I want brought forth before the House. If I lose that Motion, then I make another decision, but at this point let's see what I got."

Speaker Giglio: "Well, the...Representative Leitch has the right to ask for the division of the question and he has done so."



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Now...Alright, Representative Ronan, you have the right to concur in Senate Amendment #1 and then concur in Senate Amendment #2 if you choose to do so. You want Senate Amendment #1 and 2 on...I'll get to you, Representative McCracken. Representative Ronan, are you listening?"

Ronan: "It's so compelling. What else would I do but listen to the pearls that come out of your mouth. Mr. Speaker, so what I'm doing is, I'm concurring in Senate Amendments #1 and 2. That's the Motion I'm making, Mr. Speaker."

Speaker Giglio: "Representative McCracken."

McCracken: "Speaker, the Motion...Let me explain it this way. A little birdie whispered in my ear, so I have new found insight on the question. I acknowledge that if a question is divisible, a Member has a right to that. I question whether this is a divisible Motion and if you look at Senate Amendments #1 and 2 they are interrelated so that if you can nonconcur in Senate Amendment #2 or vice versa and concur in the other, you would do violence to the one remaining on Concurrence. I ask the Parliamentarian to look at this. Mr. Parliamentarian. Mr. Parliamentarian."

Speaker Giglio: "We're looking at it, Representative. We're looking at it, Representative McCracken."

McCracken: "Alright. They are interdependent. If you nonconcurred in one and concurred in another, you could not have voted on the exact Amendment, because the deletion of one without the other has an effect on the remaining Amendment."

Speaker Giglio: "Alright. The Bill is...the Bill is coming down and we'll take it out of the record. Representative McCracken, we've looked at Senate Amendment #1 and Senate Amendment #2. Senate Amendment #2 refers to Senate Amendment #1 and therefor is non-divisible. Representative Ronan moves to concur in Senate Amendments #1 and 2. All

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those in favor signify by voting 'aye', those opposed 'nay'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? The Gentleman from Peoria, Representative Leitch."

Leitch: "Well, I can understand some confusion about whether to divide Amendments, but I have never heard yet of not being able to debate the Amendments. This Amendment...Amendment #2 is a very bad Amendment in my opinion, and I'd like to urge a 'no' vote. The effect of Amendment #2 is to put the Department of Insurance into the business of determining the safety and soundness of foreign banks. Presently, a state or a federal... a state bank or a national bank... a fed bank, any of these banks can provide irrevocable letters of credit to captive insurance agents. And what this Bill does is say that for foreign banks or banks that don't happen to be domiciled outside the United States but are in every other way perfectly authorized to do business in the United States, can't do it unless they have...comply with some special findings of the Department of Insurance and that simply does not make sense. There are lots of other ways to get at it. There are a lot of other alternatives or other... If the standard were to have these banks meet a certain Moody standard or standard and poor standard, that could make some sense. If there were some requirements in there that they ought to be required to provide statements of condition, something like that, that would make sense. But why in the world are we now putting the Department of Insurance into the business of evaluating the safety and soundness of a foreign bank? They're not equipped to do it. It just simply does not make any sense. I think it is in some ways discriminatory. An American bank doing business in Canada, for example...many of us would be greatly offended if we learned that the...outside

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of all the normal banking practices and banking regulations, suddenly we were being required to comply with other rules. I think it's a very unfair Bill and I think it's something that we easily could deal with in a Conference Committee report and I'd like to urge a 'no' vote."

Speaker Giglio: "Representative Matijeich."

Matijeich: "Speaker, I'm supporting..."

Speaker Giglio: "Matijeich."

Matijeich: "Mr. Speaker, I'm supporting this Motion. However, I would hope that the Parliamentarian, for in the future could take another look at what we did, because by virtue of having more than one Amendment, I don't care if the Amendments relate or refer to the other Amendment, I believe any Member has a right to divide Amendments. That by nature of having more than one Amendment, I believe is divisible and if one Amendment references another and we vote one and not the other, the only way to clarify... clear that up, I believe, is through a Conference Committee, but not by lumping them together and what... Alright, my part time Parliamentarian is talking to me. But I did this on my...I even disagreed with my part time Parliamentarian, by the way, and I still think I'm right."

Speaker Giglio: "Representative Piel."

Piel: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I stand in opposition and it's basically because of Amendment #2. This is...Amendment #2 is basically the reason that a lot of Members wanted to have this divided. I was talking to the Illinois Bankers Association earlier today and they've got severe reservations with Amendment #2. Basically because we're talking about letters of credit. Foreign letters of credit, Ladies and Gentlemen. These are not letters of credit in the United States, but

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they're foreign letters of credit and any problems that you would have with a letter of credit, according to Amendment #2, would have to...one of the areas that these letters would be cleared through would be the Securities Valudation Office, the National Association of Insurance in Washington, D.C. This is superseding our bank law when they have to be cleared through, you know, offices in Washington, D.C. Major problems connected with Amendment #2. This is why I can't believe the Parliamentarian's ruling that...in all my years down here, it's the first time I've seen where a Member could not ask for a division of a question. So I would ask the Members of the House to either..."

Speaker Giglio: "Please bring your remarks to a close."

Piel: "...so I would ask the Members of the House to either vote 'no' or 'present' so we can get this one problem cleared up that we have with Amendment #2 and get it to a state level and not having federal government deciding what decisions are going to be made on letters of credit."

Speaker Giglio: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also rise in opposition to Amendment #2 because most of the insurance industry think this is a bad idea also. This Amendment will benefit the large brokerage houses which will be able to solicit various businesses, create captive insurance companies and then obtain management or service fees from the captive companies. This Amendment will probably lead to a proliferation of captives in the workmen's compensation coverage arena, so most of the insurance industry is against it and I think we should put this in a Conference Committee Report and we should vote 'no' or 'present' on this Bill."

Speaker Giglio: "Representative Cullerton."

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Cullerton: "Cullerton: "Yes. As I indicated earlier in the debate on the procedural issues, I indicated my support for both Amendments and I understand that we're voting on both Amendments now, and I would indicate that I've looked at the...specifically, the issues raised by some of the opponents concerning letters of credit and I think it is really stretching it. I think maybe some of these banking lobbyists that Representative Piel was talking to are looking for something to do and they've found they've seized upon this Bill and I just don't think that their point is valid to simply say that the Department of Insurance shall determine which foreign member banks are solid banks is not in any way trampling on the rights of the banking interests. And certainly the...Amendment #1 is not controversial. But I also want to reiterate, Mr. Speaker, that I'm convinced that the Parliamentarian is in error on this ruling. There is no question in my mind, and I think the rules are extremely clear on the subject that you can divide a question when there's a Motion to concur with more than one Amendment. There's just no question about it, we've always done that. The new rules changes have nothing to do with that principle. It's clearly listed in the rules and if the issue ever comes up in the next 3 days, I hope that the ruling is changed. But I do support the Motion and I think that we should all support it since both of Amendments are okay."

Speaker Giglio: "Did you want to take this out of the record, Representative Ronan?"

Ronan: "Take the record. We've been here long enough. Let's go to the next Bill."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 73 voting 'yes', 30

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voting 'no' and 12 voting 'present' and the House does concur in Senate Amendments #1 and 2 to House Bill 2191 and this Bill having received the Constitutional Majority is hereby declared passed. 2174, Representative Steczo. The Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I would move that the House concur with Senate Amendments #1 and 2 to House Bill 2174. The purpose of House Bill 2174 is to license businesses doing business in the State of Illinois that are called Nurse Agencies and Nurse Registries. What House Bill 2174 does, is a few minimal things that would provide no undue hardship on many of these nurse agencies, but seeks to provide us in the General Assembly with information as to who these 3 to 500 nurse agencies may be and provide certain quality control procedures for them. House Bill 2174 provides that the...for the first time there's a clarification that the temporary employees that these nurse agencies sent to hospitals and nursing homes are in fact employees of the agency. It provides that ...the agency, when taking an application from an individual must determine if that individual nurse has a license in good standing with the Department of Professional Regulation. It provides for application procedures when applying for a position with an agency. Provides for some personnel policy matters. Provides that a nurse has to serve as manager of the agency. Provides for professional liability insurance that these agencies must have and also provides just generally that quality of care will be maintained in many hospitals and nursing homes where quality people now will be sent to provide those services. I would, Mr. Speaker, answer any questions that Members might have or if not, would ask concurrence in Senate Amendments #1 and 2 to House Bill 2174."

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Speaker Giglio: "Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I do have a question. Will rate caps be involved in this, Representative Steczo?"

Steczko: "Representative Parke, at the outset in meetings that we had had with nurse agencies and the Hospital Association and the Nurses Association and the Health Care Association, we made it very, very clear that caps were not in this legislation nor were caps intended to be in this legislation. Caps therefor are not involved, nor was it the intention to have them involved."

Parke: "Thank you. Will required...will there be required dual licensure?"

Steczko: "This legislation would not require dual licensure. Agencies that currently have licensures to provide home health services will not need to be licensed for those services. This legislation strictly will be limited to agencies that provide temporary staffing to hospitals and nursing homes."

Parke: "One last question. Will nurses be required... Will nursing licensure be required under this?"

Steczko: "Nurses already being required to be licensed by the Department of Professional Regulation will not have to be licensed a second time. The Bill is intended to provide for a licensure provision for the agencies that assign those nurses to hospitals and nursing homes."

Parke: "And it's my understanding that the Illinois Nurses Association is in total support of this legislation."

Steczko: "Representative Parke, the Illinois Nurses Association, the Illinois Hospital Association, the Illinois Association of Long Term Care, The Illinois Health Association... Health Care Association, the Illinois Catholic Conference and the... I believe the Illinois Lutheran Services, I

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believe too, are in support."

Parke: "Members of the House, I rise in support of the concurrence of Senate Amendments 1 and 2."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House...' Representative Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. This is House Bill 2194? Oh I'm sorry. I regret that I got up."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2174?' Representative Hultgren. And on that Motion, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open, this is final action. Gentleman from Madison, Representative Stephens. Representative McGann, are you seeking recognition? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr....Representative Hultgren."

Hultgren: "Thank you. To explain my vote. I may have a potential conflict on this legislation. I'll be voting 'present'."

Speaker Giglio: "Representative McGann."

McGann: "Yes. Could we get some order in the House here? So we can hear what the proceedings are? Thank you, Mr. Speaker."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 114 voting 'yes', none voting 'no' and 1 voting 'present' and the House does concur in Senate Amendments #1 and 2 to House Bill 2174 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 2061, Representative Piel."

Piel: "Thank you Mr. Speaker, Ladies and Gentlemen of the Assembly. I would move to concur with Senate Amendment #1.



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The intent of the Bill is basically dealing with thrift institutions that they might...may have FSLIC or FDIC insurance. The reason the memo was put in because it also gave the impression that they'd go with private insurance carriers for their insurance and this was not the case at all and this Amendment just clarifies that language."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2061?' All those in favor signify by voting 'aye', opposed 'nay'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 113 voting 'yes', none voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 2061 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Lou Jones. The Lady from Cook, 2194. Would you like that Bill called? 2194, Representative Lou Jones."

Jones, L.: "Thank you, Mr. Chairman and Members of the House. I move to concur with Senate Amendment #1 to House Bill 2194. The Bill...the Bill sets up...CTA's own police...CHA's own police force and the Amendment that was put on in the Senate just defines a question that...one of the problems we had over here, that they did not feel that the Bill specifically said where their jurisdiction would be. This Amendment that's on there specifically says on CHA property only."

Speaker Giglio: "Any discussion? Hearing none the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2194?' And on that question all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open and this is final action. Have all voted who wish?"

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Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 117 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2194. This Bill having received the Constitutional Majority is hereby declared passed. Representative Curran. The Gentleman from Sangamon, 2196. Proceed."

Curran: "Mr. Speaker, I move to concur with Senate Amendments #1, 2 and 3 with House Bill 2196. As amended, this Bill establishes a procedure for the consolidation of mortgage life insurance when transferred in the secondary mortgage market. It's good for consumers and it maintains a viability of the secondary mortgages in Illinois. I know of no opposition. The Department of Insurance, the Savings and Loan Commissioner, Banking Commissioner and a whole bunch of others all support this legislation. Be glad to answer any questions, ask for an 'aye' vote."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1, 2 and 3 to House Bill 2196?' And on that all those in favor signify by voting 'aye', those opposed 'nay', the voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes', none voting 'no' and none voting 'present' and the House does concur in Senate Amendments #1, 2 and 3 to House Bill 2196 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Cullerton, 2201.

Cullerton: "Out of the record."

Speaker Giglio: "Representative Petka, 2217. The Gentleman from Will. Representative Petka."

Petka: "Thank you very much, Mr. Speaker. Amendment...Senate

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Amendment #1 provides for the lifting of political contributions in connection with insurance companies and businesses which are licensees of race tracks and concessionaires, officers and directors, controllers of 5 percent or more of the legal or beneficial interest in the track or concession that are currently prohibited from making contributions. I urge the adoption of this Amendment. And concurrence with it."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2217?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 92 voting 'yes', 18 voting 'no' and none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 2217 and this Bill having received the Constitutional Majority is hereby declared... Representative Barger votes 'aye'... There's 20... 93 voting 'aye'. There are now 93 voting 'aye' and this Bill having received the Constitutional Majority is hereby declared passed. Representative Doederlein."

Doederlein: "I wish to vote 'aye' on 2217."

Speaker Giglio: "Mr. Clerk, let the record so indicate. Representative Currie, 2266. Out of the record. Representative Wennlund, 2304. The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1, which was a clarification Amendment that provides for, in fact, a referendum before a township can increase its garbage tax levy by one half of one percent. It was a clarification. There was a question as to whether or not the statute in

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the first instance which provided for an election...a referendum...whether or not it was done by the town electors at an annual town meeting or whether or not, in fact, it required an up front referendum. This requires an up front referendum. The Bill is important because it for the first time gives townships the power and the right to enter into recycling contracts and composting contracts with private entities. I move the adoption."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2304?' All those in favor vote 'aye', opposed 'no', the voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McNamara."

McNamara: "Yes. I was just wondering whether this is a front or back door referendum. Thank you."

Speaker Giglio: "Have all voted who wish? Mr. Clerk, take the record. On this question, there are 98 voting 'yes', 14 voting 'no' and 2 voting 'present' and the House does concur in Senate Amendment #1 to House Bill 2304 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Churchill, 2310. The Gentleman...the Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As the Bill originally came into the House it was the Illinois Nuclear Facilities Safety Act. It went over to the Senate and there were negotiations between the Department and the various utilities that would be affected by the Act. Senate Amendment #5 became the Bill. It deleted Argonne National Laboratory and put in the compromise language between the Department and the various companies. At this time I would move to concur in Senate

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Amendment #5 to House Bill 2310."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Well, I...I didn't hear. Is that just, Representative Churchill, is that just 5? What are we going to do with the other four?"

Speaker Giglio: "Representative Churchill."

Churchill: "We... We'll do 1 through 5. Number 5 is the only one. It's the...it's the Bill at this point, but obviously, we have to do that to...to put it through a concurrence..."

Matijevich: "...In other words, you're concurring with all Amendments?"

Churchill: "I move we concur with Senate Amendments 1 through 5..."

Matijevich: "...Okay...Yeah, I thought so. I thought I just heard 5, that's why."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House concur with Senate Amendments 1, 2, 3, 4, 5 in House Bill 2310?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 110 voting 'yes', none...1 voting 'no' and 1 voting 'present'. And the House does concur in Senate Amendments 1, 2, 3, 4, 5...Trotter, 'aye'. One hundred and eleven voting 'aye', and the House does concur in Senate Amendments 1, 2, 3, 4, 5 to House Bill 2310, and this Bill having received the Constitutional Majority is hereby declared passed. 2334, Representative Kulas. The Gentleman from Cook, Representative Myron Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move that the House concur with Senate

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Amendment #1 to House Bill 2334. House Bill 2334 in its original form, provided that bail bond posted by a defendant in one case could be used to satisfy his financial obligations incurred in a different case. What the Amendment...Senate Amendment does, it makes various revisions to the criminal statutes, regarding the granting of bail. It was put in at the request of the States Attorneys Office of Cook County. And I would move that we concur in Senate Amendment #1."

Speaker Giglio: "Any discussion? The Gentleman from Dekalb, Representative Countryman."

Countryman: "Thank you, Mr. Speaker. As I read this Amendment, what it does is to change the burden of proof. And rather than having a presumption of innocence before a trial, it makes a presumption of guilt before a trial. And what it does is it prevents the court from releasing somebody on a recognizance's bond, unless the court finds by clear and convincing evidence that the person is not likely to flee or pose a danger to another person. Certainly those are elements which they consider now, but when you talk about by clear and convincing standard, you have changed the standard substantially and you're putting that burden on the defendant to...to prove that, and he's usually at that position in his posture unable to really bring forth witnesses into the court room at these hearings. You're going to make these hearings much more elaborate. And I'm rather surprised that somebody from Cook County, where there's a federal court order on the Cook County jail, would make such stringent restandards on a recognizance bond. We've found in the past in my area anyway, that recognizance bonds have worked fairly well and that people return and appear on recognizance bonds. That they're good bonds to have. They keep us from incurring a great deal of

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expense in jails, costs for people who very well could later prove to be innocent and have the right of the presumption of innocence in this country. For those reasons, I stand opposed to this Amendment and ask you for a 'no' vote."

Speaker Giglio: "The Gentleman from Cook, Representative Anthony Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I too, have to rise in opposition to this Amendment. And particularly as it affects Cook County, because of the overcrowding situations. The standards that the courts and the jails have to use as to who gets the recognizance bonds, they change weekly based on the availability of bed space. This particular Amendment would have the affect of tying the authorities hands, tying the judge's hands, and what will happen is we're going to wind up being in violation of the federal order or we'll be either violate the federal order or we'll violate this state law if it becomes law. So, I rise in opposition."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Kulas to close."

Kulas: "Well, thank you, Mr. Speaker. I'm not an attorney so I can't really rebut...do rebuttal to the previous two speakers on this Bill. All I know is that this Amendment was presented by the Cook County State's Attorney Office. I think it's a good anti-crime Bill. We want to keep these felons locked up and not out on bond committing more crime and I would move for a concurrence."

Speaker Giglio: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2334?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Mr. Clerk, take the record. On this question there are 88 voting 'yes', 22 voting 'no', 2 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 2334...Representative Black, are you seeking recognition, Sir?"

Black: "Yes I am, Mr. Speaker. Would you let the record reflect on House Bill 2217, a concurrence Motion, I was inadvertently 'green' on that or 'yes' on that let the record reflect that I wish to vote and be recorded as 'no' on House Bill 2217."

Speaker Giglio: "Let the record reflect, Mr. Clerk. On this question, the House does concur with Senate Amendment #1 to House Bill 2334, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Cullerton. Out of the record. Representative Hoffman. Out of the record. Representative Krska. Out of the record. Representative Pedersen. W. Pedersen. W. Pedersen, House Bill 2428."

Pedersen: "Thank you, Mr. Speaker. I move to concur with Senate Amendment 1 to House Bill 2428. The Bill, originally is an LRB Bill that combines multiple versions of Sections amended by the Eighty-Fifth General Assembly. The Amendment adopts a longer LRB revisionary Bill. I move for concurrence to Senate Amendment 1 to House Bill 2428."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2428?' And on that question, all those in favor vote 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 2428, and this



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Bill having received the required Constitutional Majority is hereby declared passed. Representative Mays. Representative Pullen. Representative Petka, 2449. The Gentleman from Will, Representative Petka."

Petka: "Thank you very much, Mr. Speaker, Members of the House. Senate Amendment #1 simply deletes the effective date and inserts a different effective date. Makes it an immediate effective date. Senate Amendment #3 lowers the maximum fine for a violation from 500 dollars to a 100 dollars. It also gives a retailer one additional violation before each day becomes a separate violation. The Senate Amendments in my opinion, make minor substantive changes in the legislation, which do not change the original intent of my legislation and I move for concurrence."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House...Representative Mautino."

Mautino: "For the record, if I may, Mr. Speaker, on the legislation. I would...I do not stand in opposition, first of all, to the proposal. But I would like to make the House aware that currently the labels and the cans of all these products now include this warning and has been in warehouses on...and on the retail shelves since June 1st of 1989 and it has a federal implementation date nationwide of January 1 of '89. It's already being done on the individual units that are on a retail level. We have no opposition to the Bill."

Speaker Giglio: "Further discussion? The question is, 'Shall the House concur in Senate Amendments #1 and 3 to House Bill 2449?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 110 voting 'yes', 1 voting 'no' and

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none voting 'present'. And the House does concur in Senate Amendments #1 and 3 to House Bill 2449, and this Bill having received the required Constitutional Majority is hereby declared passed. The Chair would like to just go down the list. Some of the Members perhaps are in the listening distance. Mautino. Kirkland. Bowman. Hasara. Myron Olson. Hartke. Wennlund. Hasara. Laurino. Steczko. Homer. Giorgi. Wolf. Mays. Peterson. Kubik. Ronan. Munizzi. Representative Barbara Currie, 1926."

Currie: "Thank you, Mr. Speaker. I move the House do...do concur in Senate Amendment 1 to House Bill 1926. The Amendment was technical. The basic Bill adds some teeth to the truth and taxation legislation that has been on the statute books for some years. I'd be happy to answer your questions and move the House do concur in Senate Amendment 1."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1926?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Lady from Lake, Representative Stern. Take the record, Mr. Clerk. On this question there are 116 voting 'yes', none voting 'no', 1 voting 'present' and the House does concur in Senate Amendment #1 to House Bill 1926, and this Bill having received the Constitutional Majority is hereby declared passed."

Stern: "Mr. Speaker, I would like to ask for concurrence on House Bill 2379 in Amendments 1, 2, 3 and 4."

Speaker Giglio: "Let the record so indicate, Mr. Clerk."

Stern: "Mr. Speaker."

Speaker Giglio: "Representative Stern."

Stern: "Yeah. I wanted to ask for concurrence on Amendments 1,

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2, 3 and 4 for House Bill 2379. May I have leave to handle the Bill for Representative Cullerton?"

Speaker Giglio: "2379?"

Stern: "Yes, Sir. It's one of the election task force packages."

Speaker Giglio: "Representative McCracken, are you seeking recognition, Sir? Representative McCracken. Alright, before we do that...just hold one minute, I'd like to keep some order...Representative Stern. Representative Didrickson has a Bill. Representative Didrickson. Representative Didrickson, the Lady from Cook."

Didrickson: "Thank you, Mr. Speaker, Members of the House. I move to concur with Senate Amendment #1, which requires the department to use the list of certified..."

Speaker Giglio: "What's the Bill, Representative Didrickson?"

Didrickson: "1899. House Bill 1899."

Speaker Giglio: "Proceed."

Didrickson: "I move to concur with Senate Amendment #1 which requires the department to use the list of certified industrial hygienists from the American Board of Industrial Hygiene for the annual list that would be required by this legislation of the department."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1899?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 109 voting 'yes', none voting 'no', 2 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1899, and this Bill having received the Constitutional Majority is hereby declared passed. The Lady from Lake, Representative Stern."

Stern: "Mr. Speaker, I would like to ask for concurrence. First

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may I have leave to handle House Bill 2379 for Representative Cullerton?"

Speaker Giglio: "Does the Lady have leave? Hearing none, leave is granted. Proceed, Representative Stern."

Stern: "And I would like to ask for concurrence in Senate Amendments 1, 2, 3 and 4. One of them deletes the ability to keep a polling place open 2 hours if it opened at least an hour late. We're sorry to see it go, but we've got it in another Bill and may be able to get it in Conference Committee. The other, rewrites provisions on photocopied petitions. Another one removes valid rotation for Chicago aldermanic candidates. And Amendment 3 deals with a challenged voter in the polls."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1, 2, 3 and 4. Representative Cowlshaw."

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

Speaker Giglio: "She indicates she will. Representative Stern."

Stern: "Sure."

Cowlshaw: "Representative Stern, I want to ask you a question because there's something I really...I just genuinely don't understand."

Stern: "Sure."

Cowlshaw: "Amendment #2, says something about rewriting the provisions prohibiting photocopied or duplicated nominating petition sheets..."

Stern: "We had a Bill..."

Cowlshaw: "Well don't know what that means."

Stern: "Well, we had a Bill in which would...which would make illegal the photocopied...the filing of photocopied petitions. Apparently, the Senate did not like the wording that we had used. They rewrote the provisions to use

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verbiage that they preferred, but it says the same thing. Your staff is nodding beside you, so I believe that's correct."

Cowlshaw: "Okay. Representative Stern."

Stern: "Yes."

Cowlshaw: "Obviously then this description is not very complete because your not talking about...if somebody has a blank petition and they need some extras, they can...they can run those off on a copying machine and go out and use them and get them signed. You're saying you can't file the ones, anything except the original."

Stern: "That's correct. There was a situation awhile back where a candidate filed petitions that were zeroxes of a previously filed petition and we're trying to make that incomprehensible and illegal."

Cowlshaw: "Okay, I'm really grateful to you. I really didn't understand what that meant. Thank you."

Stern: "Sure."

Speaker Giglio: "Representative Williams, the Gentleman from Cook."

Williams: "Similar question. Now, are you saying then that in this piece of legislation it will be illegal to submit photocopies of a petition for the purpose of getting on the ballot to the election authorities?"

Stern: "Perhaps I should say it will be illegal to submit photocopied signatures. Does that make it any clearer to you?"

Williams: "It makes it a little more technical to me. You said, photo... what's the diffe..."

Stern: "You may not submit a zerox of a petition as one of the pages of your petition. They must be the original page."

Williams: "Okay, then what are we able to submit then. Are we able... only the originals. We're not able to submit in

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any form whatsoever, the..."

Stern: "...Only the originals."

Williams: "Okay, then. That's my major concern, because it seems from what you were saying, it was just the opposite that you could submit the photocopies in."

Stern: "No, no, no. I'm sorry."

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

Kubik: "For the benefit of the Body, maybe I could explain the instance in which... what the genesis of this Bill. We had a case where an individual who had filed for another office, did not file those petitions, but that person ended up filing for another office. So, what they did was they chopped the top of the petition off and zeroxed the names on to another petition. And this Bill is an attempt to alleviate that kind of situation. I might point out that we're in total support of that legislation as we are in concurrence with Amendments 1, 2, 3 and 4."

Speaker Giglio: "Representative McNamara."

McNamara: "Yes, just to try to clarify one point, if I may. If I understand this correctly, Senate Amendment #2, deletes the provisions so, therefore the opposite occurs."

Stern: "No, Sir."

McNamara: "Okay. Could you explain that please?"

Stern: "Yes."

McNamara: "The analysis indicates that in the original Bill the provisions were in there to duplicate would be knocked out? You couldn't use the duplicated signatures, et cetera? The bottom line of the analysis indicates that Senate Amendment #2 deletes these provisions. I would like to have that point clarified."

Stern: "No, it does not delete the provisions, it simply rewrote them in wording that the Senate preferred to our wording."

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That's all. Rewrote the... we thought we were making..."

McNamara: "So, the provisions that you were discussing on here... the analysis is incorrect. The provisions that you had that would prohibit the zeroxing are still in this Bill."

Stern: "Correct."

McNamara: "Thank you."

Speaker Giglio: "Further discussion? The Lady from Lake, Representative Stern to close."

Stern: "This...I just want to add that this is the bipartisan task force Bill and it got support on both sides of the aisle in the House. The Amendments, although we would not have selected them perhaps, are perfectly satisfactory to us. I ask for your 'aye' vote."

Speaker Giglio: "The question is, 'Shall the House concur in Senate Amendments #1, 2, 3 and 4 to House Bill 2379?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Representative Terzich, 'aye', Mr. Clerk. Have all voted who wish? Representative McGann. Representative McGann."

McGann: "Mr...Mr. Speaker, maybe you would want to vote on this also."

Speaker Giglio: "Thank you, Representative McGann. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes', 1 voting 'no' and 1 voting 'present'. And the House does concur in Senate Amendments #1, 2, 3 and 4 to House Bill 2379, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Mautino. Is Representative Mautino in the chamber? House Bill 2520. Are you ready, Sir? Proceed."

Mautino: "Thank you, Mr. Speaker. House Bill 20 (sic-2520) is

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embodied into Senate Amendment #2 which was adopted. That Amendment became the Bill. It created the Illinois Rural Bond Bank, that originally left this House under the Sponsorship of myself and Representative McCracken. This was part of the Lieutenant Governor's rural initiative program and it's proposed as a prototype of Maine's Rural Bond Bank established to enable rural communities to obtain financing for public improvements. It establishes the bank with seven commissioners and it has a total aggregated original principal amount of bonds and notes issued shall not exceed 50 million dollars. This provides for assistance to rural communities and it also provides that the rural communities would pay for the principal and interest on the bonds and notes, on revenues derived from those loans that are made. A reasonable fee will be charged to the customers in order for the bank to meet its own expenses. If the bank is unable to meet with its interest payments on the bond and no principal, the Governor will include the amount needed to cover the deficit in the state budget. This is basically the provisions of the bank and it clarifies as well, that local school districts have the authority to pay interest on loans according to the Omnibus Bond Act, and it provides that the interest rates on loans may not exceed the maximum rate authorized by the Bond Authorization Act, and it deletes the annual maximum rate of six percent on the unpaid principal. I move for concurrence of Senate Amendment #2 to House Bill 2520."

Speaker Giglio: "Any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you. We're just seeking a quick confirmation on this. We learned after it left the House, that the Lieutenant Governor had not seen all of it apparently. Can



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you pull it out of the record for just a minute, we can check that?"

Mautino: "Certainly, be happy too."

McCracken: "Thank you."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Representative Kirkland, 2574. Representative Kirkland. Representative Kirkland. Is Representative Kirkland in the chamber? 2574, Representative Kirkland."

Kirkland: "Thank you. Senate Amendment #1 removed language that had required that money raised from the tipping fees in the Solid Waste Management Act, would be spent within one year. And added language that would allow a unit of local government to accumulate the funds over one or more years and also require local governments to report to the IEPA annually on expenditures and other information from that solid waste fund revenue."

Speaker Giglio: "Any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "I don't have my file. Could you tell me what this Bill does and what the Amendment does?"

Kirkland: "Representative McCracken, the Bill was introduced to clarify that the monies raised from the tipping fee were supposed to be kept in a separate fund and not..."

McCracken: "...Okay, was it..."

Kirkland: "...And not intermingled with other funds raised by the county for different purposes."

McCracken: "And it can be only used for the purpose of rehabilitating the land after closings or..."

Kirkland: "No, it's...it...it can be used for the purposes specifically set out in the language that establishes...that established those tipping fees. I think it's in paragraph (j) of a...let me double...double check here."

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McCracken: "Okay, do you know if any of the counties, which are responsible for these landfills and are collecting the money, are in agreement or...not in agreement with this?"

Kirkland: "Let's see. I believe they're in agreement now. I know Kane County is okay on it. I know Kane County was not happy with the first Amendment and is...has no problem with this one..."

McCracken: "...Alright. I'll tell you. I..."

Kirkland: "Go ahead."

McCracken: "It's unclear where my county stands on it. Can we pull out of the record for just a second and I can..."

Kirkland: "...Sure... Sure."

McCracken: "Thank you."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Alright, we're going to return to Representative Keane's Bill, 2482. Representative Keane, the Gentleman from Cook. Proceed, Mr. Keane."

Keane: "Thank you, Mr...the Department of Revenue. The Senate Amendment #1 made a...truly did make nothing more than a grammatical change that DOR wanted and I move for the concurrence."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2482?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 103 voting 'yes', 2 voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 2482, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Curran...Stern."

Stern: "Mr. Speaker, I fumbled. I meant to hit the 'green' and I

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hit the 'red'. May I...may the record show...so reflect."

Speaker Giglio: "Mr. Clerk, let the record so indicate. Representative Keane on 2486. The Gentleman from Cook, Representative Keane, House Bill 2486."

Keane: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1, which does nothing that...what it does is it gives the Department of Revenue the option of giving notice to the Attorney General and removes the ten or more violation threshold. It's an agreed Amendment between the Attorney General and the Department of Revenue and I would move the adoption of Am...Senate Amendment #1...concurrence..."

Speaker Giglio: "Any discussions? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2486?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'yes', none voting 'no', none voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2486, and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 2487, Representative Keane."

Keane: "Thank you, Mr. Speaker. House Bill 2487 revises the enforcement's procedure and requires renewal of certificates of registration under the ROT Act. Senate Amendment #1 revises the provision relating to certificates of registration their expiration and renewal. I move for a concurrence with Senate Amendment #1."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur with...in Senate Amendment #1 to House Bill 2487?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is

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final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 2487, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Keane, you can go back to work on the Conference Committees. Representative Bowman in the chamber? House Bill 2584. The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1, which I understand is agreed to by the other side of the aisle. We had a bit of a controversy on the Bill initially over words 'shall' versus 'may', of course, the permissive versus mandatory is always important source of controversy. We made it permissive. The Senate made it mandatory. I am willing to concur in the Senate Amendment. This is a Bill for the Comptroller, Roland Burris. It is a housekeeping Bill. And I move for...I move...now move for concurrence in Senate Amendment #1..."

Speaker Giglio: "...Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2584?' On that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 116 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 2584, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Hasara, 2589. The Lady from Sangamon, Representative Hasara."

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Hasara: "Thank you, Mr. Speaker. House Bill 2589, provides that DCFS could consent to testing and release of a child's AIDS status during the temporary protective custody period. Senate Amendment #1 provides that prospective adoptive parents may request that the child have an AIDS test. Senate Amendment #2 provides immunity to any person disclosing a child's AIDS status. I move to concur with Senate Amendments #1 and 2 to House Bill 2589."

Speaker Giglio: "Any discussion? Hearing none, the Lady from Lake, Representative Stern."

Stern: "I'm sorry, I was mulling when you gave the first one. The second one gives immunity to anyone who divulges a child's status as an AIDS victim? But, what was the first one?"

Hasara: "The first one provides for prospective adoptive parents to request an AIDS test."

Stern: "And the substance of the Bill."

Hasara: "It was a House Bill that we had, Representative, that..."

Stern: "...Yeah, what is the underlying Bill here?"

Hasara: "It lets DCFS consent to testing and release of the AIDS status during this very short temporary protective custody period."

Stern: "But, the second Amendment gives immunity to anybody who releases this information about this baby or child."

Hasara: "That's right."

Stern: "Ah...I just urge a thoughtful vote on this. I...got to meditate a little."

Hasara: "... Any person who administers the test upon the consent of DCFS, is immune. In other words, if I want to adopt a child and I request that the child be tested, the person...the people who administer the test cannot be sued."

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Stern: "I understand that, but a child awaiting adoption, the tests turns out to be positive, the individual... the parents, who are prospective, adoptive parents are told, but who else is told? Everybody in the agency? You are a little scatter shot, I think. Okay, thank you very much."

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

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

Speaker Giglio: "She indicates she will."

Morrow: "Representative Hasara, in a case where a parent wanted to adopt a child and they did request the AIDS test and then they decided if the child tested positive, and then they decided not to adopt the child, would the provision that grants the immunity...let's say the next parent...the next parent that wanted to adopt the child, the first parent was to notify the secondset of parents, are you saying that they would be..."

Hasara: "No. The immunity applies to those who administer the test."

Morrow: "Just to those that who administer the test."

Hasara: "Right. The two Amendments are not necessarily directly linked to eachother."

Morrow: "Alright, thank you."

Speaker Giglio: "Representative John Dunn."

Dunn: "Sponsor yield?"

Speaker Giglio: "She indicates she will."

Dunn: "Your last statement that the two Amendments were not related may help explan..."

Hasara: "...Not necessary linked to each other..."

Dunn: "...Would you explain how they might not be related?"

Hasara: "Well, the immunity Amendment could apply to the underlying Bill as well as the First Amendment. In other words, Amendment #2 was not placed on the Bill because

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Amendment #1 was. Amendment #2 really applies more to...as much to the underlying Bill, or to any other."

Dunn: "Our analysis says that Amendment #1 incorporates House Bill 2579, but I don't remember what that...is or does."

Hasara: "...That's right. It permits perspective adoptive parents to request that the child be tested for AIDS. The Bill sailed out of the House, it was never posted in the Senate."

Dunn: "And Amendment #2 provides immunity to anyone administering the test, I guess."

Hasara: "That's correct."

Dunn: "And under what other circumstances can the department administer an AIDS test?"

Hasara: "Sometimes they're the guardianship of the child and then they may request the test."

Dunn: "And what becomes of the burden of the department if a AIDS test is administered and the child tests positive and the child is being placed for adoption and the prospective adoptive parents don't make a request for information. In other words, then you have a situation... the department knows and doesn't tell."

Hasara: "...Then the department is not...required to administer..."

Dunn: "...What is the responsibility then? None?"

Hasara: "My...No, reps...See they would not test unless the prospective adopted parents requested it."

Dunn: "Oh, Well, I thought you said under the Bill that if they were the guardian and they might..."

Hasara: "That's...that's the underlying Bill, Representative."

Dunn: "So, the..."

Hasara: "The Amendment..."

Dunn: "...They might in other circumstances tests, they might know the child has AIDS and they would not disclose that

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information unless there had been a request for a test made by the prospective adoptive parents, I guess. So, what I'm doing is questioning the policy if you know, and if you know and don't tell, is that correct. I don't know."

Hasara: "I am told, Representative, that if...see you have to remember the underlying Bill and the Amendment are really not related. But, let's say the department became temporary guardian and requested a test, knew that a child had AIDS, at some future date the child was up for adoption, the department, even if the parents did not request a test would disclose the fact that the child had AIDS to the parents. I am told by the department. For adoption at that time."

Dunn: "And...and what discussion at the committee level was held on that issue? Is there any?"

Hasara: "When House Bill 2579 was passed, it went through the Committee on Children."

Dunn: "Alright. I don't want to prolong this. Maybe there was adequate discussion, but it looks to me like we need a little more thought about what is the best interest of a child under those circumstances and I know the department fairly well and I know they always have the best interest of the child in mind, sitting here right now, I have trouble making up my mind whether it is in the best interest of the child to disclose this information or not. There was a child in Wilmette who died and was adopted and apparently had AIDS and the family didn't know that. They loved the child to the very end."

Hasara: "And it would be very possible that the child had never been tested. But, certainly if the department knew that a child had AIDS, it certainly would be, in my opinion, in the best interest of the child and the adoptive parents to disclose that. That parents..."



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Dunn: "What is in the back of my mind human nature being what it is, I wonder if a child with AIDS would ever be adopted. That's where I'm coming from. And I really don't know and you want to proceed with it. I, like...one of the earlier speakers, think we should be very thoughtful about this vote because it's... it's perhaps much more important than it seems on the surface. Thank you very much."

Hasara: "I agree with the Lady that...that anything dealing with this subject requires a thoughtful vote. However, I do believe this has been thought out. Both the underlying Bill and Amendment #1 have been debated in committee and certainly it would appear that it would be in the best interest of any prospective adoptive parents to know if the child they were adopting did have AIDS, if that child had been tested. So, again I move to concur with Senate Amendments #1 and 2 to House Bill 2589."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I think the Lady just closed so let me ask just one very simple question. There was some confusion as to whether or not this Bill, as amended...does it apply to all adoption proceedings, whether they be private or is it only adoption proceedings maintained through the Department of Children and Family Services?"

Hasara: "My understanding, Representative, it would be any proceedings in which the parents request it."

Black: "So, even if you were adopting a child through the Children's Home and AIDS Society or any other agency, you could request this test?"

Hasara: "I stand corrected. The Amendment provides any child in the custody of the department being placed in adoptive care."

Black: "Alright. So, it would be only those children who were in

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the custody of the Department of Children and Family Services and that would be the only immunity factor here. Then it would have to be someone ask..."

Hasara: "No, Representative, you're confused with Amendment #1 and #2..."

Black: "...No, no...Let me finish. It would only apply then to someone that the department asked to perform the tests. Correct?"

Hasara: "That's correct. Amendment #2, says... right."

Black: "Okay. Alright, thank you very much."

Speaker Giglio: "Representative McNamara."

McNamara: "Just a clarifying point. This was actually the discussion as around House Bill 2579, in which there was a full discussion and a committee and on the House Floor and it passed out of here 91 to 2. Just for clarification."

Hasara: "Thank you, Representative."

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

Flowers: "Mr. Speaker, would the Lady yield for a question please?"

Speaker Giglio: "She indicates she will."

Flowers: "Representative Hasara, have we developed an AIDS test that...that's perfect? I mean..."

Hasara: "Yes, we have."

Flowers: "We have. So, therefore, if this child is about to be adopted, and as a result of this AIDS test, since I don't quite know anything just quite perfect; what if this AIDS test come back saying that this child might have this disease. Would this hamper the adoption of the child?"

Hasara: "It...the tests I don't believe would come back saying that the child might have the disease, it would either have the disease or wouldn't have the disease. And, yes, it could affect on whether or not..."

Flowers: "So, what if this...what if this tests comes back saying

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that this child actually has this disease and the test happened to be in error. Are we not impacting this child's life for the rest of his life?"

Hasara: "Well, Rep...my understanding is that the test is...is with a less than 1 percent margin of error. And I think you would agree, Representative, that a prospective adoptive parents do have the right to know the physical condition of the children that they're going to adopt."

Flowers: "I agree with you, Representative Hasara, that the parents should have the right to know if the child has mump shots or measles shots, or not only the AIDS test or the AIDS virus. I think they should have a right to know everything, but the fact of the matter is, are they...is the Department of Children and Family Services going to divulge the information in regards to the parents? What type of habits they had?"

Hasara: "A parent who is adopting a child from DCFS has full knowledge of the physical condition of the child."

Flowers: "Is this also applicable to...is this also applicable to private adoption agencies? Would they have to do likewise?"

Hasara: "No, we have already discussed that, Representative. It's only children under the jurisdiction of DCFS."

Flowers: "Well, why...why is that necessary? If this is a good law why cannot... it cannot be good for everybody across the state?"

Hasara: "It's my understanding that...that they may already have this. This is a DCFS Administration Bill so, obviously, this particular Bill only applies to DCFS. I would have to talk to...like Catholic Charities, Lutheran Social Services and see if they now have this."

Flowers: "Also one other question. If it is divulged that the child has AIDS, would it be possible...would you now be

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releasing the information on the parents. Where is their immunity?"

Hasara: "I would see no reason at all. You mean on the natural parents?"

Flowers: "Yes. One would assume..."

Hasara: "Absolut...No, you would not."

Flowers: "One would probably assume that if the child has AIDS, that the child may have received AIDS from one of his parents."

Hasara: "I mean...what difference would that make to the adoptive parents? Once they know that the child has AIDS, it would make no difference to them whether the parents had it or not."

Flowers: "What about protecting the rights of the parents once the child is adopted?"

Hasara: "I'm sorry, I don't understand what you're saying."

Flowers: "Well, with all due respect to you, Representative Hasara, I really just think this is a bad Bill and it's really too vague, and there's a lot of unanswered questions in my opinion. Thank you."

Speaker McPike: "Representative McPike in the Chair. Further questions? Representative Hasara, did you close?"

Hasara: "Yes, I did."

Speaker McPike: "You have closed? Would you like to close?"

Hasara: "Yes, I would. Thank you."

Speaker McPike: "Proceed, Representative."

Hasara: "Mr. Speaker, I would just remind everyone that Senate Amendment #1 was a House Bill that was unanimously passed out of committee. I believe unanimously passed out of this House. It protects prospective adoptive parents. And I think we would all agree that...that those people certainly should have the right, if they request, to know the AIDS status of the child that they are adopting. So, I move to

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concur in Senate Amendments #1 and 2 to House Bill 2589."

Speaker McPike: "The Lady has moved to concur in Senate Amendments #1 and 2 to House Bill 2589. The question is, 'Shall the House concur in Senate Amendments #1 and 2?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 100 'ayes', 4 'nos' and 9 voting 'present'. And the House does concur in Senate Amendments #1 and 2 to House Bill 2589. This Bill having received the Constitutional Majority is hereby declared passed. Supplemental Calendar, Mr. Clerk."

Clerk Leone: "Supplemental #3 and 4 to the House Calendar are now being distributed."

Speaker McPike: "Representative Black, for what reason do you rise, Sir?"

Black: "Thank you very much. Just an inquiry of the Chair. You said Supplemental 3 and 4, have they been distributed?"

Speaker McPike: "Well, the Clerk has announced that they are being distributed at this time."

Black: "Thank you. Thank you."

Speaker McPike: "House Bill 2590, Representative Myron Olson. Gentleman here? Out of the record. House Bill 2594, Representative Hartke."

Hartke: "I move to concur in Senate Amendment #1 to House Bill 2594. Senate Amendment #1 is...is Senate Bill 142, which didn't make it through the Agriculture Committee, but after consideration, this is not a bad idea. Considering that most confinement in Illinois...or most livestock in Illinois is now in confinement floors, and it is a burden upon adjacent land owners to build fences when they do not have livestock. I think we ought to agree with this Amendment and concur in Senate Bill...or Senate Amendment #1 to House Bill 2594."

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Speaker McPike: "Any discussion? Being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2594?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. Terzich, 'aye'. On this Motion there are 106 'ayes', 7 'nos' and 1 voting 'present'. And the House does concur in Senate Amendment #1, and House Bill 2594 having received the Constitutional Majority is hereby declared passed. That was House Bill 2594. House Bill 2604, Representative Wennlund. You want it? Out of the record. House Bill 2613, Representative Hasara. Representative Hasara. Would you like this Bill? No, out of the record. House Bill 2615, Representative Lou Jones. Representative Jones."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. I move to concur with Senate Amendment #1 on House Bill 2615. The Amendment changes from mandatory to permissive the establishment of a family responsibility services for the Department of Corrections for the benefit of the inmates."

Speaker McPike: "The Lady has moved to concur in Senate Amendment #1. Is there any discussion? Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, is it in your opinion Senate Amendment #1...Department of Corrections would probably be in support of that Amendment, would they not?"

Jones, L.: "Absolutely. They were...they are."

Black: "Okay. In other words, we might even portray Senate Amendment #1 as a Department Amendment?"

Jones, L.: "Yes, Sir."

Black: "Thank you, very much. That's...that answers that question. I admire a quick simple answer."

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Speaker McPike: "Further discussion? Question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2615?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 117 'ayes', no 'nays'. The House does concur in Senate Amendment #1 to House Bill 2615, and this Bill having received the Constitutional Majority, is hereby declared passed. 2657, Representative Laurino. Mr. Laurino."

Laurino: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1. It basically keeps the Bill the same only they've reworked the language in the Senate so that it's constitutional and clarifies the intent of the Bill, and I move for the concurrence of Senate Amendment #1 to House Bill 2657."

Speaker McPike: "Is there any discussion? Representative Parke."

Parke: "Thank you, Mr. Speaker. Representative Laurino, do you know what position the insurance industry has on this Bill?"

Laurino: "There was no opposition. It was done to remedy a few instances that needed to be attended to."

Parke: "Thank you."

Speaker McPike: "Further discussion? There being none, 'Shall the House concur in Senate Amendment #1 to House Bill 2657?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 104 'ayes', 8 'nos', none voting 'present' and the House does concur in Senate Amendment #1 to House Bill 2657, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2664, Representative Johnson."

Johnson: "I would move to concur in both Senate Amendments to House Bill 2664, one of which deleted an item with respect

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to property here in Springfield, the other deals with property in Jacksonville. I move its adoption."

Speaker McPike: "Is there any discussion? Is there any discussion? Representative McNamara."

McNamara: "Yes. Just a question of the Sponsor of the Amendment. Under property exchange is it similar economic value or similar size in the property exchange? I'm taking a look at the location of 'Baur's', etc."

Johnson: "That's taken out of the Bill, so it's not even applicable."

McNamara: "Okay, that property trade is out now?"

Johnson: "Right."

McNamara: "Thank you."

Speaker McPike: "Further questions? There being none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2664?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 114 'ayes' and no 'nays' and the House does concur in Senate Amendments #1 and 2 to House Bill 2664, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2687, Representative Steczo. Mr. Steczo. Turn him on. 2678."

Steczko: "Thank you, Mr. Speaker and Members of the House. I would move to concur with Senate Amendment #1 to House Bill 2678. Senate Amendment #1 provides the language regarding negligence. It's an agreement between the professional engineers and the Department of Professional Regulation. This makes it an agreed Bill and I would move for concurrence."

Speaker McPike: "Any discussion? Question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2678?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have



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all voted who wish? Clerk will take the record. On this Motion there are 115 'ayes', no 'nays' and the House does concur in Senate Amendment #1 to House Bill 2678, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2680, Representative Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. This Bill, as amended by the Senate would allow school districts to levy a tax for health insurance purposes. It's subject to a front door referendum. That is what Senate Amendment #1 does and I move to concur."

Speaker McPike: "Is there any discussion? The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2680?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 91 'ayes', 23 'nos' and the House does concur...Senate Amendment #1 to House Bill 2680, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2689, Representative Giorgi."

Giorgi: "Mr. Speaker, House Bill 2689 has Senate Amendment #1 and what the Bill originally provided was that in the building of juvenile detention facilities, we wrote in the law...or we suggested that the state's attorney, the county board chairman and the sheriff, be the managing people of those facilities. In the meantime, the people that are in that business said to us that they should not supervise the operation of the facility and that's what the Senate Amendment does, and I move to concur with Senate Amendment #1."

Speaker McPike: "And on that, Representative Dunn."

Dunn: "I tried out for the Zeke Giorgi school of mumbling but I wasn't successful, and not only can I not speak it, I can't understand it. Who will be in charge of juvenile

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facilities if this Bill becomes a law?"

Speaker McPike: "I don't know, Sir."

Giorgi: "The law...if the law is passed, the original...the intent of the law was...there are a lot of counties that need juvenile detention facilities and there are a number of counties that need them. We suggested that they band together and gave them a vehicle by saying in the event they want to band together, that the county board chairman of the largest county would call the meeting and the state's attorney and the sheriffs of those counties are all invited as the governing board. In the mean time, the people in corrections told us that shouldn't be the way it is. Although these people can convene a group and build a facility, they will hire the professionals who run the facility...a juvenile detention facility."

Dunn: "They will have their own officials run it?"

Giorgi: "This group would hire someone to run it. That's in the rehabilitation business."

Dunn: "What if you already have a facility built and by statute your sheriff is the administrator of that facility, will this Bill change any of that?"

Giorgi: "No. This is in the event one or more counties get together to build one."

Dunn: "Okay. Thank you. It was a brilliant explanation."

Speaker McPike: "Further discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2689?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 113 'ayes', 3 'nos' and the House does concur in Senate Amendment #1 to House Bill 2689, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2704, Representative Giorgi."

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Giorgi: "Mr. Speaker, the effect of Senate Amendment #1 deletes all the provisions defining the word 'accessible' in an election Bill...in House Bill 1432. And I don't know what that is, but...in Senate Amendment #2 it provides that those that are using electronic tabulating equipment must conduct a post-election tabulation and if they don't have the proper facilities they should do one from a...duplicate program. So, I urge the concurrence in Senate Amendment #1 and 2."

Speaker McPike: "And on that, Representative Breslin."

Breslin: "Thank you, Mr. Speaker. A question of the Sponsor. Representative Giorgi, I see Amendment #1 cut out my Bill, and that was the Bill that would provide for accessible polling places. Why did the Senate eliminate accessible polling places to handicapped people in the State of Illinois?"

Giorgi: "Evidently...I think that they're on a very good schedule in making all polling places accessible. In some instances it's almost impossible and I guess that's to deny them a penalty in the offense."

Breslin: "I was told by the associations that represent handicapped people that under the current provision, the current code definition that would define as accessible, any...any polling place in which a handicapped person could be carried into the polling place. Is that true?"

Giorgi: "Well, I looked at the Sponsor of the Senate Amendment which is Demuzio, the Chairman of your Party and my Party and I hate to take umbrage with him."

Breslin: "I'd take umbrage with him any time."

Giorgi: "That's fine. Put it in the record, will you. Put it in the record."

Breslin: "Mr. Speaker, I would like to know if anyone else has the answer to my question on Senate Amendment #1?"

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Speaker McPike: "Representative Stern."

Stern: "Mr. Speaker, Members of the House and Representative Breslin. We kind of rewrote the accessibility part of that Bill of yours when we put it in in the first place, to say that only egress, ingress and accessibility to the voting area was all that was required to make it accessible. The Senate, I think truly did not read what we had written and just took out the whole thing. It is on the table to be discussed this evening at 7:00 o'clock on a Conference Committee Report on another Bill. I don't know how optimistic I am, but we are working on it. It is not abandoned."

Speaker McPike: "Representative, did that answer your question? Representative Breslin? Any further discussion? The question is, 'Does the House concur in Senate Amendments #1 and 2 to House Bill 2704?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 104 'ayes', 4 'nos' and the House does concur in Senate Amendments #1 and 2 to House Bill 2704, and this Bill having received the Constitution...Santiago, 'aye'. 105 'ayes', 4 'nos'. The House does concur in Senate Amendments #1 and 2 to House Bill 2704, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2705, Representative Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the House. I move to concur in Senate Amendments #1, 2 and 3 to House bill 2705. House Bill 2705 is a package of election legislation. Senate Amendment #1 provides for several conditions; Number one, it provides for the State Central Committee to adopt rules to provide for the election of State Central Committee Members; It reduces to three hundred the number of signatures necessary for a candidate

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for House of Representatives for the first primary following a redistricting; For both an independent and a new political party it reduces the number of signatures to 1500; It deletes the provisions of House Bill 1634, which would have permitted a voter who had voted absentee to vote in person provided that that absentee ballot was at the polls. It also deleted the provisions of House Bill 662 and deleted the provisions of a Bill which would require a nursing home manager to notify the guardians or trustees of nursing home residents as to when voting at such facilities would take place. Senate Amendment #2, by Representative (sic Senator) Philip, provides that each election authority shall appoint deputy registrars, presidents of business corporations as established under the Business Corporation Act of 1983. Senate Amendment #3 limits the provisions of a portion of 2705 to just the general election rather than both the primary and general, dealing with the special write-in absentee voter's blank that was sent to military personnel overseas. I would move for the concurrence of Senate Amendments 1, 2, and 3, to House Bill 2705."

Speaker McPike: "Any discussion? The question is, 'Shall the House concur in Senate Amendments 1, 2 and 3 to House Bill 2705?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk, will take the record. On this Motion there are 115 'ayes', no 'nays' and the House does concur in Senate Amendments #1, 2 and 3 to House Bill 2705, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2712, Representative Mays."

Mays: "Thank you, very much, Mr. Speaker. I move we concur with Senate Amendment #1 to House Bill 2712. The Amendment basically is an agreement between the agency and the Home Builder's Association, to guarantee a faster turnaround

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time on permit applications for water main construction. I would move concurrence."

Speaker McPike: "Any discussion? Discussion? Question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2712?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. Representative... On this Motion there are 114 'ayes', no 'nays' and Senate...and the House does concur in Senate Amendment #1 to House Bill 2712, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2713, Representative Peterson."

Peterson, W.: "Thank you, Mr. Speaker. I move to concur with Senate Amendment 1 and Senate Amendment 2 to House Bill 2713. The Bill originally authorized the use of hazardous waste fund, deletes the restriction that one half of the funds be used to clean up federally designated superfund sites. Amendment 1, from the Senate defines an Agri. chemical facility. Amendment 2 provides cleaning up provisions of the original Bill that allow the IEPA to charge for oversight of...certain hazardous waste cleaning...cleanups and use 50 percent of the hazardous waste for administrative expenses. I move for concurrence to Amendment 1, Senate Amendment 2 to House Bill 2713."

Speaker McPike: "Any discussion? The question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2713?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 115 'ayes', 1 'no' and the House does concur in Senate Amendments #1 and 2 to House Bill...Representative Rice, would like to change his vote from 'no' to 'aye'. On this Motion there are 116 'ayes' and no 'nays' and the House does concur in Senate

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Amendments #1 and 2 to House Bill 2713. This Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2718, Representative Mays."

Mays: "Thank you, very much, Mr. Speaker, Ladies and Gentlemen of the House. I move the House concur with Senate Amendment #1 to House Bill 2718. The Amendment provides that former full time chaplains who are employed by the state as well as currently employed chaplains will consider twenty percent of their pension as rental allowance in lieu of being furnished a home. It was put on by Senator Hawkinson, I would move its adoption."

Speaker McPike: "Any discussion? Question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2718?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 112 'ayes' and no 'nays' and the House does concur in Senate Amendment #1 to House Bill 2718. This Bill having received the Constitutional Majority, is hereby declared passed. 2737, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to concur in Senate Amendments #1 and 2 to House Bill 2737. Senate Amendment #1 incorporates the June 1989 Amendment to the Long Term Care Model Act as adopted by the National Association of Insurance Commissioners. Secondly, Amendment #2 raises the maximum...or the minimum salary that the board of directors of domestic life insurance companies need to have in order to approve payment of salary. At the present time it's 40,000, we're moving it up to 100,000 in order to reflect inflation. I know of no opposition to the Amendments and I would appreciate your support on...and move to concur."

Speaker McPike: "Any discussion? Representative Terzich."

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Terzich: "Representative Kubik, what was that statement about a salary from 40 to \$100,000?"

Kubik: "Okay. Representative Terzich, presently on any domestic life insurance company the board of directors...if a salary exceeds \$40,000 of any of their employees, the board of directors has to approve that salary. In order to reflect the inflationary trends or what not, we're moving that...that level up to \$100,000. It's...what occurred is the board of directors are spending an enormous amount of time going over the compensation of their employees and this better reflects what's going on in the industry."

Terzich: "So, companies in our domicile in Illinois that...if an employee's salary is in excess of \$40,000 it has to be approved by the board of directors?"

Kubik: "That is the current...that is the current practice. We would raise it to a hundred."

Terzich: "And...the Legislature is in a position to make that type of a mandate on insurance companies that we would more or less mandate that anybody that's paid a salary in excess of \$40,000 that they have to get the approval from the board of directors?"

Kubik: "That's the current law, yes."

Terzich: "What a law."

Speaker McPike: "Further discussion? Being none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2737?' All in favor vote 'aye', opposed vote 'no'. Representative... Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 108 'ayes' and 1 'no' and the House does concur in Senate Amendments #1 and 2 to House Bill 2737, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2739, Representative Wennlund."



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Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 to House Bill 2739. It just adds...it was a technical change. It added three words prepared by Larry Suffredin, Max Simon and Bill Luking in Chicago. And I ask for concurrence."

Speaker McPike: "And on that, Representative Harris."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Senate Amendment that was put on is indeed just a technical Amendment. However, the Bill itself, 2739, really did not receive full discussion because it was...it was passed at the close of the deadline in the House. I think it is appropriate to mention that there are a couple of provisions of the Bill which those of us who represent home rule municipalities might find a bit...a bit onerous and objectionable. Specifically, the Bill mandates that cities and villages must join this non-profit or rather not-for-profit corporation which they have no representation on the board. In other words, the corporation is...is directed by utilities and we are being forced to expend tax dollars, public tax dollars to join this organization, yet we have no...no representation on the board. I think that's clearly unfair and part of the Bill which I think we should object to. Secondly, the municipalities have the responsibility for maintaining these public right of ways which now they're saying no, someone else...they have to answer to someone else for the public right of ways over which we have granted them the responsibility to maintain for these...for these utilities. I think it's inappropriate. These are two provisions which again of the underlying Bill are especially onerous for home rule municipalities and I would ask that you look at the Bill before you vote for concurrence in this and my vote is going to be a 'no'."

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

McCracken: "Yes, will the Sponsor yield?"

Speaker McPike: "Yes."

McCracken: "Representative Wennlund, did your House Amendment #1 get on the Bill?"

Wennlund: "Yes."

McCracken: "Alright. Parliamentary inquiry. Does this require 71 votes for passage even though it's a concurrence as it pre-empts home rule?"

Speaker McPike: "Representative McCracken, this is a home rule limitation. It took 60 votes to pass the first time, requires 60 votes to pass this time. Further discussion? Representative McCracken."

McCracken: "Thank you. I also rise in opposition to this Bill. Regardless of the parliamentary requirements or lack of requirements necessary to require 71 votes, the practical effect of this is to pre-empt municipal and other local units of government in this issue. This is opposed by many suburban communities, I don't know frankly about the downstate ramifications, but it is widely opposed in the the suburban and collar counties. I rise in opposition to this Bill and ask my colleagues to join me."

Speaker McPike: "Further discussion? Representative Countryman."

Countryman: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker McPike: "Yes."

Countryman: "I had a letter the other day from my county superintendent of highways saying he was opposed to this. Do you know if they're opposed to this?"

Wennlund: "No, never any indication whatsoever, but the...Bill Graham's...the Northwest Municipal Conference has spread so much misinformation and disinformation about this Bill it's incredible. He out and out lied in Committee..."

Countryman: "I don't know what he has to do with the county

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superintendents..."

Wennlund: "No, the county superintendents are not opposed to it. I have no indication whatsoever and it does not effect the county superintendent."

Countryman: "Well, they...they indicated to me that they granted permission for these utilities and their right of ways and that they didn't feel that they should have to comply and pay to...to dig in their own right of ways, is the problem."

Wennlund: "They don't. They don't."

Countryman: "They don't?"

Wennlund: "They do not. No. They do not."

Countryman: "Thank you."

Speaker McPike: "Representative Granberg."

Granberg: "Will the Speaker yield?"

Speaker McPike: "The Sponsor will."

Granberg: "Representative Wennlund, it's my understanding that the Rural Electric Co-operatives are in agreement with the Senate Amendment."

Wennlund: "That's correct, they are."

Granberg: "So, for all my downstate colleagues, the Rural Electric Co-operative Association wants to concur with the Senate Amendment to Representative Wennlund's Bill. Thank you, Representative."

Wennlund: "Thank you."

Speaker McPike: "Representative Wennlund to close."

Wennlund: "Thank you, Mr. Speaker. I move for a favorable concurrence to Senate Amendments. These were Amendments that were put on at the request of...Larry Suffredin and the City of Chicago and Bill Luking. This is a Bill that is long needed in the State of Illinois. It will provide safer facilities and there are many many municipalities that are already voluntarily belong. I ask your favorable

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vote in this concurrence."

Speaker McPike: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2739?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 73 'ayes', 37 'nos' and the House does concur in Senate Amendment #1 to House Bill 2739. This Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2757, Representative Ronan."

Ronan: "Thank you, Mr. Speaker, Members of the House. I move to concur in Senate Amendment #1 to House Bill 2757. All it does is change the effective date to January 1st, 1990."

Speaker McPike: "Any discussion? Question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2757?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 115 'ayes' and no 'nays'. On this Motion there are 115 'ayes' and no 'nays' and the House does concur in Senate Amendment #1 to House Bill 2757, and this Bill having received the Constitutional Majority, is hereby declared passed. If we could get Representative Mays, Representative Ryder, Representative Leverenz and Representative Bowman on the floor, we can do some Approp Bills. The next Bill is 2772, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 to House Bill 2772. The Amendment provides that individuals are not disqualified from CHIP coverage if they have substantially equivalent coverage under a private health insurance plan during the waiting period. As it is now, we have created an awkward situation in the law that if a person applies for CHIP, they have to drop their coverage before determination of eligibility for the CHIP plan and then if

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they're denied, they're left hanging in mid air without any coverage at all. This corrects that problem. It also amends an Act providing for representation and indemnification of state employees' in civil lawsuits; provides that for purposes of this Act the CHIP Board is a state agency and CHIP Board employees are state employees. I move for concurrence in Senate Amendment 1."

Speaker McPike: "Any discussion? Question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2772?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 112 'ayes', 2 'nos' and the House does concur in Senate Amendment #1 to House Bill 2772, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2776. Out of the record. House Bill 2780, Representative Peterson."

Peterson, W.: "Thank you, Mr. Speaker. I move to concur with Senate Amendment 1, 2 and 3 to House Bill 2780. The original Bill required that any state finance project including assessment for projects impact upon the area wetlands and provide for wetland replacement. Senate Amendment 1, provided that wetland compensation plans developed by the state agencies shall be approved by the Department of Conservation. Amendment 2, provided that an agency actions plan shall include incentives for creation of wetlands as apart from preservation activities required under the Act. Amendment 3, provides that a district located in a county of less than two hundred inhabitants that is contiguous to Cook County, may acquire real estate by condemnation only if approved by two-thirds of the district trustees. I move for concurrence with Amendments 1, 2 and 3 to House Bill 2780."

Speaker McPike: "Any discussion? Any discussion? The question

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is, 'Shall the House concur in Senate Amendments #1, 2 and 3 to House Bill 2780. All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, 113 'ayes' and no 'nays' and the House does concur with Senate Amendments 1, 2 and 3 to House Bill 2780. This Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2790. Out of the record. House Bill 2805, Representative Munizzi."

Munizzi: "Thank you, Mr. Speaker. I believe we have a first in that this is a House-Daley sponsored Bill, in the Senate...Daley sponsored Bill and the hyphenated Sponsor Representative DeLeo is going to speak to it and I ask that it be taken out of the record right now."

Speaker McPike: "Representative, you can speak to it if you wish."

Munizzi: "Not right now, I can't."

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

Mautino: "Since we're on this order of business I would like to have you go back to House Bill 2520. It was taken out of the record earlier."

Speaker McPike: "Representative Mautino on House Bill 2520."

Mautino: "Thank you, very much. Mr. Speaker, I now move that we nonconcur with Senate Amendment #2, with the understanding that the changes that will be made when the Senate takes action on this, which will then go to a Conference Committee, will take out the continuing appropriation that is included and embodied in that legislation, retain the moral obligation and to make to torr...technical changes. With that understanding I move to nonconcur with Senate Amendment #2."

Speaker McPike: "The question is, 'Shall the House nonconcur in

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Senate Amendment #2?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. Representative White on a nonconurrence. House Bill 1152."

White: "Mr. Speaker, Ladies and Gentlemen of the House, I move to nonconcur in Senate Amendment 1152. I'd like for this Bill to go on to a Conference. There's some matters on Senate Amendments 1 and 2 that the Department is opposed to and we'd like to have an opportunity to resolve them."

Speaker McPike: "The Gentleman moves to nonconcur in Senate Amendments 1 and 2. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The House nonconcur in Senate Amendments #1 and 2. We're going to Approp. Bills. ...call Approp. Bills. Time out. ...ready? Alright. House Bill 238. Representative Leverenz, it's a Capparelli Bill. Do you want to handle that? Leverenz. I'm sorry, Representative Terzich."

Terzich: "Yes, Mr. Speaker, I move that we concur with Senate Amendment #1. This is the annual appropriation..."

Speaker McPike: "Is there any discussion?"

Terzich: "...Reduces the amount \$183,000."

Speaker McPike: "Question is, 'Shall the House concur in Senate Amendments #1...Senate Amendment #1 to House Bill 238?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 95 'ayes', 15 'nos' and the House does concur in Senate Amendment #1 to House Bill 238, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 545, Representative Matijevich."

Matijevich: "Mr. Speaker, Members of the House, I would move to nonconcur with Senate Amendments 1, 2, 3 and 4 to House Bill 545. I'm informed due to recent revenue developments

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or the lack thereof, we've got to adjust some of this, and therefor we now move to nonconcur and take another look later."

Speaker McPike: "Any discussion? The question is, 'Shall the House nonconcur in Senate Amendments 1, 2, 3 and 4 to House Bill 545?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the House nonconcur in Senate Amendments 1, 2, 3 and 4 to House Bill 545. House Bill 551, Representative Leverenz."

Leverenz: "Thank you. Move we nonconcur in Senate Amendment #1."

Speaker McPike: "Any discussion? Question is, 'Shall the House nonconcur in Senate Amendments #...in Amendment #1 to House Bill 551?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the House nonconcur in Senate Amendment #1 to House Bill 551. House Bill 584, Representative Leverenz."

Leverenz: "Mr. Speaker, I'd move we nonconcur in Senate Amendments #1 and 2. I'm sorry, #2."

Speaker McPike: "Any discussion? Question is, 'Shall the House nonconcur in Senate Amendment #2 to House Bill 584?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. House Bill 592, Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I move to nonconcur in Senate Amendments #1 through 18 on House Bill 592."

Speaker McPike: "Any discussion? The Gentleman has moved to nonconcur in all the Senate Amendments to House Bill 592. All those in favor of the Motion say 'aye', all opposed 'no'. The 'ayes' have it and the Motion carries. House Bill 595, Representative Leverenz."

Leverenz: "Move we nonconcur in the Senate Amendment."

Speaker McPike: "Any discussion? Question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 595?' All



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those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. House Bill 659, Representative Breslin."

Breslin: "Thank you, Mr. Speaker. I move to concur in the Senate Amendment on House Bill 659. As I understand it, what the Senate did was add three new people to the capital punishment unit of the...this is for the cases for people who are on death row, to the Appellate Defender Program. This is something that we have tried to do for several years. Their need is far greater than three, but the Senate agreed that they should start to do that in this manner. So, my suggestion is that we concur in this Amendment and send this to the Governor."

Speaker McPike: "And on that, Representative Mays."

Mays: "Thank you, very much, Mr. Speaker. I would make a substitute Motion that we nonconcur. I think 51,000 additional dollars for this agency at this time, when we don't know whether there's going to be a tax increase or not, is not appropriate."

Speaker McPike: "Representative Mays."

Mays: "Yes."

Speaker McPike: "We're not allowing substitute Motions."

Mays: "Well, then I won't make a substitute, I would urge a 'no' vote on the Lady's Motion..."

Speaker McPike: "But...and then..."

Mays: "...because this Bill ought to go to Conference Committee. It's got 5100 added on to it from the Senate action and I think we should just hold this until we have a Resolution to the tax question one way or the other."

Speaker McPike: "Further discussion? Representative Breslin to close."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. We are talking about a lousy 51,000 to an agency that hasn't had a

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state employee increase that works on significant capital punishment cases. 51,000. This is not money that comes out of an income tax increase that we pass or do not pass. It is a shift of other state money. I think it is appropriate. This agency has waited far longer than every other agency in state government and I think we ought to give them this additional three spaces in their entire agency."

Speaker McPike: "Question is... The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 659?' All those in favor vote 'aye', opposed vote 'no'. Representative Ryder, to explain his vote."

Ryder: "Thank you, Mr. Speaker. Down where I come from, 51,000 is not lousy any way that you count it, and as a consequence I would hope that others would join with 'red' votes on this. It may not be directly influenced by the...any decisions we make in tax, but if we're going to take a look at what the taxpayers sent us here to do, I think that the vote should continue as it is. Thank you."

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

Bowman: "Yes, I rise in opposition to the Lady's Motion. While this is an important agency and although it does have a small budget, we are trying to save every nickel we can for education and 51,000 is 51,000 dollars, and regretfully I rise in opposition."

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

Breslin: "Thank you, Mr. Speaker. I stand corrected, it wasn't a lousy 51,000, it's a measly 51,000. Divided by three employees it's seventeen thousand dollars per lawyer to work on capital cases in the state appellate defender's...I don't even know if they can find lawyers who'll work for seventeen thousand dollars a year, but we ought to at least give them the chance. If you want to...if you want to

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eliminate the backlog on death row cases, this is the only way you can do it."

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

Countryman: "Well, we've engaged now in lawyer bashing, we've engaged...we've engaged in dollar bashing and what we've done is we've...we haven't been serious with this agency in about five years. To put on three people to handle the caseload that's there is just a very reasonable approach with what we've done with this agency over the years and some of you are forgetting it by putting up those negative votes. So, I want people on this side of the aisle to join in the Lady's Motion and vote 'green'."

Speaker McPike: "Have all voted? Representative Goforth."

Goforth: "Thank you, Mr. Speaker. As long as we can't get eighteen thousand dollars for a legislative aide to help ourselves, I don't see why we can give seventeen thousand dollars to anybody else."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 29 'ayes' and 80 'nos' and the Motion fails. Representative Mays."

Mays: "I move we nonconcur, if that's in order."

Speaker McPike: "That's in order. The Gentleman moves to nonconcur in Senate Amendment #1 to House Bill 659. Is there any discussion? Question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 659?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. House Bill 830, Representative Mays."

Mays: "Thank you, very much, Mr. Speaker. I move we nonconcur in Senate Amendment #1 to House Bill 830, the Department of Labor's budget."

Speaker McPike: "The Gentleman moves to nonconcur in Senate Amendment #1. Any discussion? All in favor say 'aye',

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opposed 'no'. The 'ayes' have it. The Motion carries and the House nonconcur in Senate Amendment #1 to House Bill 830. House Bill 831, Representative Mays."

Mays: "Thank you, very much, Mr. Speaker. I move that we concur...the House concur in Senate Amendments #1 and 2 to the Department of Savings and Loan budget."

Speaker McPike: "Is there any discussion? Question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 831?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 117 'ayes' and no 'nays' and the House does concur in Senate Amendments #1 and 2 to House Bill 831. This Bill having received the Constitutional Majority, is hereby declared passed. House Bill 832, Representative Mays."

Mays: "Thank you, very much, Mr. Speaker. I move that the House concur in Senate Amendments #1, 2 and 3 on the Education Labor Relations Board."

Speaker McPike: "Any discussion? Question is, 'Shall the House concur in Senate Amendments 1, 2 and 3 to House Bill 832?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 116 'ayes' and no 'nays' and the House does concur in Senate Amendments 1, 2 and 3 to House Bill 832, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 833, Representative Mays."

Mays: "Thank you, very much, Mr. Speaker. I move that the House nonconcur in Senate Amendment #1 to the Lieutenant Governor's budget."

Speaker McPike: "Any discussion? Question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 833?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and

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the Motion carries. House Bill 836, Representative Mays."

Mays: "Thank you, very much, Mr. Speaker. I move the House nonconcur in Senate Amendments to the lottery budget."

Speaker McPike: "Any discussion? Question is, 'Shall the House nonconcur in Senate Amendments 1 and 2 to House Bill 836?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. House Bill 838, Mr. Mays."

Mays: "Thank you, very much, Mr. Speaker. I move the House nonconcur in Senate Amendment #1 to the Department of Military and Naval Affairs budget."

Speaker McPike: "Any discussion? Question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 838?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. House Bill 840, Representative Mays."

Mays: "I move the House concur in Senate Amendments #1 and 2 to the Department of Conservation's budget."

Speaker McPike: "Any discussion? Being none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 840?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 117 'ayes' and no 'nays' and the House does concur in Senate Amendments #1 and 2 to House Bill 840. This Bill having received the Constitutional Majority, is hereby declared passed. House Bill 841, Representative Mays."

Mays: "I move the House nonconcur in Senate Amendments #1 and #2 to the Criminal Justice Information Authority's budget."

Speaker McPike: "Any discussion? The question is, 'Shall the House nonconcur in Senate Amendments 1 and 2 to House Bill 841?' All in favor say 'aye', oppose 'no'. The 'ayes' have it and the Motion carries. House Bill 842, Mr. Mays."

Mays: "Yes, I move the House concur in Senate Amendment #1 to the Prisoner Review Board budget."

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Speaker McPike: "Any discussion? Question is, 'Shall the House concur in Senate Amendment #1 to House Bill 842?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 117 'ayes' and no 'nays' and the House does concur in Senate Amendment #1 to House Bill 842, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 843, Mr. Mays."

Mays: "Thank you, very much. I move the House nonconcur in Senate Amendments #1, 2, 5, 6 and 7 to the Department of State Police budget."

Speaker McPike: "Any discussion? Question is, 'Shall the House nonconcur in Senate Amendments 1, 2, 5, 6 and 7 to House Bill 843?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. Representative Mays, on House Bill 844."

Mays: "Thank you, very much, Mr. Speaker. I move the House nonconcur with Senate Amendment #1 to the Abandoned Mined Lands Reclamation Counsel."

Speaker McPike: "Any discussion? Question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 844?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. House Bill 845, Mr. Mays."

Mays: "Thank you, Mr. Speaker. I move the House nonconcur in Senate Amendments #1, 2, 3, 4, 6 and 7 on the Department of Agriculture's budget."

Speaker McPike: "Any discussion? Being none, the question is, 'Shall the House nonconcur in Senate Amendments 1, 2, 3, 4, 6 and 7 to House Bill 845?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. House Bill 846, Representative Mays."

Mays: "Yes, I move the House nonconcur in Senate Amendment #1 to

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the Department of Central Management Services' budget."

Speaker McPike: "Any discussion? Question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 846?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. House Bill 847, Mr. Mays."

Mays: "Yes, I move that the House nonconcur in Senate Amendments #1, 2, 3, 4, 5, 7, 8, 9, 10, 11 and 12 and 13 on the EPA's budget."

Speaker McPike: "Any discussion? Question is, 'Shall the House nonconcur in Senate Amendments #1 through 5 and Senate Amendments 7 through 13 on House Bill 847. All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. House Bill 849, Mr. Mays."

Mays: "I move that the House nonconcur in Senate Amendments #1, 2, 3 and 4 on the Commissioner of Banks and Trusts Agency."

Speaker McPike: "Any discussion? Question is, 'Shall the House nonconcur in Senate Amendments 1, 2, 3 and 4 to House Bill 849?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. House Bill 850, Mr. Mays."

Mays: "Yes, thank you, very much, Mr. Speaker. I move that the House nonconcur on all Senate Amendments to the Department of Commerce and Community Affairs Operation's budget."

Speaker McPike: "Any discussion? The House...the Motion is to nonconcur in Senate Amendments 1 through 37 to House Bill 850. All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. House Bill 859 and 860 out of the record. House Bill 864, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I move that we concur with Senate Amendment #1 on House Bill 864."

Speaker McPike: "Any discussion? Question is, 'Shall the House concur in Senate Amendment #1 to House Bill 864?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have

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all voted who wish? The Clerk will take the record. On this Motion there are 103 'ayes', 11 'nos' and the House does concur in Senate Amendment #1 to House Bill 864, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 942, Representative Leverenz."

Leverenz: "I move the House concur in Senate Amendment #3 to House Bill 942."

Speaker McPike: "And on that, Representative Jones."

Jones, (S): "864, I wish you to record me 'aye', please."

Speaker McPike: "Let the record reflect that the Lady would have voted 'aye' on House Bill 864. Representative Martinez has the same request. The record will reflect that they both would have voted 'aye' on House Bill 864. And is there any discussion on House Bill 942? Being none, the question is, 'Shall the House concur in Senate Amendment #3 to House Bill 942?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 104 'ayes', 10 'nos' and the House does concur in Senate Amendment #3 to House Bill 942, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 1211, Representative Bowman."

Bowman: "Thank you, Mr. Speaker. I move that the House nonconcur in Senate Amendment #1 to House Bill 1211."

Speaker McPike: "Any discussion? Question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 1211?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. House Bill 1212. Out of the record. Supplemental #4. Number 4. Alright, on Supplemental #4 appears Senate Bill 97, Representative Jones. Oh, I'm sorry, this is Senate Bill 97, Representative Lang."

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



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I would move that the House refuse to recede from House Amendments 1 and 2."

Speaker McPike: "Is there any discussion on the Gentleman's Motion? The Gentleman moves to refuse to recede to House Amendments #1 and 2. All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. The Gentleman asks for the appointment of a Conference Committee. On Senate Bill 243, Representative Terzich."

Terzich: "Yes, Mr. ...May I make a Motion we refuse to recede from the Sen...House Amendment 1 and 3."

Speaker McPike: "Any discussion? The question is, 'Shall the House refuse to recede from House Amendments 1 and 3 to Senate Bill 243?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Motion carries. The Gentleman asks for the appointment of a Conference Committee. Senate Bill 449, Representative Curran. Senate Bill 505, Representative DeJaegher."

DeJaegher: "I refuse to recede to Senate Bill 505 and request a Conference."

Speaker McPike: "Is that a Motion, Sir? ... Or a statement?"

DeJaegher: "Refuse to recede to Senate Bill.... House Amendments 1 and 3 to Senate Bill 505 and request a Conference Committee."

Speaker McPike: "The Gentleman moves that the House refuse to recede from House Amendments 1 and 3 to Senate Bill 505. Any discussion? All those in favor of the Motion say 'aye', opposed 'no'. The 'ayes' have it, and the House refuses to recede from House Amendments 1 and 3 to Senate Bill 505, and the Gentleman requests the appointment of a Conference Committee. Senate Bill 525, Representative Saltsman."

Saltsman: "Yes, Mr. Speaker, I refuse to recede and would like to have this go to a Conference Committee."

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Speaker McPike: "The Gentleman moves the House refuse to recede from House Amendments 1 and 2 to Senate Bill 525. Any discussion? The question is 'Shall the Gentleman's Motion pass?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The House refuses to recede from House Amendments 1 and 2 to Senate Bill 525. The Gentleman asks for the appointment of a Conference Committee. Senate Bill 667, Representative Kirkland. Out of the record. Senate Bill 819, Representative Hicks. Representative Hicks. It's the Horse Racing Act."

Hicks: "Yes, Mr. Speaker, I would refuse to recede from House Amendments #1, 3 and 4 and would...The reason being that we'd like to put this into a Conference Committee, and I would ask that a Conference Committee be appointed."

Speaker McPike: "The Gentleman moves the House refuse to recede to Senate Amendments (sic- House Amendments) 1, 3 and 4 to Senate Bill 819. All those in favor of the Motion say 'aye', opposed 'no'. The 'ayes' have it. The House refuses to recede from House Amendments 1, 3 and 4 to Senate Bill 819. The Gentleman asks for a Conference Committee. And Representative Kirkland would like to return to Senate Bill 667."

Kirkland: "Thank you. I also move to refuse to recede on House Amendment #1."

Speaker McPike: "You've heard the Gentleman's Motion. Is there any discussion? The Gentleman moves that the House refuse to recede from House Amendment #1 to Senate Bill 667. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Motion carries. The Gentleman asks for a Conference Committee to be appointed. Senate Bill 922, Representative Laurino."

Laurino: "Thank you, Mr. ...Thank you, Mr. Speaker. I would like to make a Motion to refuse to recede to Amendments 2 and 3

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and ask for a Conference Committee."

Speaker McPike: "Is there any discussion on the Motion? The question is, 'Shall the House refuse to recede from Amendments 2 and 3 to House...to Senate Bill 922?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Motion carries. The Gentleman asks for the appointment of a Conference Committee. And Senate Bill 1179, Representative Countryman."

Countryman: "Thank you, Mr. Speaker. I move that the House refuse to recede from Amendm...House Amendment #1 and that a Conference Committee be appointed."

Speaker McPike: "Any discussion? The question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 1179?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. The Gentleman asks for the appointment of a Conference Committee. Representative Woolard, for what reason do you rise? Starting over on the Special Orders on Education. House Bill 77, Representative Klemm."

Klemm: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #2 on House Bill 77. The House...Senate Amendment #2 does become the Bill. It's a compromise worked out with the Department of Transportation concerning hazardous conditions in no passing zones in front of school districts. It allows the Department to work with the school districts to determine if there is a hazardous condition to allow the school district and the Department of Transportation to share in the cost. And it's agreed by everyone. I think there is no opposition. I move its adoption."

Speaker McPike: "Is there any discussion? The question is, 'Shall the House concur in Senate Amendment #2 to House Bill 77?' All those in favor vote 'aye', opposed vote

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'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 115 'ayes' and no 'nays', and the House does concur in Senate Amendment #2 to House Bill 77. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, while we have time, Agreed Resolutions."

Clerk O'Brien: "House Resolution 764, offered by Representative DeJaegher; 765, DeJaegher; 766, DeJaegher; 767, Matijevich; 768, Hoffman; 769, Black; 770, Breslin; 771, Mautino; 772, DeJaegher; 773, DeJaegher; 774, Dunn."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, we've looked at the Resolutions. They are all congratulatory and by the way, one of them if anyone served with former Member Webber Borchers, he is celebrating his 83rd birthday. And we wish him a happy birthday and the best of health. I move the adoption of the Agreed Resolutions."

Speaker McPike: "The question is, 'Shall the Agreed Resolutions be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 775, Deuchler; Senate Joint Resolution 70, Mautino and Senate Joint Resolution 76, Trotter."

Speaker McPike: "Committee on Assignment. Representative Matijevich moves that the House stand adjourned till tomorrow at the hour...Mr. Black, did you have something?"

Black: "Just a correction on a vote, if I could, Mr. Speaker."

Speaker McPike: "Well, go ahead."

Black: "It was called to my attention that yesterday on House Bill 494, I was recorded as 'present'. Would you have the Journal record I would have preferred to vote 'aye'."

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Speaker McPike: "Thank you. Representative Leitch."

Leitch: "Thank you, Mr. Speaker. I was off the floor speaking to a constituent when House Bill 1262 was called, and had I been here, it would've been a 'green' vote. Thank you."

Speaker McPike: "Anything else? Representative Matijevich moves that the House stand adjourned until tomorrow morning at the hour of 11:00 a.m. All those in favor of the Motion say 'aye', opposed 'no'. The 'ayes' have it and the House stands adjourned."

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